Matrix of Comments and Team Responses
for ANAR's comments for Output 4 of the RO UWWTD RAS
received on July 20, 2020

ANAR's Comments	Team Response
The report promotes the ***scenario "acceleration" IS with discharge in surface waters after primary treatment*** (*Table 4: Unit costs for CAPEX estimation*) based on the lowest price criterion, but the elements of *Figure 4: Summary of standardized IAS units, their combination, treatment levels and discharge possibilities* go against the provisions in the Water Framework Directive and Water Law no 107/1996, as subsequently amended and supplemented, that is allowing wastewater discharge from a septic tank into a water body, given that the use of this kind of IAS (individual appropriate systems) is not allowed by the current legislation. In this context, Romanian authorities feel there is the risk of receiving an infringement for not ensuring compliance with Directive 91/271/EEC and a risk of deteriorating the waters, in line with the Water Framework Directive. *To this end, you should explain what "additional IAS" means and the World Bank recommendations should also include recommendations to amend the national legislation for additional IAS.*	Thank you for the comment. This is a debate that we are having for quite some time. As you know in Output 2 we have presented IAS in use in other MS, which provide "the same level of treatment". We are fully aware of the existing legislation but as discussed from the outset we are not bound by it when proposing solutions for optimization of compliance costs. Legislation can change and as long as it's compliance with Directives' requirements there is no issue. Since we don't want to repeat in each Output all the recommendations please, go back to Output 2 where treatment is recommended (depending on the IAS technical option) before soil discharge.
When comparing the **3 scenarios presented in the report** (1 – Business as usual, 2 – Maximum and 3 – Acceleration) we notice that for the counties where there are several agglomerations where it is deemed that collection and treatment through IAS are more efficient, the compliance costs are lower and, consequently, the date estimated for compliance closer. That is why Scenario 3 seems the most appropriate "the development of methodologies for proper delineation of agglomeration boundaries, the calculation of pollution load in line with UWWTD requirements, and improvement of IAS in small agglomerations between 2,000 and 5,000 p.e., where no collecting systems and WWTP exist". But this hypothesis starts from the assumption that the population will invest in individual systems and properly maintain them. But as long as a funding mechanism for these systems has	Thank you for the comment. Our hypothesis is a different one and we've explained it in Outputs 2, 3 and now in 4. The Romanian government should introduce a process for IAS – both existing and new, to make sure that they are registered, properly designed and contracted, operated and maintained, as well monitored and controlled so that the load addressed by IAS can be reported to the EC. Such a system can be put in place while this low priority investments are planned for agglomerations below 5,000 p.e. Our environmental and economic thinking cannot comprehend why the Romanian government would not act knowing that non-performing IAS

not been found, this is hard to achieve given the current social and economic context, as the investment costs for IAS 1 – Septic tank with soil infiltration system (including installation) amount to EUR 2,110 plus operating costs of EUR 140/year, as presented in Output 3, page 43. For instance, in Maramures county – in the accelerated version IASs are proposed for 8 agglomerations <10,000 p.e., but the investment and operation & investment costs are not taken into consideration, which would lead to an estimated completion date in 2035 (lower than, let's say, in Cluj county – 2039).	are widely used in small agglomerations, where development of collecting systems would be very expensive to build and maintain. The report demonstrates that billions of euros can be "saved" (or used for maintenance for example of existing assets, which is also lagging behind) while achieving compliance.
In ***Subchapter 3.2 Assessment of opportunities for optimization of compliance investments***, point. 66, it is stated that the World Bank recommends for IAS to be used in agglomerations above 5,000 p.e. as an exceptional transitory solution to ensure compliance and in agglomerations below 5,000 p.e as an alternative solution, in the absence of the collection and treatment infrastructure. If in the future investment funds will be available, it will be possible to build sewage networks and treatment plants in the agglomerations below 5,000 p.e. for which the sustainability and the social affordability of services can be ensured. As stated in the previous paragraph, in view of introducing the IAS, it is necessary first to identify/set the mechanism by which these systems could be funded given the low financial and social affordability of people, especially in the rural area.	Thank you for the comment. Please, see the previous reply.
In subchapter ***3.3 Updated list of agglomerations and updated calculation of pollution load based on the new methodologies***, point 71-72, the data in *Table 5: Summarized information on agglomerations' number and load at county level* and *Table 6: Summarized results* , should be updated in line with the final version of Output 3 in respect to agglomeration number and load. In the same context, inconsistencies have been identified between the results of Output 3 and the assumptions used for the scenarios in Output 4; thus, the number of agglomerations considered for Scenario 1 ("BAU" Bussiness as usual) does not match the number of agglomerations listed in Output 3 - Table 4 - Summary table of agglomerations number and pollution loads at county level. Probably this correlation will be possible once Output 3 is final.	Thank you for the comment. Indeed, due to the ongoing deadlines and finalization of Outputs the agglomeration number and load was different in Outputs 3 and 4. Now with the final versions of these Outputs the results from the implementation of the methodologies are aligned and transposed in the texts.

In respect to ***Subchapter 3.4 Compliance situation following the application of the new methodologies***, page 41, point 74: - **18 agglomerations** with total generated load of 1,466,272 p.e. have connection rate to collecting system between **95 and 98 percent** (of which 5 are above 100,000 p.e. and 9 between 10,000 and 100,000 p.e.); these agglomerations have significant potential to reach compliance very soon; **Observation: 5+9=14 agglomerations with >95% connectivity rate, where are the remaining 18-14= 4?** Probably agglomerations below 2,000 p.e., it should be mentioned. - **76 agglomerations** with total load of 6,138,340 p.e. have connection rate to collecting system between **85 and 95 percent** (of which 13 are above 100,000 p.e. and 34 between 10,000 and 100,000 p.e.); **Observation: 13+34=47 agglomerations with 85-95 connectivity rate, where are the remaining 76-47 = 29?** Probably agglomerations below 2,000 p.e., it should be mentioned.	Thank you for the comment. We've made changes and now the text should be clearer.
In respect to ***Chapter 4 - Pillar II: Prioritization of investments***, it is mentioned that an additional criterion, apart from the 4 presented, could be „In addition to the proposed prioritization process further weights could be given to agglomerations listed under infringement, ecological status of affected river bodies, overall environmental impact etc.". we feel that agglomerations under the infringement procedure, that affect the water bodies, should be listed among the first prioritization criteria, and not as an additional criterion. Moreover, given the requirements under ***Art. 9 of the Water Framework Directive 2000/60/EC*** , *we suggest to also consider the associated environmental costs, falling, for instance, under category NON-DIRECT COSTS- „Other regulated expenses (all other costs, not included elsewhere), as far as the data is available.* • In ***subchapter 7.3 Designation of responsibilities for monitoring and reporting,*** - point 129 – in the table with proposed progress monitoring indicators, for indicator „ Legal changes with regards to IAS", the reporting frequency is 2/year; we feel	Thank you for the comment. You are right, however, since the discussions with the MEWF and NARW have always been that this work will affect mainly agglomerations below 10,000 p.e. such a clarification is not needed in the text. With regard to the reporting frequency we believe that having it every year will generate too much work (unless automated), however, the proposed matrix is just a suggestion that the Romanian authorities can adjust once implemented. With regard to the Strategic Implementation Committee we believe that the outlining of its main responsibilities and rights is properly described in the report. It should have a

that the frequency should be of once/year given the huge amount of data and information that should be gathered and processed.; - point 132 – in view of adopting the ***Implementation Acceleration Plan for Directive 91/271/EEC on urban wastewater treatment***, (i) Romanian authorities should present, discuss, validate and agree on the ***responsibilities assigned under this plan*** with local and county authorities, but also with the operators, as communication with all stakeholders is paramount. After analyzing the report it was noticed that the World Bank experts have identified many stakeholders (Ministry of European Funds, Ministry of Environment, Waters and Forests, Ministry of Public Works, Development and Administration, Romanian Water Association, etc) with their own positions and resources when it comes to the Directive implementation. We suggest to set-up a Strategic Implementation Committee (SIC) comprised of members from the ministries stated above. Apart from the National Administration "Romanian Waters", that will still remain as the institution responsible for monitoring and evaluating the Directive implementation and reporting the progress, just as until now, we should also consider involving other stakeholders that hold the collected data (e.g. National Institute of Statistics, Prefecture representatives, etc.), such as data on the population in a locality or the development of sewage networks and treatment plants, given that the PNDR1 and PNDR 2 projects for agglomerations below 10,000 p.e. run through the Prefecture. In this context, the Strategic Implementation Committee (SIC) proposed to be responsible for assessing the implementation progress and evaluating the results and compliance would only have an endorsement and monitoring role, not a decision-making one? In the absence of a decision-making forum we will see again situations (especially for agglomeration with 2,000 – 5,000 p.e.) in which funds will be accessed, sewage networks/ treatment plants built but they will not work and, in time, these investments will no longer be feasible. (ii) As for the **structure proposed for the National Administration "Romanian Waters" to monitor, assess and report on the implementation progress of the Implementation Acceleration Plan**, including ensuring the Secretariat for the Strategic Implementation Committee, we feel that the activities and	decision-making power and be supported by the Operational Monitoring Structure (NARW). With regard to the Operational Monitoring Structure we agree that additional resources should be allocated to NARW. In case the methodologies are accepted and the proposed updated Implementation Acceleration Plan approved the agency will have a very important job in ensuring that methodologies are properly applied in line with the national requirements and the plan is monitored so that issues are flagged up early on and deadlines respected.

measures proposed by the World Bank are doable if the necessary material, financial and human resources are provided. This is also mentioned under point 139 – „The evaluation design as well as the Evaluation Reports will be discussed and approved by the Strategic Committee. *Resources should be allocated to ANAR to perform or outsource the evaluation*. Following the observations and findings of the evaluation, the plan may be reviewed and adjusted as necessary." Moreover, the management and analysis of financial information, respectively budget execution data, is difficult to ensure by the National Administration "Romanian Waters"; the institution can only record the investments made in the wastewater sector. As for the operational structure proposed for ANAR we fell that the Department for Management Plans and Basin schemes is the one experienced in this field (they are currently doing all the European and national reporting on wastewater) and is supported by the Water Resources Management Department in terms of authorizing the wastewater infrastructure and monitoring wastewater quality. No other department is involved in this context.	
• In ***Annex 7: "List of agglomerations following the implementation of the new methodologies and their compliance deadlines (including with and without application of IAS for agglomeration between 2,000 and 5,000 p.e.)"***, the same list of agglomerations is kept, disregarding the funding applications approved by the OPLI 2014-2020 and the status of the infrastructure in the field and, consequently, the measures, investments and deadlines for compliance works could be infeasible. Moreover, the situation of agglomerations between 2,000 – 5,000 p.e. for which a sewage network (operational) was built in recent years is not clear, and in the Implementation Acceleration Plan only IASs were proposed. For instance, the compliance deadlines proposed in the Implementation Acceleration Plan for the agglomerations Filiasi (Dolj county), Ticleni (Gorj county), Vanju Mare (Mehedinti county), that is "prior 2020" are not realistic and should be changed. The Uricani agglomeration, assessed to be compliant in 2020 (below 10,000 p.e.) became above 10,000 p.e. after applying the new methodology, and thus it is non-compliant and has a compliance deadline set for 2024.	Thank you for the comment. We agree with it and subsequent analysis was done to make sure that there are realistic compliance deadlines (Actually in the version we have submitted entitled Output 4 UWWTD, May 06, 2020 EN.pdf Uricani agglomeration is indicated for compliance in 2024). The comments on Arad and Bihor go back to delineation of agglomeration boundaries, which was done in Output 3. The ROCs had half an year to comment and present data. Just for your reference we've also discussed with JASPERS and it seems that operators are trying to justify WSS investments claiming that either the Bank team or JASPERS already allowed certain agglomerations. Now, we can confirm that agglomerations, their number and load are aligned in Outputs 3 and 4.

For instance, for the ARAD county, the part covered in the Crisuri hydrographic area: - Sântana agglomeration is kept in the category of those above 10000 l.e.; - the category of agglomerations above 2,000 p.e. has, additionally, Nădab (from the Chișineu-Criș TAU), where to the 1701 inhabitants 2000 p.e. from the industry are added, thus it is listed as a new agglomeration with 3701 p.e., this being brand new information compared to what was reported earlier. Indeed, in Nădab there is an industrial area, but based on the Crișuri WBA (regulatory documents – permits, authorisations, notifications) and from the existing documents we cannot confirm that the industry has 2,000 p.e., because the water supply and wastewater collection are done from the network of the Chisineu Cris local operator. However, the information received from the Chișineu-Criș Independent Operator confirms that there are companies with a high number of employees, estimated at about 2,000 people. So, for Arad county, the area covered by the Crisuri hydrographic basin has 22 agglomerations above 2,000 p.e., instead of 21 agglomerations above 2,000 p.e. For BIHOR county, when it comes to the number of agglomerations above 2,000 p.e.: - Output 3 (February 2020 version) – delineates 25 agglomerations; - Output 3 (May 18th, 2020 version) Output 3_ Annex 8 (A3), May 15, 2020_final.pdf page 15 - delineates 29 agglomerations (4 more than the previous 25): position 26 Șimian, position 27 Tulca, position 28 Brusturi (Brusturi, Cuiesd, Paulesti, Picleu, Tiganestii de Cris), position 29 Nojorid; - Output 4 (May 18th, 2020 version) and the scenarios presented in the Excel tables refer only to 27 agglomerations, that is only the Șimian and Tulca agglomerations are presented, but the other two are missing – Nojorid and Brusturi (Brusturi, Cuiesd, Paulesti, Picleu, Tiganestii de Cris). This inconsistencies have to be clarified. Consequently, for BIHOR county, instead of 25 agglomerations above 2,000 p.e. do we have 27 or 29? In respect to agglomerations above 2,000 p.e., there are inconsistencies between the agglomeration size in Output 4 – Annex 7 and Output 3 Annex 8 (final):	

Agglomeration	County	Output 3 + Maps Annex 8 final	Output 4 Annex 7 and scenarios BAU, MAX, MIN
Oradea	BH	247,953 p.e.	172,804 p.e.
Santandrei	BH	4,749 p.e.	4,347 p.e
Tăşnad	SM	6,810 p.e.	6643 p.e.

Thus, Annex 7 in Output 4 has not been updated/aligned with Annex 8 in Output 3 for the above-mentioned cases. The same lack of correlation was also noticed in Bacau, Neamt and Suceava counties.
Moreover, it would be useful to mention the year for which you considered the population (real and equivalent) provided in Annex 7.
For the agglomeration code from Annex 7 it would be useful to state what the code consists of.