

**COMPLAINT
TO THE COMMISSION OF THE EUROPEAN COMMUNITIES
CONCERNING FAILURE TO COMPLY WITH COMMUNITY LAW**

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6. Environmental Campaigning organisation working throughout Northern Ireland as part of Friends of the Earth England, Wales and Northern Ireland.
7. The UK Government acting through the Department for Regional Development in Northern Ireland ('the DRD'). The DRD is currently under the control of the Secretary of State for Northern Ireland.
8. The UK Government has failed fully to implement the Urban Waste Water Treatment Directive 91/271/EEC¹ ('the Directive') in Northern Ireland. Responsibility lies with the Secretary of State for Northern Ireland who is currently charged with control of the Department for Regional Development a department of the Northern Ireland Assembly.

The details of this complaint are as follows:-

For all agglomerations with a population equivalent (p.e.) of 15,000 or greater, Art. 4(3) requires that urban waste water must be subject to secondary treatment (or equivalent). Such treatment was required to have been in place by no later than 31 December 2000.

For agglomerations with a p.e. of 10,000 or more which discharge into 'sensitive areas', Art. 5(2) requires that urban waste water must be subject to '*more stringent*' (i.e., tertiary) treatment. Such treatment was required to have been put in place by no later than 31 December 1998.

In accordance with Arts. 4(3) and 5(3) respectively discharges referred to above must meet the requirements of Annex IB (as modified). A large number of agglomerations in Northern Ireland fail to meet the requirements of the Urban Waste water Treatment Directive under one or more of the above articles. In particular:

¹ O.J. L135/40

Breaches of Art. 4(1)

The agglomerations listed below fail to meet the requirements of Art. 4(1) in that each has a p.e. of greater than 15,000 and does not currently discharge its urban waste water via a secondary treatment system as described in Art. 4.

Name of agglomeration	Population Equivalent	Area into which UWW discharges	Current level of treatment
Culmore	110584	Lough Foyle	primary ²
Briggs Rocks	92414	Belfast Lough	No treatment ³
Donaghadee	33600	Irish Sea	No Treatment ⁴
Larne/Ballygalley	22280	Larne Lough	No Treatment ⁵
Portrush	16391	North Sea	No Treatment ⁶

Breaches of Art. 5(2)

The agglomerations listed below fail to meet the requirements of Art. 5(2) in that each has a p.e. of greater than 10,000; discharges into a sensitive area; and does not have 'more stringent' treatment than that described in Art. 4

Name of agglomeration	Population Equivalent	Sensitive area (or catchment) into which UWW discharges	Current level of treatment
Antrim	34791	Lough Neagh	secondary
Armagh	18750	Lough Neagh	secondary
Ballyclare	13000	Lough Neagh	secondary
Ballymena BF	27000	Lough Neagh	secondary
Ballynacor	10000	Lough Neagh	secondary
Banbridge	29618	Lough Neagh	secondary
Bullays Hill	> 10000	Lough Neagh	secondary
Cookstown	12750	Lough Neagh	secondary
Downpatrick	> 10000	Quoile Pondage	secondary
Enniskillen	> 10000	Lough Erne	secondary
Lisnaskea	> 10000	Lough Erne	secondary
Magherafelt	> 10000	Lough Neagh	secondary
Moygashel	> 10000	Lough Neagh	secondary
Newtownabbey	75161	Inner Belfast Lough	Partial secondary treatment ⁷
Seagoe	46000	Lough Neagh	secondary
Tandragee	10500	Lough Neagh	secondary
Tullaghgarley	75000	Lough Neagh	secondary

9. Urban Waste Water Treatment Directive 91/271/EEC

² there are continued breaches of the 95%ile standard and upper tier standard for BOD and the 95%ile standard for COD.

³ This agglomeration discharges raw sewage into Belfast Lough. There are continued breaches of the 95%ile standard and the upper tier standard for both BOD and COD.

⁴ Although Donaghadee originally discharged into an area that was classified as 'less sensitive' in accordance with Art. 6. There are no longer any 'less sensitive' areas in Northern Ireland, these having been revoked in May 1998 and January 2002.

⁵ This agglomeration discharges raw sewage into Larne Lough. There are continued breaches of the 95%ile standard and the upper tier standard for both BOD and COD.

⁶ there are continued breaches of the 95%ile and upper tier standards for both BOD and COD.

⁷ there are continued breaches of the 95%ile standard and upper tier standard for BOD and the 95%ile standard for COD.

10. Northern Ireland had Objective 1 status under the 1994 – 1999 Structural Funds programme. While that status no longer applies for 2000 – 2006, Northern Ireland is eligible for transitional funding.
11. N/A
12. N/A
13. N/A
14. Monitoring data and correspondence attached.
15. I authorise the Commission to disclose my identity in its contacts with the authorities of the Member State against which the complaint is made

Signed

John Woods

Dated