

## Consultation on Investigating options for reducing releases in the environment of microplastics – comments from the European public water sector

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*Aqua Publica Europea, the European association of public water operators, welcomes the action undertaken by the European Commission to limit the release of microplastics into the environment, in the context of a Strategy on Plastics in the Circular economy. Nevertheless, we regret that the different options involving “at source” reduction of microplastics seem to be given the same weight as measures to increase the “capture” of microplastics. While it is not acceptable under EU law to put the financial burden on those who are not directly responsible for the environmental harm, we also regret that the questionnaire is misleading potential respondents into believing that the cost of reducing microplastics production at source is the same than capturing them “end-of-pipe”. The “capture” of microplastics should instead be a measure of last resort, as it puts the responsibility for reducing pollution on those who were not responsible for it, and therefore does not take into account the polluter-pays principle.*

As the European association of public water operators, Aqua Publica Europea represents public utilities in charge of providing drinking water, sewage collection and waste water treatment services to over 70 million citizens in Europe. Our members are committed to managing water for the general interest, based on a long-term vision, and to providing efficient, accountable, transparent and sustainable services to the citizens they serve.

The key principles of EU environmental policy—that is, the polluter-pays principle and environmental damage should as a priority be rectified at source—are laid down in Article 191 of the Treaty of the functioning of the European Union. We profoundly regret that these principles are not respected in the present consultation document, which puts the “measures to reduce the production of microplastics” on the same level as the “measures to increase their capture” and which does not foresee the exclusive financial responsibility of manufacturers and producers in the implementation of those potential measures.

While, from a technical point of view, tertiary waste water treatment could be a way of limiting releases of microplastics into the sea, this measure is neither environmentally effective, nor economically efficient and fair.

On the environmental side, as stated in different studies published for the European Commission, not all microplastics reach the sea through (treated) waste-water. This is namely the case of plastic pellets lost during transport and building and road paint. Apart from the fact that waste-water treatment would not resolve the problem of microplastics release directly into the sea, it would neither be economically efficient nor possible to treat all runoff water in urban waste-water treatment plants, as this would mean fundamentally altering the natural water cycle. In addition, it should not be forgotten that waste-water treatment is an activity that has its own environmental impacts.



On the financial side, in accordance with the cost-recovery principle established in the water framework directive, waste-water treatment plants need to recover their costs through tariffs or taxes paid by consumers/citizens. As any additional investment to treat a new contaminant or improve treatment will thus need to be passed on to the consumer/tax payer, any trade-offs between different investment options need to be carefully considered by the operator. This is even more so in the current context, where most operators need to replace an ageing infrastructure at a time when their investment capacity is limited by the capacity to pay of the consumer.

Finally, on the economic side, it should not be forgotten that it is generally more efficient to avoid polluting in the first place than trying to treat pollution after it has produced. As already stated before, this is coherent with the principles laid down in Art. 191 of the Treaty. To sum up, for society as a whole, the cost of reducing pollution through waste water treatment may be higher than controlling it “at source”.

For all these reasons, we do therefore support the assessment made by the previous report drafted by Eunomia for DG ENV (Study to support the development of measures to combat a range of marine litter sources, p. 329), where it is stated that [...] “the use of ‘end of pipe’ solutions such as the Urban Waste Water Treatment Directive difficult and costly to implement”.

In order to implement truly effective and efficient measures, which are socially fair, we would urge the Commission to make use of the already existing instruments under environmental and product legislation binding producers and manufacturers.

As recalled in the European Commission’s Circular Economy Action Plan, consumer choice can have a powerful impact –the EU legislation on energy labelling is a clear example of this. Voluntary measures, and especially standardization, could be another efficient solution. Nevertheless, it is not clear whether measures that are based on the market alone would lead to the expected outcome. Measures calling on consumer choice such as labels do indeed need to be generalized enough and accompanied by awareness-raising campaigns to be understood. Voluntary measures, on their side, may require time to be put in place as well as some kind of independent monitoring to control their effectiveness. In this sense, more stringent measures, namely measures leading to the replacement of polluting materials should be favoured. In this sense, extending the scope of existing EU legislation should also be considered.

### *About APE*

*Aqua Publica Europea (APE) is the European Association of Public Water Operators. It unites publicly owned water and sanitation services, and a wide range of stakeholders working to promote public water management at both European and international level. APE is an operator-led association that looks for efficient solutions that serve the public rather than corporate interests.*