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PART 2/2

**COMMISSION STAFF WORKING DOCUMENT**  
*Accompanying the document*

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE  
COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE  
COMMITTEE OF THE REGIONS**

**Ninth Report on the implementation status and the programmes for implementation (as  
required by Article 17) of Council Directive 91/271/EEC concerning urban waste water  
treatment**

{COM(2017) 749 final}

## TABLE OF CONTENTS

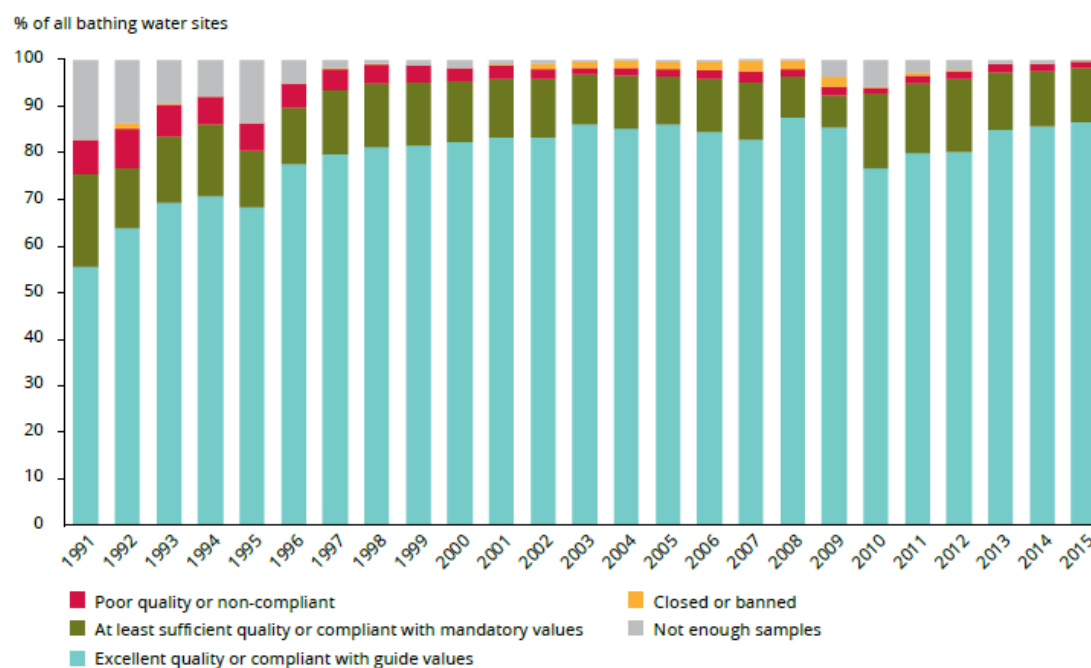
<i>2. Contribution by the UWWTD to the implementation of other directives .....</i>	<i>28</i>
2.1. Bathing Water Directive .....	28
2.2. Quality of waters in rivers.....	29
<i>3. Information on legal procedures.....</i>	<i>31</i>
3.1. Infringement cases since 2015 .....	31
3.2. Court rulings since 2016 .....	32
<i>4. Information on Article 17.....</i>	<i>33</i>
<i>5. List of relevant acronyms, abbreviations and symbols used in the Report.....</i>	<i>35</i>

## 2. Contribution by the UWWTD to the implementation of other directives

The Urban Waste Water Treatment Directive (UWWTD) has contributed substantially to improving water quality in surface waterbodies with regard to microbiological pollution, and also chemical parameters such as biological oxygen demand (BOD<sub>5</sub>), ammonium or orthophosphates.

### 2.1. Bathing Water Directive

The graph below shows the positive results from the implementation of the urban waste water policy in Europe as regards bathing water quality. Bathing waters deemed to be of excellent quality have substantially increased, but the insufficient management of storm water sewage overflows in some municipalities remains the reason for certain bad results. The ongoing projects to improve the implementation of the UWWTD during exceptional rain events will help to reduce the remaining instances of non-compliance.



**Note:** The trend is based on bathing water sites (12 Member States) where quality observations exist for all years from 1991 to 2015. In Chapter 2, the trend from 2011 to 2015 is illustrated, covering around 21 000 bathing water sites and all reporting countries.

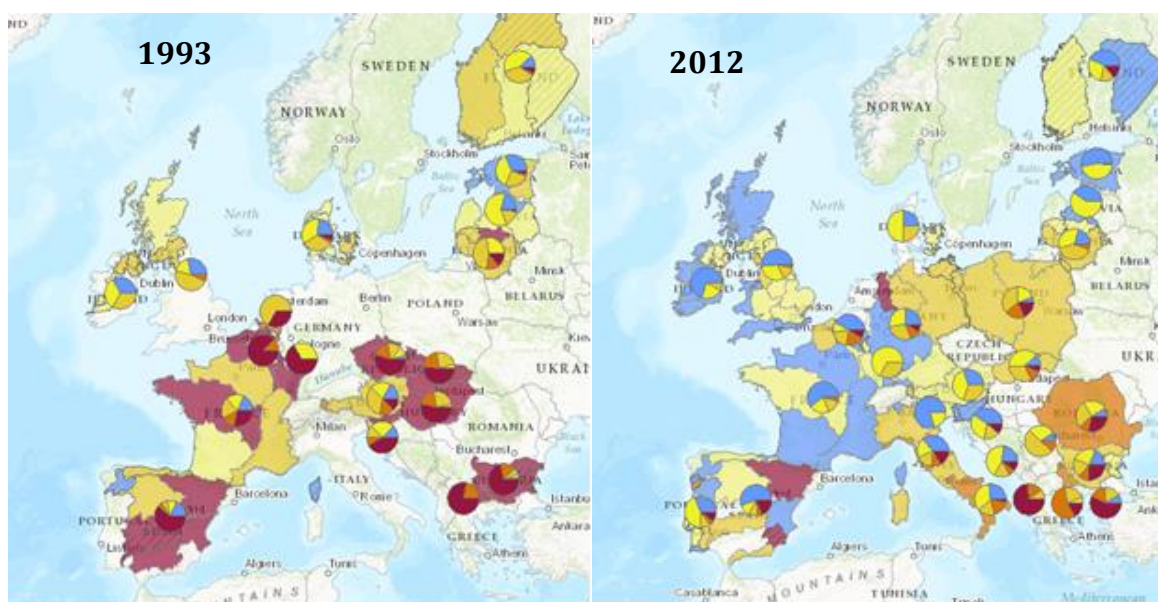
**Source:** WISE bathing water quality database (data from annual reports by EU Member States). Detailed data on bathing water quality are available at <http://www.eea.europa.eu/data-and-maps/data/bathing-water-directive-status-of-bathing-water-8>.

### Bathing water quality for 9 594 bathing water sites<sup>1</sup>

<sup>1</sup> Page 10 of the European bathing water quality report in 2015 — EEA Report No 9/2016.

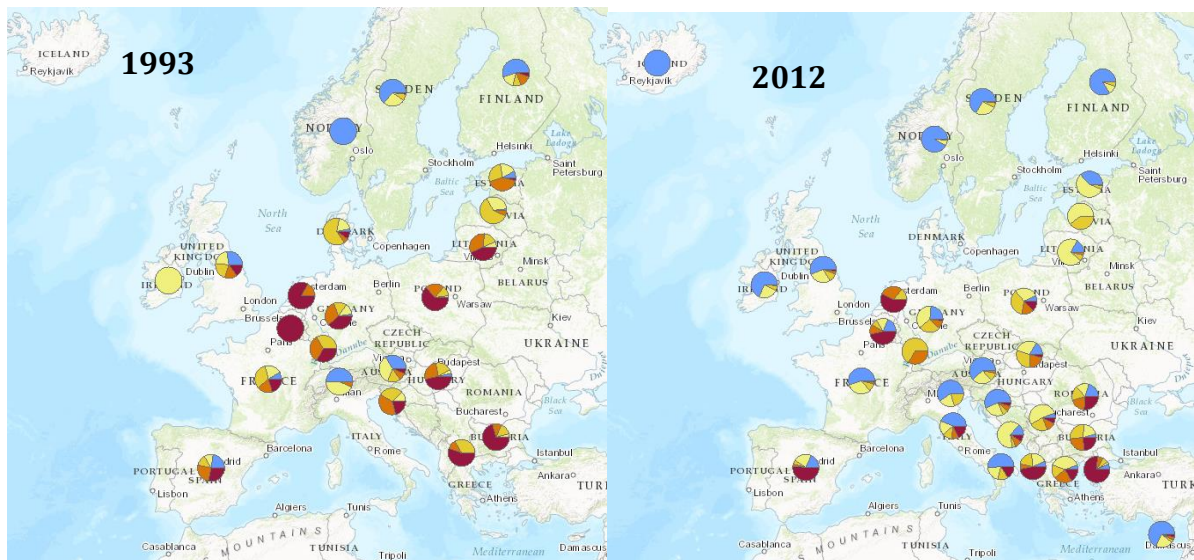
## 2.2. *Quality of waters in rivers*

As regards the river quality in Europe there is clearly a positive impact, as shown by the evolution of parameters such as BOD<sub>5</sub>, ammonium and orthophosphate. Untreated waste water is an important source of emissions of these parameters in rivers. Therefore, it is necessary for each new urban waste project to check if the basic requirements of the Directive are sufficient to contribute to maintaining the good ecological and chemical status of the receiving water bodies. Agglomerations that are already in compliance with the Directive's basic requirements, but which still contribute to the deterioration of water quality, will have to implement complementary measures to reduce emissions.

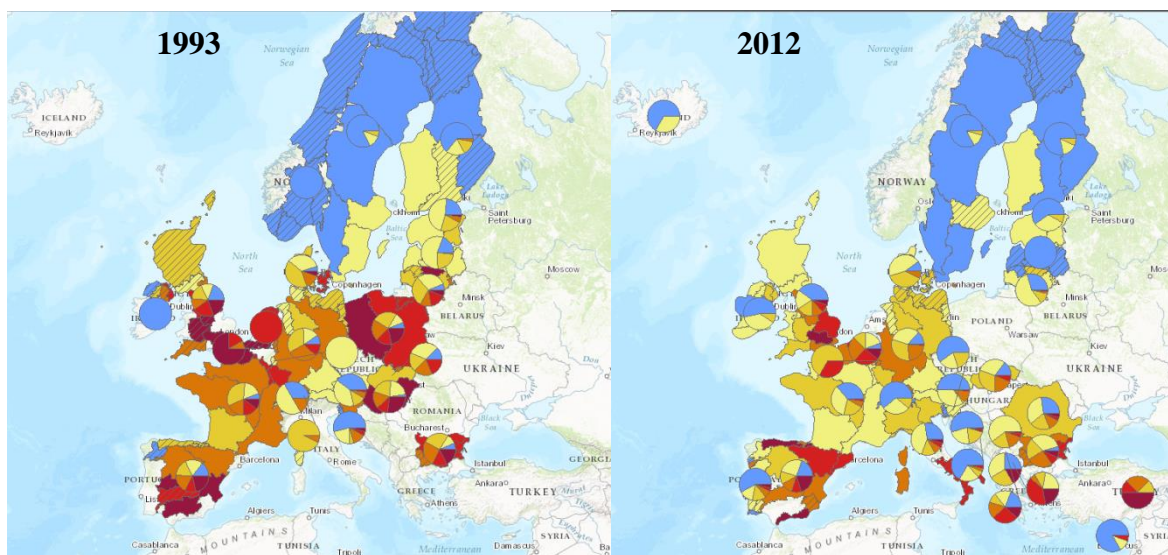


*BOD water quality evolution between 1993 and 2012 — EEA mapviewer<sup>2</sup>*

<sup>2</sup> <http://www.eea.europa.eu/data-and-maps/explore-interactive-maps/wise-soe-bod-in-rivers>



*Ammonium water quality evolution between 1993 and 2012<sup>3</sup> — EEA mapviewer*



*Orthophosphate water quality evolution between 1993 and 2012<sup>4</sup> — EEA mapviewer*

<sup>3</sup> <http://www.eea.europa.eu/data-and-maps/explore-interactive-maps/wise-soe-ammonium-in-rivers>.

<sup>4</sup> <http://www.eea.europa.eu/data-and-maps/explore-interactive-maps/wise-soe-orthophosphate-in-rivers>

### 3. Information on legal procedures

#### 3.1. Infringement cases since 2015

**Table 1 — EU-15 Member States: Main horizontal infringement cases opened and related Court judgments, where applicable<sup>5</sup>**

CASES RELATED TO LARGE TOWNS/CITIES (above 10 000 or 15 000 population equivalents)		
Case number <sup>6</sup>	Member State	Court Ruling and related date (if applicable)
1999/2030	BE	08/07/2004 (C-27/03) 17/10/2013 (C-533/11) (Art 260)
2002/2123	ES	10/03//16 (C-38/15)
2002/2125	LU	23/11/2006 (C-452/05) 28/11/2013 (C-576/11) (Art 260)
2002/2128	PT	8/09/2011 (C-220/10)
2002/2130	SE	06/10/2009 (C-438/07)
2004/2030	EL	25/10/2007 (C-440/06) 15/10/2015 (C-167/14) (Art. 260)
2004/2031	ES	14/04/2011 (C-343/10)
2004/2032	FR	07/11/2013 (C-23/13)
2004/2035	PT	07/05/2009 (C-530/07) 22/06/2016 (C-557/14) (Art. 260)
2004/2034	IT	19/07/2012 (C-565/10)
2009/2034	IT	10/04/2014 (C-85/13)

<sup>5</sup> Information updated on 10 April 2017.

<sup>6</sup> The case number refers to the reference number attributed by the European Commission to each infringement case.

CASES RELATED TO SMALL AND LARGE AGGLOMERATIONS		
Case number <sup>7</sup>	Member State	Court ruling and related date (if applicable)
2009/2304	BE	6/11/2014 (C-395/13)
2009/2306	FR	23/11/2016 (Case C-314/15)
2009/2309	PT	28/01/2016 (Case C-398/14)
2009/2310	SE	Pending
2011/2027	EL	Pending before the Court (Case C-320/15) Referral to the Court
2012/2100	ES	Pending
2013/2056	IE	Pending
2013/2055	UK	Pending before the Court (Case C-502/15) Referral to the Court
2014/2059	IT	Pending
2016/2134	ES	Pending

### 3.2. Court rulings since 2016

Table 2 — Court rulings since 2016, including information on fines and penalty payments where applicable<sup>8</sup>

MS	Ruling number	Date of issuance	Hyperlink to ruling	Information on fines and penalty payments, where relevant
Portugal	C-398/14	28/01/2016	<a href="#">Commission versus Portugal</a>	
Portugal	C-557/14	22/06/2016	<a href="#">Commission versus Portugal</a>	Article 260 TFEU: The fine imposed was EUR 8 000 per day and EUR 3 million lump sum.
Spain	C-38/15	10/03/2016	<a href="#">Commission versus Spain</a>	
France	C-314/15	23/11/2016	<a href="#">Commission versus France</a>	
United Kingdom	C-502/15	pending		
Greece	C-320/15	pending		

<sup>7</sup> The case number refers to the reference number attributed by the European Commission to each infringement case.

<sup>8</sup> Information updated on 10 April 2017. Only the Court rulings issued since the publication of the eighth Implementation Report are listed in Table 2.

UWWTD Article 17 assessment															
	Austria	Belgium	Bulgaria	Croatia	Cyprus	Czech Republic	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Ireland	Italy
Number of collecting system and IAS works planned (expired deadline) 2016 -->		16	288		25			6				216	72	13	672
Number of WWTP works planned (expired deadline) 2016 -->		11	268		10	5		2	3	102		42	28	32	2,292
Number of WWTP works planned (pending deadline) 2016 -->				275	0								214		
Number of WWTP works planned (planned deadline) 2016 -->				261	0					5			92		
Load entering the planned UWWTP [p.a.]		38,990	5,547,693	6,963,100	375,067	1,593,900		1,466	244,500	1,483,160		237,079	1,721,709	2,946,911	11,056,386
Organic design capacity UWWTP (as planned) [p.a.]		45,560	5,547,693	6,963,120	422,117	1,710,800		2,120	270,000	1,759,067		448,128	2,279,736	3,544,880	18,701,403
Forecast cost investment needed for the collecting system (as in the national plan) (million €)		8	1,932	2,021	537			55				1,466	71	157	1,360
Forecast cost investment needed for the UWWTP (as in the national plan) (million €)		24	613	880	210	27			26	277		82	36	550	1,705
Amount of (planned) EU funding needed for collecting systems (million €)			290	1,338	20	11		45				1,395	53		275
Amount of (planned) EU funding needed for WWTP (million €)			89	583	41	11		1	19			75	27	185	160
Name of EU fund planned to be used		BEI loan	COHESION FUNDS	COHESION FUNDS	COHESION FUNDS	ERDF/FS		CF 2014-2020		FEADER, FEDER		COHESION fund EU fund		European Bank Loan	
Past yearly investment collecting system (new and renewal) (million €)	262	216	211	79	15	185	456	38	132	2,678	1,925	101	318		775
Past yearly investment treatment plant (new and renewal) (million €)	46	156	129	19	9	115	228	16	48	1,582	998	81	192		705
Current yearly investment collecting system (new and renewal) (million €)	289	233	211	225	15	185	533	12	140	2,750	2,090	167	365	100	774
Current yearly investment treatment plant (new and renewal) (million €)	41	127	129	98	30	116	266	5	52	1,550	788	133	97	195	775
Expected yearly investment collecting system (new and renewal) (million €)	283	244	276	225	49	187	533	13	146	2,750	2,090	167	365	110	804
Expected yearly investment treatment plant (new and renewal) (million €)	51	118	88	98	14	117	266	3	54	1,550	788	133	97	203	1,014
Evolution of the investments (PAST to CURRENT)															
Evolution of the investments (CURRENT to EXPECTED)															
Method used for the calculation of current / expected investment	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019	PAST: average 2010-2014 (PST) CURRENT: average 2015-2019 (PST) Expected: average 2020-2024 (PST) Depends also on the national plan 2017-2019
Total organic design capacity [p.a.] 2014	21,310,958	10,534,523	8,822,993	4,023,135	1,298,999	15,382,786	11,467,823	1,701,647	6,400,000						

UWWTD Article 17 assessment	Latvia	Lithuania	Luxembourg	Malta	Netherlands	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden	United Kingdom	EU 28	EU 15	EU 13
Number of collecting system and IAS works planned (expired deadline) 2016 -->	3		6	various		1,119	3	191	18	486		5	3,209	1,417	1,792	
Number of WWTP works planned (expired deadline) 2016 -->	3		3	various		813	50	1	103	6	486	11	11	4,282	3,943	1,239
Number of collecting system works planned (pending deadline) 2016 -->	63					0		1,517	35	77				2,181	0	2,181
Number of WWTP works planned (pending deadline) 2016 -->	65					0		1,303	31	20				1,777	5	1,772
Load entering the planned UWWTP [p.a.]	276,284		150,125			26,246,525	1,736,651	14,418,778	992,483	529,511	16,163,299	181,350	760,504	99,675,291	35,006,755	58,668,596
Organic design capacity UWWTP [as planned] [p.a.]	346,232		470,000			31,736,204	2,290,771	17,951,923	1,024,460	582,880		216,400	1,003,029	97,356,613	28,789,238	68,567,375
Forecast cost investment needed for the collecting system [as in the national plan] (million €)	64		219			4,365	6	9,669	894	356	4,988		6,850	35,082	15,074	19,958
Forecast cost investment needed for the UWWTP [as in the national plan] (million €)	0		53			1,739	116	2,299	306	64	4,997	121	42	14,207	8,922	6,175
Amount of [planned] EU funding needed for collecting systems (million €)						4		5,845	796	184				10,197	1,614	8,583
Amount of [planned] EU funding needed for WWTP (million €)						76		933	262	40				2,482	515	1,977
Name of EU fund planned to be used							COHESION FUNDS	COHESION FUNDS AND European Regional Development Fund	COHESION FUNDS AND European Regional Development Fund	COHESION FUNDS AND European Regional Development Fund						
Past yearly investment collecting system [new and renewal] (million €)	25	79	73	7	974	1,198		1,075	67	77			844	11,810	8,936	3,373
Past yearly investment treatment plant [new and renewal] (million €)	10	58	20	23	338	485		316	0	46	266	35	504	6,424	5,007	1,418
Current yearly investment collecting system [new and renewal] (million €)	52	18	62	2	1,122	900	4	1,354	188	118	195		844	12,946	9,302	3,644
Current yearly investment treatment plant [new and renewal] (million €)	5	13	15	2	238	407	46	420	0	91	295	20	504	6,467	5,044	1,413
Expected yearly investment collecting system [new and renewal] (million €)	21	28	98	2	1,008	668	3	750	138	36	683		745	12,411	9,664	2,757
Expected yearly investment treatment plant [new and renewal] (million €)	0	10	43	2	340	354	29	156	64	14	763	20	135	6,522	5,507	1,015
Evolution of the investments (PAST to CURRENT)																
Evolution of the investments (CURRENT to EXPECTED)																
Method used for the calculation of current / expected investment	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018	PAST: average 2016-2018 CUR: 2019-2021 EXP: average 2016-2018
Total organic design capacity [p.a.] 2014	2,240,079	3,579,383	945,200	720,000	21,806,765	49,646,180	16,993,694	19,653,429	7,299,471	2,206,973			91,202,408	687,666,125	557,117,292	1,305,488,833
Total organic design capacity [p.a.] [expected]	2,249,163	3,580,000	1,065,905	600,000	21,800,000	46,370,111	16,561,230	11,215,860	8,421,375	2,801,852			88,586,880	683,311,125	567,311,413	1,259,919,582
Generated load agglomerations	15,493,335	2,652,960	606,215	513,001	18,225,775	38,536,550	12,028,570	20,924,781	4,656,291	1,462,223			70,882,026	603,704,748	486,253,482	1,054,513,316
IAS agglomeration	44,250	124,619	4,191	0	0	3,350,373	0	138,617	766,082	91,220	782,998	0	370,425	14,756,036	8,172,754	6,833,282
Discharged without treatment before connection	0	0	0	0	0	239,643	6,050	8,118,657	19,312	126,801	325,018	0	0	10,960,120	929,297	10,080,823
Total load entering (2014)	1,300,457	2,519,423	601,924	513,001	17,995,880	34,950,743	12,004,870	12,897,262	3,870,897	1,243,726	60,488,649	12,524,158	70,485,641	567,798,995	482,177,320	85,621,675
Ratio load entering the planned UWWTP total generated load	17.8%	0.0%	24.8%	0.0%	0.0%	68.1%	14.5%	68.9%	21.3%	36.3%	26.1%	1.4%	1.1%	15.9%	7.0%	55.6%
Primary						14	2	12						58	3	55
Secondary						464	35	1094	46	1	422		2	2,608	521	2,087
More stringent nitrogen						1			65	4			1	112	21	91
More stringent phosphorus											55	7	7	86	84	2
More stringent microbiology											5			40	18	22
More stringent nitrogen phosphorus						335	3	175	23	18		4		771	58	713
More stringent nitrogen phosphorus microbiology											2			20	18	2
More stringent nitrogen microbiology						1		13		2			1	43	30	13
More stringent phosphorus microbiology											1			6	3	3
More stringent unknown or other				1												
more stringent (total)	3	0	3	1	0	335	13	186	88	24	63	11	9	1091	233	858
TOTAL treatment	68		3		813	50	10.3	19.8	134	26	485	11	11	3,754	757	2,997
Population (million) [Eurostat 2014, Eurostat 2016]	2.0	2.9	0.6	0.4	17.0	38.0	10.3	19.8	5.4	2.1	46.4	9.9	65.3	510.0	405.6	104.4
ratio total investment/population PAST	18.0	47.4	161.5	67.5	77.3	44.3		70.4	12.3	99.6	5.7	3.6	20.6	35.8	35.1	45.9
ratio total investment/population CURRENT	28.7	10.6	133.7	10.1	80.1	34.4	4.8	88.8	34.6	10.6	10.6	2.0	20.6	38.0	35.4	48.4
ratio total investment/population EXPECTED	10.8	13.0	237.2	10.1	79.1	25.9	3.1	45.9	37.1	24.2	31.1	2.0	13.5	37.1	37.4	36.1

## *5. List of relevant acronyms, abbreviations and symbols used in the Report*

### **EU-European Union**

### **EUR-euros**

### **IAS-individual or other appropriate systems**

AT-Austria

BE-Belgium

BG-Bulgaria

CY-Cyprus

CZ-Czech Republic

DE-Germany

DK-Denmark

EE-Estonia

EL-Greece

ES-Spain

FI-Finland

FR-France

HR-Croatia

HU-Hungary

IE-Ireland

IT-Italy

LT-Lithuania

LV-Latvia

LU-Luxembourg

MT-Malta

NL-Netherlands

PL-Poland

PT-Portugal

RO-Romania

SE-Sweden

SI-Slovenia

SK-Slovakia

UK-United Kingdom

N-nitrogen

P-phosphorus

p.e.-population equivalents

SIIF-structured implementation and information framework

TFEU-Treaty on the Functioning of the European Union

UWWTD-Urban Waste Water Treatment Directive

WFD-Water Framework Directive