



# **Study on applying extended producer responsibility to micropollutants/ microplastics**

**Oliver Loebel– EurEau Secretary General**

**24 February 2021**

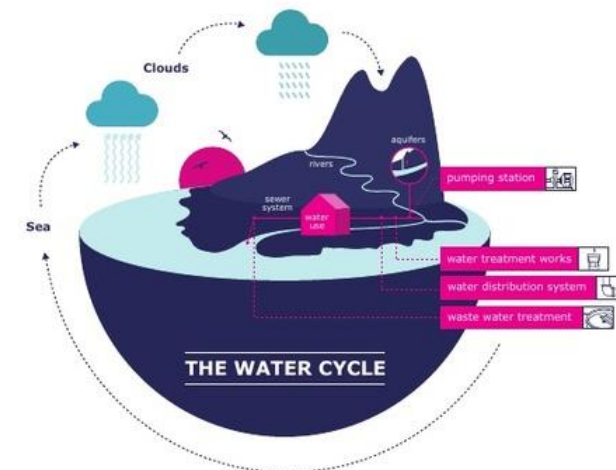
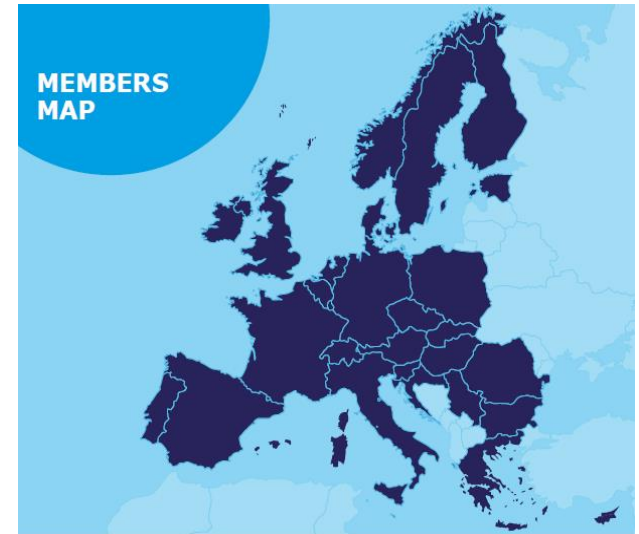
# EurEau - Who we are



~ **European Federation of Water Services**

~ **34** national organisations of **drinking** and **waste water operators** from **29** European countries

~ **Public** and **private** sector





# **Extended producer responsibility on micropollutants and microplastics released from products**

# What is Extended Producer Responsibility (EPR)?

**Directive 2018/851 (WFD):** “A set of measures ... to ensure that **producers** of products bear financial responsibility or financial and organisational responsibility for the management of the waste stage of a product’s life cycle.”

**Directive 2019/904 (SUP):** “**Producers** of the single-use plastic products.”

**Aim:** provide incentives to prevent wastes at the source, promote product design for the environment and support the achievement of public recycling management goals.



# Why do we need EPR?



EurEau

## TFEU article 191.2

Preventive measures,  
source control, polluter pays

## WFD article 9.1

Cost recovery in accordance  
with polluter pays principle

## UN Right to Water

Availability, **Accessibility**,  
**Affordability**, Acceptability,  
Safety

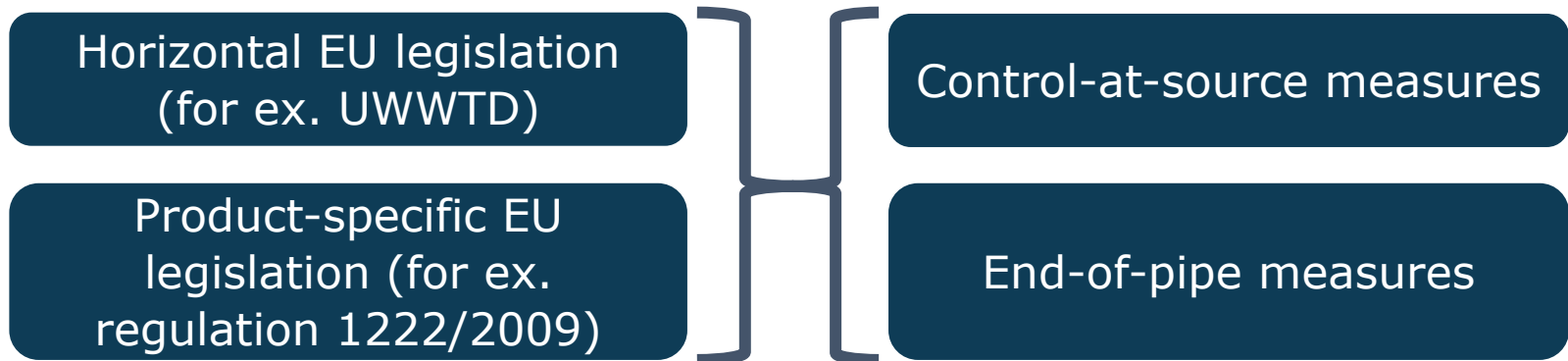
## Investment needs

Sanitation: €253billion  
(2030), without  
micropollutants and sludge\*

*\*Financing Water  
Supply, Sanitation and  
Flood Protection, OECD,  
2020*

## Study goal:

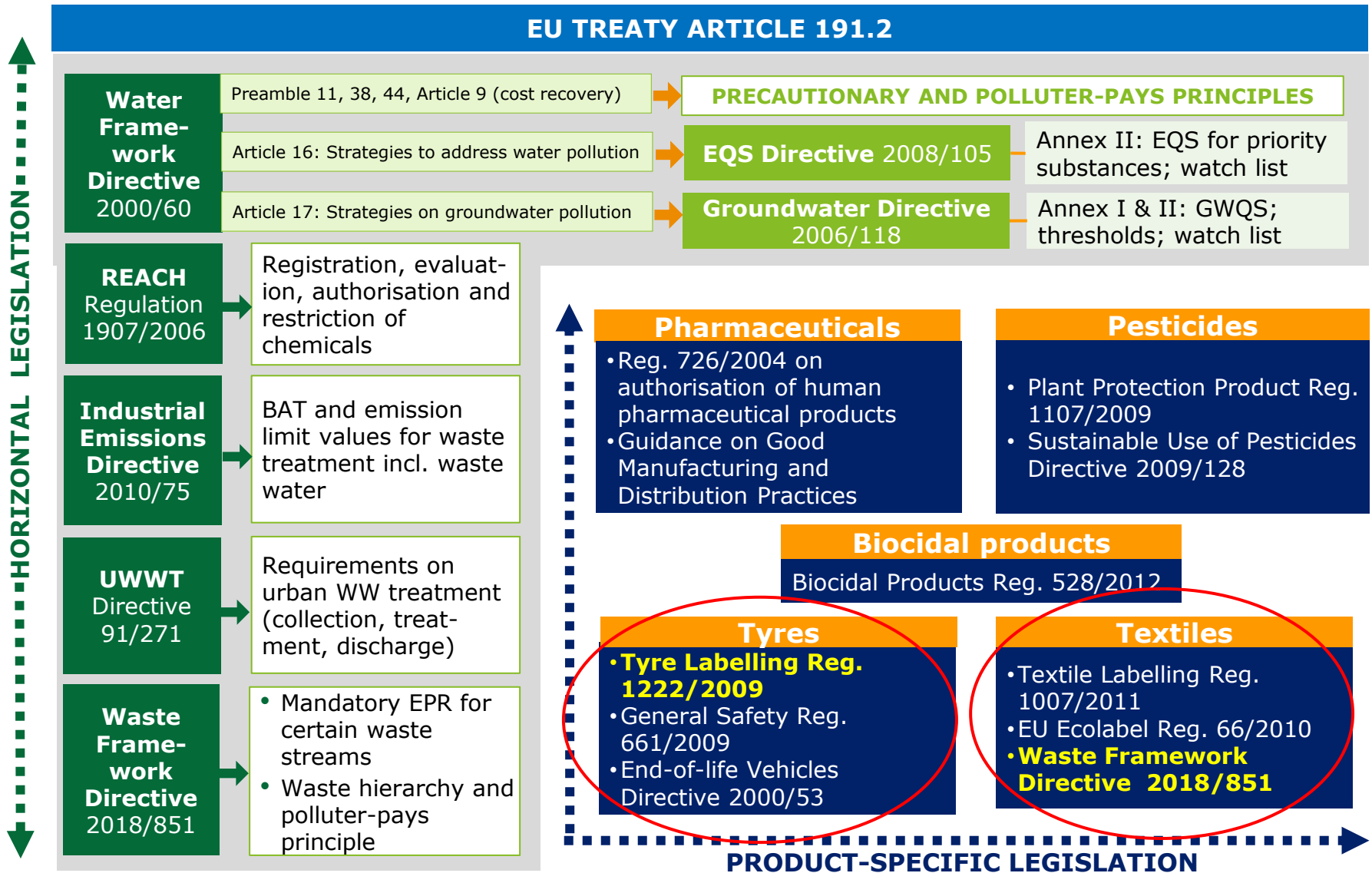
Assess the potential applicability and relevance of EPR in order to develop clear **policy guidance** to address emissions of **micropollutants** and **microplastics** from products.



## Sectors covered:

- **Micropollutants**      Pharmaceuticals, pesticides, biocides
- **Microplastics**      **Synthetic textiles, tyres**

# Horizontal & product specific EU legislation



# EU legislation and policy options

## POLICY OPTIONS AND SPECIFIC MEASURES

- **Option A:** Voluntary control-at-source and post-marketing/EPR measures
- **Option B:** Mandatory control-at-source measures
- **Option C:** Mandatory control-at-source and post-marketing/EPR measures
- **Option D:** Mandatory post-marketing/ EPR measures

Specific measures	Control-at-source	Post-marketing	Policy options			
			A	B	C	D
Market authorisation	●		■	■	■	
Information provision	●	●	■	■	■	■
Best available techniques	●	●	■	■	■	
Awareness campaigns		●	■		■	■
Application (use) conditions		●	■		■	■
Monitoring and reporting		●	■		■	■
Additional treatment/EOL		●	■		■	■



# Comparison of regulatory clarity of possible legal basis for EPR

Legal basis for EPR	Assessment criteria			Score	
	Responsibility [1] Weight=60%	Financing [2] Weight=20%	Coherence [3] Weight=20%	Avg.	Wtd.
	<b>Pharmaceuticals:</b> Regulation 726/2004	3	3	3	3.0
<b>Pesticides:</b> Regulation 1107/2009	3	3	2	2.7	<b>2.8</b>
<b>Tyres:</b> Regulation 1222/2009	3	3	1	2.3	<b>2.6</b>
<b>Biocides:</b> Regulation 528/2012	2	3	2	2.3	<b>2.2</b>
<b>Textiles:</b> Directive 2008/98	1	2	2	1.7	<b>1.4</b>
<b>All products:</b> UWWTD 91/271	2	1	2	1.3	<b>1.2</b>

## TABLE LEGEND:

Scoring: 1 = Low 2 = medium 3 = High

**Responsibility [1]:** Traceability and designation of responsibility

1 = Identification of a limited number of relevant actors (producers) in context of EPR.

2 = Identification of some of the relevant actors .

3 = Identification of the majority of actors.

**Financing [2]:** Applicability and effectiveness of a financing mechanism to apply EPR

1 = No existing requirements under the legislation related to a fee system.

2 = Some existing mechanisms.

3 = Specific reference to use of financial tools for EPR and/or polluter-pays.

**Coherence [3]:** Potential overlaps and/ or inconsistencies with other legislation

1 = High level of possible overlaps and/or inconsistencies

2 = Medium level

3 = Low level

# Textiles – possible regulatory framework for EPR

---

Most relevant legal basis for EPR:

**Waste Framework Directive 2008/98**

- Add EPR scheme to textile waste provisions

**Accompanying control-at-source measures**

## **Textile Labelling Regulation:**

- Product labelling on microplastics emissions

## **Industrial Emissions Directive:**

- Limit values for microfibre emissions during manufacturing
- Incentivise BAT

## **Ecodesign Directive:**

- Require pre-washing
- Material efficiency, recyclability criteria

# Recommendations for the way forward

---

**EPR as a stand-alone policy is not the magic solution for solving Europe's water pollution problems. Supporting measures across the entire product life-cycle must be applied in parallel to adequately cover the micropollutant challenge.**

## **1 Implement measures early in the product-life cycle:**

- Based on full life-cycle approach and mix of both control-at-source and EPR.
- Establish traceability and producer responsibility.

## **2 Establish a clear legislative framework for EPR:**

- Formal recognition of polluter-pays and EPR principles.
- Ensure policy coherence, maximise synergies, avoid inconsistencies.

## **3 Prioritise policies and investment in research to:**

- Support innovation and sustainable consumer behaviour.
- Drive change needed to the existing regulatory framework.

## **4 Take into account national contexts and specificities:**

- Local/ regional hotspots e.g. areas with high concentration of micropollutants.
- Local waste management infrastructure.

## **5 Encourage stakeholder dialogue:**

- Knowledge exchange.
- Harmonious implementation.
- Functioning of internal market.
- Tackling a transboundary challenge.

## **6 Carry out in-depth cost-benefit analyses:**

- For measures across the entire product life-cycle (product design, consumption, end-of-life, etc.)
- Environmental impact of all measures.

Overcoming the weak points  
identified in the EPR study

## EU strategy for textiles

Consider “the role of EPR in promoting sustainable textiles and treatment of textile waste in accordance with the waste hierarchy”

**Ongoing:** Cost-benefit analysis of policy measures reducing unintentional release of microplastics

**Green Deal compliance**  
Impact of policy measures on climate / environment?

# Concluding remarks

- Priority: **Control-at-source** measures
- **Additional measures** down the value chain to be financed by **EPR**
- **Urban waste water treatment directive** not the right tool
- Policy measures must be **Green-Deal-proof** (climate change, circular economy, biodiversity, zero pollution etc.)
- EU must not replace the **Polluter Pays Principle** by the **Water Consumer Pays Principle**.



# Thank you very much

**Oliver Loebel**

Secretary General

Study link:

<https://www.eureau.org/resources/publications/eureau-publications/4380-deloitte-eureau-report-extended-producer-responsibility-modules-1-2-3/file>



EurEau

Rue du Luxembourg 47-51,

B-1050 Brussels, Belgium

Tel: +32 (0)2 706 40 80

Fax: +32 (0)2 706 40 81

[secretariat@eureau.org](mailto:secretariat@eureau.org)

[www.eureau.org](http://www.eureau.org)

**EurEau. Water Matters.**

[www.eureau.org](http://www.eureau.org)