

Government Proposal

Act amending the Soil Quality Protection Act and the Sewerage Act – collective amendment

The Provincial Parliament (Landtag) has enacted the following:

Article I

The Soil Quality Protection Act (Gesetz zum Schutz der Bodenqualität), Provincial Law Gazette (LGBI.) No 26/2018, in the version of LGBI. No 48/2021 and No 4/2022, is amended as follows:

1. *§ 3(f) reads as follows:*
‘f) wastewater: water contaminated by domestic or other use or otherwise altered in its natural quality;’
2. *After § 3(f), the following points (g) to (i) are inserted:*
‘g) domestic wastewater: wastewater from kitchens, laundry rooms, washing rooms, sanitary rooms or similar rooms in households or wastewater of comparable quality;
h) agricultural wastewater: wastewater generated on farms from the cleaning of animals and stables, milk rooms and feed stores, agricultural machinery and equipment, and on-farm slaughterhouses and on-farm dairies;
i) livestock manure: waste products excreted by livestock with or without straw and similar residues from plant production (manure, liquid manure, slurry);’
3. *In § 3, current points (g) to (k) are renamed as points (j) to (n).*
4. *The current § 3(l) is deleted; the current point (m) is renamed as point (o).*
5. *In the heading of section 2 the words ‘supply and’ are deleted and, after the word ‘materials’, the dash is replaced by the word ‘and’.*
6. *§ 4 is deleted.*
7. *In the heading of § 5, the words ‘application of materials and soil management,’ are deleted.*
8. *In § 6(1), the words ‘of cesspool contents’ are replaced by the phrase ‘collected wastewater – subject to paragraphs 2 to 4 –’.*
9. *§ 6(2) reads as follows:*
‘(2) The prohibition referred to in paragraph 1 shall not apply to the application of:
a) mixtures of liquid livestock manure (manure, slurry) with agricultural wastewater or domestic wastewater, provided that the wastewater contained in the mixture is produced on the same farm as the livestock manure and, in the case of a mixture with domestic wastewater, the domestic wastewater does not exceed 25 % of the sum of liquid livestock manure and domestic wastewater;

- b) domestic wastewater from structures that are used exclusively or mainly for agricultural purposes and where domestic wastewater does not exceed 25 % of the sum of liquid manure (manure, slurry) and domestic wastewater;
- c) agricultural wastewater.'

10. *The following paragraphs 3 and 4 are inserted after the current § 6(2):*

'(3) Furthermore, the prohibition laid down in paragraph 1 shall not apply to the application of sewage sludge and domestic wastewater from the following structures:

- a) Alpine huts and medium-altitude mountain pasture buildings that are used exclusively for agricultural purposes, provided that the application is carried out on agricultural land associated with the building in question;
- b) other Alpine huts and medium-altitude mountain pasture buildings that are not accessible via a suitable access road or a suitable ascension aid, provided that the application is legally and factually secured on agricultural land in the vicinity of the building in question.

(4) Finally, the authority body can, on application, grant an exemption from the prohibition under paragraph 1 for the application of sewage sludge and domestic wastewater from hunting and forestry huts and for the application of sewage sludge from shelters by decision for a specific area of application and, if necessary, subject to requirements, conditions and time limits if:

- a) the building is not accessible via a suitable access road or a suitable ascension aid;
- b) the materials comply with the requirements of the Ordinance pursuant to § 7;
- c) the building is not subject to the obligation for connection pursuant to § 3(3) of the Sewerage Act (Kanalisationsgesetz), and
- d) an area of application suitable for application is legally and factually secured.'

11. *In § 6, current paragraphs 3 and 4 are renumbered as paragraphs 5 and 6.*

12. *In § 7(1), the words 'the supply of sewage sludge compost (§ 4) and' are deleted.*

13. *§ 7(1)(a) is deleted; current points (b) to (h) are renamed as points (a) to (g).*

14. *In the current § 7(1)(a), 'and (6)' is inserted after '§ 6(4)'.*

15. *In the current § 7(1)(b), the words 'substance limits shall in any case be laid down for the components critical to soil health in sewage sludge compost, and starting raw material limits shall be laid down for the sewage sludge used for the production of sewage sludge compost;' are deleted.*

16. *In the current § 7(1)(e), the words 'such restrictions shall in any event be laid down for the application of sewage sludge compost;' are deleted.*

17. *In the current § 7(1)(f), 'point (c)' is replaced by 'point (b)'.*

18. *In § 8(2), '§§ 4' is replaced by '§§ 5'.*

19. *In § 8(4), 'points (a), (g) and (h)' are replaced by 'points (f) and (g)'.*

20. *In § 9(1), 'points (b), (c) or (f)' is replaced by 'points (a), (b) or (e)' and 'point (d)' is replaced by 'point (c)'.*

21. *In § 10(1)(a), 'and (6)' is inserted after '§ 6(4)'.*

22. *In § 10(1)(b), 'points (a), (e), (g) or (h)' is replaced by 'points (d), (f) or (g)'.*

23. *In § 10a(1), 'points (a), (e), (g) and (h)' are replaced by 'point (g)' and the words 'sewage sludge compost' are replaced by the words 'sewage sludge'.*

24. *In § 10a(2), 'point (h)' is replaced by 'point (g)'.*

25. *In § 12(1), points (a) to (c) are deleted; current points (d) to (m) are renamed as points (a) to (j).*

26. *In the current § 12(1)(a), the words 'cesspool contents' are replaced by the words 'collected wastewater'.*

27. *In the current § 12(1)(b), 'point (b)' is replaced by 'point (a)'.*

28. *In the current § 12(1)(c), ‘point (c)’ is replaced by ‘point (b)’.*
29. *In the current § 12(1)(d), ‘point (d)’ is replaced by ‘point (c)’.*
30. *In the current § 12(1)(e), ‘point (e)’ is replaced by ‘point (d)’.*
31. *In the current § 12(1)(f), ‘point (f)’ is replaced by ‘point (e)’.*
32. *In the current § 12(1)(g), ‘points (a), (e), (g) or (h)’ are replaced by ‘points (d), (f) or (g)’.*
33. *In the current § 12(1)(h), the phrase ‘does not take measures pursuant to § 7(2)’ is replaced by the phrase ‘cultivates soils contrary to the conditions laid down in § 7(2)’.*
34. *In § 12(2)(a), ‘points (d), (e) and (m)’ is replaced by ‘points (a), (b) and (j)’.*
35. *In § 12(4), ‘points (d) to (g), (i) and (k)’ are replaced by ‘points (a) to (d), (f) and (h)’.*
36. *After § 14, the following § 15 is added:*

‘§ 15

**Entry into force, abrogation and transitional provisions of amendment LGBL.
No xx/2025**

(1) Article I of the Act amending the Soil Quality Protection Act and the Sewerage Act – collective amendment, LGBL No xx/2025, shall enter into force on the first of the second month following its promulgation.

(2) Ordinances pursuant to § 7(1), as amended by LGBL No xx/2025, can be issued from the day following the publication of amendment LGBL No xx/2025. However, they may enter into force at the earliest with this amendment.

(3) The words ‘as well as on-farm slaughterhouses and on-farm dairies’ in § 3(h), as amended by LGBL No xx/2025, shall cease to apply on 31 December 2040. Before these words cease to apply, the Provincial Government shall carry out an evaluation of the favourable treatment of wastewater from on-farm slaughterhouses and on-farm dairies with a view to its possible extension.

(4) By way of derogation from § 6(1), sewage sludge compost that was accepted before the entry into force of amendment LGBL No xx/2025 in accordance with the requirements of § 4 of this Act in the version prior to amendment LGBL No xx/2025 may be applied until 31 March 2026 in accordance with the provisions in force before the entry into force of amendment LGBL No xx/2025.

(5) With regard to data pursuant to § 7(1)(a), (e), (g) and (h) in the version prior to the entry into force of amendment LGBL No xx/2025 concerning sewage sludge compost, §§ 10 and 10a in the version prior to the entry into force of amendment LGBL No xx/2025 shall continue to apply until 31 August 2028.

(6) The criminalisation of administrative offences pursuant to § 12(1)(a) to (c) of this Act in the version prior to the entry into force of amendment LGBL No xx/2025 committed before the entry into force of this amendment shall not be affected by the entry into force of this amendment; the provisions in force prior to the entry into force of amendment LGBL No xx/2025 shall continue to apply to such offences.’

Article II

The Sewerage Act, LGBL No 5/1989, in the version of LGBL No 58/1993, No 4/2001, No 58/2001, No 72/2012, No 44/2013, No 32/2017, No 34/2018 and No 33/2024, is amended as follows:

1. *In § 2, the following paragraph 2 is inserted after paragraph 1:*

‘(2) Domestic wastewater is wastewater from kitchens, laundry rooms, washing rooms, sanitary rooms or similar rooms in households or wastewater of comparable quality.’

2. *In § 2, current paragraphs 2 to 6 are renumbered as paragraphs 3 to 7.*

3. *In § 3(4), ‘paragraph 5’ is replaced by ‘paragraph 6’.*

4. *In § 3, the following paragraph 5 is inserted after paragraph 4:*

‘(5) The obligation for connection shall also not apply to polluted water arising on agricultural holdings from the cleaning of animals and stables, milk rooms and feed stores and agricultural machinery and equipment, with the exception of polluted water from slaughterhouses and dairies.’

5. *In § 3, the current paragraph 5 is renumbered as paragraph 6.*

6. *§ 4(2) reads as follows:*

‘(2) On request, the authority body shall, by official decision, exempt from the obligation to connect domestic wastewater from structures that are used wholly or predominantly for agricultural use, provided that:

- a) no domestic wastewater from private room rentals, holiday home use, commercial accommodation, wine taverns, etc. is generated in the building;
- b) the domestic wastewater does not exceed 25 % of the sum of liquid manure (manure, slurry) and domestic wastewater; and
- c) the domestic wastewater is collected for fertilising purposes in liquid-tight installations.’

7. *In § 5(8), ‘paragraphs 3 to 5’ is replaced by ‘paragraphs 3 to 6’.*

8. *In § 13(4), ‘paragraph 5’ is replaced by ‘paragraph 6’.*

9. *The following paragraph 6 is added to § 30:*

‘(6) Article II of the Act amending the Soil Quality Protection Act and the Sewerage Act – collective amendment, LGBI. No xx/2025, shall enter into force on the first of the second month following its promulgation.’