

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(90) 522 final

Brussels, 24 October 1990

Amendment to the proposal for a

## COUNCIL DIRECTIVE

concerning municipal waste water treatment

(presented by the Commission pursuant to Article 149(3)  
of the EEC-Treaty)

EXPLANATORY MEMORANDUM

On 13 September 1990 the European Parliament examined the proposal for a Council Directive concerning municipal waste water treatment<sup>(1)</sup>, and adopted the report on the proposal drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection<sup>(2)</sup>. It approved the proposal subject to 55 amendments to the Commission's original text.

The Commission has decided to accept part of the amendments put forward by the Parliament and, in accordance with the third paragraph of Article 149 of the Treaty, to amend its initial proposal accordingly.

The aim of the amendments is to strengthen the protection of the environment and to clarify the wording of the text.

The frequency for the publication of a report by the Commission relating to the directive and its submission to the European Parliament is specified, the threshold limits for municipalities covered by the directive are reduced, the monitoring of receiving waters is specified in more detail and a new article is introduced which will ensure that the measures introduced under this directive do not lead to a deterioration of the environment.

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(1) O.J. C 1 of 4.01.1990, p. 20

(2) Document PE 144.654

Amendment to the proposal for a

COUNCIL DIRECTIVE

concerning municipal waste water treatment

ORIGINAL TEXT

AMENDED TEXT

Citations unchanged

First recital

Whereas, the Council Resolution of 28 June 1988 invited the Commission to submit proposals for measures required at any level for the treatment of municipal sewage;

Whereas, the Council Resolution of 28 June 1988 invited the Commission to submit proposals on the treatment of municipal sewage and industrial waste waters and ways of reducing the amount of fertilizers from various sources;

Second, third and fourth recital unchanged

Fifth recital

Whereas industrial waste water entering collecting systems as well as the disposal of waste water and sludge from municipal waste water treatment plants should be subject to authorization;

Whereas industrial waste water entering collecting systems as well as the disposal of waste water and sludge from municipal waste water treatment plants must be subject to authorization;

Sixth recital unchanged

Seventh recital

Whereas the recycling of sludge should be encouraged; whereas when sludge is used for agricultural purposes use is to take place in conformity with Council Directive 86/278/EEC; whereas the disposal of sludge at sea should be phased out;

Whereas the recycling of sludge must be encouraged; whereas when sludge is used for agricultural purposes use is to take place in conformity with Council Directive 86/278/EEC; whereas the disposal of sludge at sea must be phased out in the near future;

Recital 7a (new)

Whereas with regard to the growing demand for water in certain areas the discharge into a liquid medium of waste water which is free of dangerous and/or non-volatile substances constitutes wastage of a valuable resource, which should therefore be recycled;

Recital 7b (new)

Whereas in order to facilitate the possible extension of treatment plants, especially in the event of technological progress and changes in regulations, potential capacity should be borne in mind as a decisive criterion when siting future plants;

Eight and ninth recital unchanged

Tenth recital

Whereas the establishment and the presentation to the Commission of national programmes by Member States will help ensure the coordination of the necessary measures to be taken to achieve the aims of this Directive;

Whereas the establishment and the presentation to the Commission of national programmes by Member States will help ensure the coordination of the necessary measures to be taken to achieve the aims of this Directive and whereas reports on the application of this Directive drawn up by the Member States must be published periodically;

Eleventh recital

Whereas, in order to improve and accelerate practical implementation of this Directive, the technical content of the Annexes must, where appropriate, be speedily elaborated or amended and whereas, in order to facilitate application of the measures required for this purpose, provision should be made for a uniform procedure establishing close cooperation between the Member States and the Commission;

Whereas, in order to improve and accelerate practical implementation of this Directive, the technical content of the Annexes must, where appropriate, be supplemented, reassessed or amended in the light of new research and scientific knowledge and whereas, in order to facilitate application of the measures required for this purpose, provision should be made for a uniform procedure establishing close cooperation between the Member States and the Commission;

Twelfth, thirteenth and fourteenth recital unchanged

Recital 14a (new)

Whereas municipalities should install waste water treatment plants in parallel with collecting systems;

Articles 1, 2 and 3 unchanged

Article 4(1)

1. Member States shall ensure that, by 31 December 1998, municipal waste water entering collecting systems shall before discharge be subject to secondary treatment or an equivalent process, in the following circumstances:

- for discharges of fresh water and estuaries from municipalities representing 2,000 p.e. or more;
- for discharges to coastal waters from municipalities representing 10,000 p.e. or more;

1. Member States shall ensure that, by 31 December 1998, municipal waste water entering collecting systems shall before discharge be subject to secondary treatment or a process allowing equivalent yield, in the following circumstances:

- for discharges to fresh water and estuaries from municipalities representing 1,000 p.e. or more;
- for discharges to coastal waters from municipalities representing 5,000 p.e. or more;

Article 4 (2) unchanged

Article 4(3)

3. The load, expressed in p.e., shall be calculated on the basis of the maximum daily load entering the treatment plant during the year excluding unusual situations such as those due to heavy rain.

3. The load, expressed in p.e., shall be calculated on the basis of the maximum daily load entering or likely to enter the treatment plant during the year excluding unusual situations such as those due to heavy rain.

Article 5 (1) unchanged

Article 5(2)

2. Member States shall ensure that, by 31 December 1998, municipal waste water entering collecting systems shall before discharge into sensitive areas be subject to more stringent treatment than that described in Article 4 in the following circumstances:

- for discharges to fresh water and estuaries, from municipalities representing 2,000 p.e. or more;
- for discharges to coastal waters, from municipalities representing 10,000 p.e. or more.

- for discharges to fresh water and estuaries, from municipalities representing 1,000 p.e. or more;
- for discharges to coastal waters, from municipalities representing 5,000 p.e. or more.

Article 5 (3) and 5 (4) unchanged

Article 6 (1) unchanged

Article 6(2)

2. Municipal waste water discharges to coastal waters situated in areas described in paragraph 1, may be subjected to less stringent treatment than prescribed in Article 4 providing that:

- such discharges receive at least primary treatment;
- comprehensive studies indicate that such discharges will not adversely affect the environment.

2. Municipal waste water discharges to coastal waters situated in areas described in paragraph 1, may, by way of exception, be subjected to less stringent treatment than prescribed in Article 4 providing that:

Article 6(3) unchanged

Article 7 and 8 unchanged

Article 9

Member States shall ensure that the municipal waste water treatment plants described in Articles 4, 5, 6 and 7 are designed and constructed to maintain sufficient performance under all normal climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account.

Member States shall ensure that the municipal waste water treatment plants described in Articles 4, 5, 6 and 7 are designed and constructed to maintain sufficient performance under all normal climatic conditions, and that their treatment capacity is actually based on the criterion laid down in Article 4(3).

Articles 10, 11, 12 and 13 unchanged

Article 14(1) unchanged

Article 14(2)

2. Competent authorities shall monitor waters subject to discharges from municipal waste water treatment plants and direct discharges according to Article 12 to verify that the environment is not adversely affected.

2. Competent authorities shall regularly monitor waters receiving discharge from municipal waste water treatment plants and the ecosystem concerned, at least once a year, and direct discharges according to Article 12, to verify that the environment is not adversely affected.

Article 14(3), 14(4) and 14(5) unchanged

Article 15 unchanged

Articles 16(1) to 16(5) unchanged

Article 16(6)

6. The Commission shall review and assess the information related to this Directive and publish a report at intervals.

6. The Commission shall review and assess the information related to this Directive and publish a report to be submitted each three years to the European Parliament.

Articles 17 to 20 unchanged

Article 20a (new)

Member States together with the Commission shall ensure that under no circumstances will measures introduced under this directive lead to a deterioration of the environment.

Articles 21 and 22 unchanged



Annex I(1) to Annex I(5)

Annex I(5a) (new)

5a. Industrial waste water similar to municipal waste water means: waste water other than the types mentioned above, with a COD which does not exceed 3 times its BOD, for instance, waste water from hospitals, hotels, the agri-foodstuffs industry etc.

Annex I(6) to I(9)

Annex I(10)

10. 'Primary treatment' means: treatment of municipal waste water by a physical process involving settlement of suspended organic solids, or other processes in which the 5 day BOD of the incoming waste water is reduced by 20 to 40%.

10. 'Primary treatment' means: treatment of municipal waste water by a physical process involving settlement of suspended organic solids, or other processes in which the 5 day BOD of the incoming waste water is reduced by 20 to 40%, and the settleable matter by at least 60-70%.

Annex I(11) and (12) unchanged

Annex II A, indent 3a (new)

Control of run-off water with a view to its undergoing specific treatment at a later date.

Annex II B and C unchanged

Annex II, table 1 and 2 unchanged

Annex III and IV unchanged

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# DOCUMENTS

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