



» JOINT PAPER

on the proposals in the European Parliament on the **design of an extended producer responsibility in the Urban Wastewater Treatment Directive**

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The **European Commission's proposal** for an extended producer responsibility (EPR) in the revision of the Urban Wastewater Treatment Directive is intended to **hold polluters** for the first time **financially responsible** for pollutant discharges, and to create incentives to prevent pollution at source. This is a milestone in European water policy. The **principle of extended producer responsibility** is already firmly established in European law and is now finally to be implemented in EU water law in an appropriate manner.

For water protection, with regard to the burden borne by the citizens and the energy balance of wastewater treatment, it is much better to **avoid pollution directly at the source**, or at least to **minimise pollution**, instead of reducing highly diluted pollutants later with technically complex processes before they enter the water bodies. The Commission's proposal therefore rightly stipulates that **producers of pharmaceuticals and personal care products, which are responsible for about 90% of micropollutants in wastewater, must bear the full costs of wastewater treatment for the quaternary treatment**. In this way, the Commission deliberately chooses an environmental economic incentive system instead of regulatory bans.

In his draft report, the **rappporteur in the European Parliament** deviates in crucial parts from the Commission's proposals. According to the rapporteur, producers should only *contribute* to covering the costs arising from the extended treatment requirements. The originally foreseen strong economic incentive for producers to act on micropollutants by establishing a **sole financing through extended producer responsibility is to be replaced by national financing programmes**. Those programmes shall be financed through **contributions from national funding, municipal levies, existing water tariffs, and by those producers**. The measures required to reduce micropollutants in the environment or in water bodies would then no longer have to be paid (solely) by the producers, but would be covered by the national financing programmes. In the opinion of the rapporteur, **society as a whole has a responsibility for the consumption and/or usage of pharmaceuticals and personal care products** and, against

this background, should also participate jointly in their avoidance, reduction or removal from the environment.

The **German Association of Local Public Utilities (Verband kommunaler Unternehmen e.V. (VKU))**, the **German Association of Towns and Municipalities (Deutscher Städte- und Gemeindebund (DStGB))**, the **Association of German Cities (Deutscher Städtetag (DST))**, the **German County Association (Deutscher Landkreistag (DLT))**, the **Austrian Association for Public and Social Economy (Verband der Öffentlichen Wirtschaft und Gemeinwirtschaft Österreichs (VÖWG))**, the **French Federation of Local Public Enterprises (Fédération des élus des Entreprises publiques locales (FEDEPL))**, the **Chamber of Commerce “Polish Waterworks” (Izba Gospodarcza “Wodociągi Polskie” (IGWP))**, and the **Swedish Association of Local Authorities and Regions (Sveriges Kommuner och Regioner (SALAR))** reject the softening of extended producer responsibility proposed by the rapporteur in the European Parliament and call for the Commission's proposals to be maintained. From the point of view of the German, Austrian, French, Polish, and Swedish local public wastewater treatment sector and the municipalities, the following key points speak in favour of the European Commission's proposal:

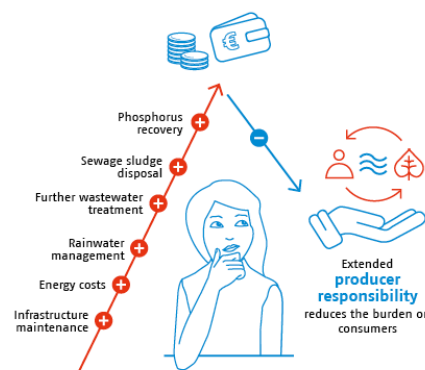
1. **Environmental impacts and pollution must no longer remain free of charge for producers.** It is time that (financial) responsibility is no longer shifted to citizens alone. This would initiate a central and long-awaited paradigm shift in European water policy, which the local public wastewater treatment sector has been asking for for a long time: From our point of view, it is long overdue to take the step of making those who cause water pollution responsible, and also financially accountable.
2. **Adequate incentives can only be achieved through far-reaching extended producer responsibility.** On the producers' side, there is the greatest scope for weighing up alternatives and deciding whether the environmental impacts of certain products are best reduced through avoidance, reduction, information of users or – and this can only be the last option – through end-of-pipe measures. The incentives for these trade-off processes are weakened if the costs for the associated measures do not lie mainly with the producers. The effectiveness of producer responsibility would thus be considerably diluted.
3. **Avoidance and reduction incentives can be placed in a targeted manner through extended producer responsibility.** In contrast to the producer, the product user is usually not aware, or not fully aware, of the environmental impacts of the products used. This is particularly true for pharmaceuticals and personal care products. Possible incentives via wastewater tariffs come to nothing, because neither producers nor consumers receive a price signal. The wastewater customer is unable to take corrective action at this point. Therefore, shifting the costs to the producer side is much more effective.
4. **The users of pharmaceuticals and personal care products will contribute appropriately to the avoidance and reduction of micro-pollutants through extended producer responsibility.** The producers concerned will include the costs incurred – where the use of environmentally harmful substances is unavoidable – in the total costs of their products.

Where substitutes are available, more environmentally friendly alternatives will prevail among consumers due to more favourable prices. At this point, the price signal can specifically unfold the steering effect intended by environmental policy. In the case of the use of pharmaceuticals that cannot be replaced by equivalent alternatives, health policy hardships due to higher costs can be cushioned very well by the solidarity principle that exists in the German and Austrian health system. This is where this mechanism belongs – not in the end-of-pipe area of wastewater treatment.

5. **The customers of the wastewater utilities already make a significant contribution.** Those who demand an appropriate financial contribution from wastewater tariffs on the basis of responsibility for society as a whole fail to recognise that these customers already bear the main burden of reducing environmental pollution through wastewater tariffs. Even wastewater treatment plants without quaternary treatment already retain a substantial share of water-polluting impacts that can be traced back to the marketing of certain products. Up to now, their financing has had to manage without a contribution from the producers, but is largely financed by the connected users alone. In this respect, the users connected to the wastewater disposal system are already making an essential contribution to the avoidance and reduction of environmental pollution that is appropriate for society as a whole. A narrow view of the additional costs for the reduction of micro-pollutants does not go far enough at this point. Extended producer responsibility is about financing an extended level of treatment for micro-pollutants, which would not be possible without prevention at source or the establishment of additional, technically complex and energy-intensive treatment stages.

6. **Overall, the associations point out that the implementation of the revised Urban Wastewater Treatment Directive will result in considerable costs for the local public wastewater utilities.** These extra costs for the Directive’s overall implementation – aside from quaternary treatment – are also estimated very optimistically in the Commission’s proposal. A weakening of the extended producer responsibility would have the consequence that the cost burden for the wastewater utilities and consequently for their customers would be significantly higher. Only a far-reaching extended producer responsibility that ensures the coverage of the full costs for the introduction and operation of the quaternary treatment at the affected plants can counteract this and create the necessary public acceptance for the implementation of these measures.

Easing the burden can only be achieved through the introduction of extended producer responsibility



Source: Verband kommunaler Unternehmen (VKU)

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