

Commission has no plans for EU-wide end-of-waste rules for aggregates

Another expert meeting on waste plastics possible

(EU) – The European Commission does not intend to propose EU-wide end-of-waste criteria for construction and demolition waste at the present time, a spokesperson for the Directorate General for the Environment told EUWID in early April. However, EU member states still have the option of drafting national criteria provided that they inform the Commission, the spokesperson noted.

For instance, France notified the Commission of a decree stipulating end-of-waste (eow) criteria for aggregates made out of construction waste for use in road construction in February. Last autumn, the Netherlands informed Brussels of a draft proposal for an end-of-waste regulation for recycled granulate made out of “stone-like waste”.

In response to concerns raised within the construction materials recycling industry with regard to national regulations, DG Environment clarified that national end-of-waste criteria are binding only within the enacting member state. Where material is shipped across the border of a member state, the destination country is not under any obligation to accept the classification of material as non-waste based on the end-of-waste criteria established by the country of dispatch.

If the dispatch and the destination country cannot agree as to whether a shipment is waste, article 28 of the Regulation (EC) on Waste Shipments 2013/2006 applies, as is always the case when there is disagreement on classification issues. This provision requires the material in question to be treated as waste.

The Commission had decided not to propose EU-wide rules based on the results of a study on the methodological aspects of pollution limit values for recycled granulate that was published last autumn, according to information from DG Environment. This study was commissioned by the Institute for Prospective Technological Studies (IPTS) within the European Commission's Joint Research Centre.

The study proposed a risk-based methodology taking into account the fact that the majority of pollutants were released from recycled aggregate by leaching processes. This methodology led to two possible approaches. Using the first approach, calculated pollutant limit values would be combined with certain constraints of use, which could include banning direct contact of the recycled material with groundwater and requiring controlled aggregate removal at end-of-life. The second approach would impose stricter all-round limit values, but would have allowed the material to be used without any restrictions.

DG Environment said that both approaches

raised concerns, “in the former case, possible challenges of ensuring that restrictions are respected need to be considered”. In the latter approach, available leaching data and simulations suggested that this approach would lead to the exclusion of most recycled material in practice, according to DG Environment. With this in mind, the EU Commission does not intend to proceed with developing a proposal for an EU Regulation.

The institution will likewise forgo the option to draft a separate Regulation for biodegradable wastes that are composted or undergo anaerobic digestion, and instead intends to address the material stream when it revises the EU Fertiliser Regulation. A proposal to amend this Regulation will be considered in the context of the new circular economy proposal that is due to be released before the year's end, according to DG Environment.

The Directorate General said that no amendments are currently planned to the EU Sewage Sludge Directive (86/278/EC) which was reviewed last year as part of the Commission's Regulatory Fitness and Performance (REFIT) initiative. How-

ever, the Commission was now exploring the option of setting legally binding criteria for recovering plant nutrients from sewage sludge as part of the future revision of the Fertiliser Regulation. “Once reclaimed, such materials could be considered as CE-marked fertilisers if they comply with the relevant safety, quality and labelling criteria for products”, DG Environment said.

With regard to waste plastics, the European Commission is still looking into a possible draft proposal for an end-of-waste Regulation based on the final technical report that the JRC presented last year. The TAC Committee for the Adaptation to Scientific and Technical Progress and Implementation of the EU Directives on Waste - a body made up of member state representatives - discussed possible limit values for contaminant content at a meeting last November. Member states had until 10 December to provide the European Commission with their thoughts on the final JRC report. Information from DG Environment suggests that a further meeting of experts may soon be convened to iron out some technical issues.

A preliminary technical study into waste-derived fuels that the IPTS has commissioned is “close to finalisation”, according to the institute. In this study, the Austrian Federal Environment Agency is exploring the possible suitability of different types of fuel for end-of-waste criteria. □

Draft EU Parliament resolution supports targets of original circular economy package

30 per cent increase in resource efficiency by 2030

(EU) – A ban on landfilling recyclable and biodegradable waste from 2025 that will extend to all waste from 2030, a tax on landfilling and incineration and a 70 per cent minimum recycling target for municipal solid waste (MSW) are among the headline items in a draft resolution debated by the European Parliament's Environment Committee on Tuesday. The non-binding resolution would serve as the Parliament's position on the establishment of a resource efficiency target and its response to the European Commission's July 2014 Communication Towards a Circular Economy (COM[2014] 398).

The European Parliament's full plenary is currently set to vote on the resolution in September 2015. Besides the Environment Committee, which is the committee responsible for producing the draft, the Industry, Research and Energy (ITRE) and Employment, Social Affairs and Inclusion (EMPL) Committees will also have the opportunity to adopt opinions to be incorporated into the final draft resolution.

The draft report for the Environment Committee was prepared by Finnish MEP Sirpa Pietikäinen

who is a member of the conservative EPP fraction. In her draft, the rapporteur supports the previous Commission's proposal for revising the Waste Framework Directive and other waste-related Directives, which has since been withdrawn. She urged the new Commission to “address the specific waste challenges and to take action as outlined in the original Commission Communication on developing circular economy”.

The new European Commission is also strongly urged to submit its new proposal on the revision of waste legislation by the end of 2015, as promised. The draft resolution outlines a number of points that should be included in the reworked Commission proposal. In addition to the aforementioned measures and targets, they include provisions on extended producer responsibility and endorsing “pay-as-you-throw” systems prioritising source-separated waste collection and thus “the development of business based on the reuse of recycled commodities”. The recycling target for municipal waste should be based on the output of all recycling facilities using the same harmonised method

► Continued on page 12