



Notification Number: 2012/312/E

Draft decree on the use of sludge on farmland in the Autonomous Community of the Basque Country

Date received : 11/05/2012

End of Standstill : 13/08/2012

Message

Message 002

Communication from the Commission - SG(2012) D/51275

Directive 98/34/EC

Translation of the message 001

Notification: 2012/0312/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201201275.EN)

1. Structured Information Line

MSG 002 IND 2012 0312 E EN 11-05-2012 E NOTIF

2. Member State

E

3. Department Responsible

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Coordinación de Políticas Comunes y de Asuntos Generales de la Unión Europea. Secretaría de Estado para la Unión Europea.

Ministerio de Asuntos Exteriores y de Cooperación.

C/ Serrano Galvache, 26, 4ª planta, Torre Sur (28071 Madrid)

Teléfonos: 91 379 84 64, 91 394 88 04 Fax: 91 479 84 01

Dirección correo electrónico: d83-189@ue.maec.es

3. Originating Department



GOBIERNO VASCO - Departamento de Medio Ambiente, Planificación Territorial, Agricultura y Pesca.

4. Notification Number

2012/0312/E - S40E

5. Title

Draft decree on the use of sludge on farmland in the Autonomous Community of the Basque Country

6. Products Concerned

Sewage sludge, treated sludge, sludge from wastewater treatment

7. Notification Under Another Act

- Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture
- Decision 1600/2002/EC laying down the Sixth Community Environment Action Programme
- Directive 2008/98/EC on waste and repealing certain Directives

8. Main Content

This regulation has been drawn up to control the use of sludge from wastewater treatment on the land in the Autonomous Community of the Basque Country, establishing maximum permissible levels of specific parameters in sludge and extending its scope to other types of sludge (non-urban) and all land on which sludge may be used (non-agricultural) with a view to guaranteeing food safety, as a fundamental aspect of human health.

Sludge must be used on farmland in such a way as to be agriculturally or ecologically beneficial pursuant to Law 22/2011 on contaminated land and waste, and the disposal of sludge on the land shall be prohibited so as to guarantee a high level of environmental protection, with particular emphasis on soil quality.

Moreover, the use of sludge on farmland must comply with certain requirements relating to heavy metal concentrations, the presence of organic compounds and the reduction of potentially pathogenic organisms with a view to safeguarding human health, animal welfare and crop quality, and protecting the environment in the broadest sense. Sludge that does not satisfy these requirements may not be used on farmland, and must be recovered or disposed of.

Finally, the regulation is intended to protect human health, guarantee food safety, prevent harmful effects to the land, vegetation, animals and human beings, and promote the agriculturally or ecologically beneficial use of sewage sludge.

9. Brief Statement of Grounds

The use of sludge on farmland may pose risks to human health and the environment if it is not done correctly. Sludge may be contaminated with heavy metals, organic compounds or organisms potentially pathogenic to humans, animals and plants. Consequently, regulations need to be established to prevent contamination of the food chain and long-term land contamination, while helping to complete the nutrient cycle and add organic matter to the soil.

Directive 86/278/EEC on sludge and its transposition into national law by means of Royal Decree 1310/1990 came into force at the time they were adopted in order to harmonise the regulations of the different Member States of the EU in relation to sludge. They set out minimum standards to prevent the spread of pathogens in the environment by means of a double barrier involving the mandatory treatment of sludge and the establishment of restrictions on its use. They also prevented the rapid accumulation of heavy metals in



farmland. Nonetheless, they have not been updated or extended in accordance with scientific developments and technological advances in the field of sludge and wastewater treatment. Furthermore, they only cover urban sludge and sludge having a composition similar to urban sludge applied to farmland, and they do not cover other types of sludge that are occasionally used on soil to obtain an agricultural or ecological advantage, such as sludge from the food and farming industry. Moreover, they do not cover the use of sludge on land other than agricultural land. There is also a need to control the use of sludge on land having other uses, in order to prevent contamination of the environment and promote the rational use of sludge.

10. Reference Documents - Basic Texts

There are no basic texts

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT relevance

No - The draft will have no noticeable effect on international trade.

SPS relevance:

No - The draft will have no noticeable effect on international trade.

Catherine Day
Secretario General
Comisión Europea

Punto de contacto Directiva 98/34
Fax: (32-2) 296 76 60
email: dir83-189-central@ec.europa.eu