



EUROPEAN COMMISSION

Brussels, 19.07.2019
SEC(2019) 448 final

REGULATORY SCRUTINY BOARD OPINION

**Evaluation of the Council Directive 91/271/EEC of 21 May 1991, concerning urban
waste-water treatment**

{ SWD(2019) 700 final }
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Brussels, 19/07/2019
SG.A2/AM

Opinion

Title: Evaluation of the Urban Waste Water Treatment Directive

Overall opinion: POSITIVE

(A) Context

The EU introduced the Directive on urban waste water treatment in 1991 to protect the environment against urban waste water discharges. The Directive imposes an obligation to collect and treat urban waste water from households and certain industries. Requirements for treatment depend on the size of the urban agglomeration. The Directive also requires that treatment plants be properly maintained to ensure performance in normal weather conditions, with further requirements for measures to deal with unusually heavy rainfall. Member States report certain information on these issues to the European Commission.

Since 1991, 16 Member States have joined the European Union. The Union has adopted many additional Directives that have an impact on clean water. The policy debate has also evolved, especially as regards climate change. There are now more pollutants and better data on pollutants. This evaluation aims to determine if the Directive is still fit for purpose.

(B) Main considerations

The Board acknowledges that the evaluation has a robust evidence base.

The Board gives a positive opinion. The Board also considers that the report could further improve with respect to the following aspects:

- (1) The evaluation does not analyse reasons behind compliance difficulties in some Member States.**
- (2) There are many pieces of legislation and many factors that have an impact on water quality. The evaluation does not sufficiently explain the wider context and the links between overall water quality objectives and the specific measures of the Urban Waste Water Treatment Directive.**
- (3) The evaluation's conclusions do not fully reflect all of the evidence presented in the body of the report. They should also be more explicit about the issue of the new pollutants and whether it has an impact on the relevance of the Directive's scope.**

(C) Further considerations and recommendations

(1) The evaluation should better explain why some Member States have difficulties with compliance. It is important to distinguish between issues of legislation and issues of implementation, as well as between financial difficulties and governance challenges. The evaluation should provide more analysis of practices in different Member States and on the various compliance measures taken by the Commission.

(2) It is important to present the Directive in the wider context in which it operates, taking into account how it interacts and complements other water related legislation. The report should explain how the changes in the water policy context require to put the objectives and the ambitions of the Directive into a broader perspective.

(3) The report could give more detail on the effectiveness of technical solutions and financing models to reach the water policy objectives.

(4) The conclusions should be strengthened to help policy makers understand how the Directive performed and the shortcomings identified through the analysis. The conclusions are introduced with a summary which focuses too much on the positive aspects. The conclusions should also address the issue of the pollutants to be targeted in the changed context of the Directive.

Some more technical comments have been transmitted directly to the author DG.

(D) RSB scrutiny process

The Board advises the DG to take these recommendations into account before launching the interservice consultation.

Full title	Evaluation of the Urban Waste Water Treatment Directive 91/271/EEC (UWWTD)
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Date of RSB meeting	17/07/2019