



**EEB recommendations on the Commission
Communication on the Thematic Strategy on Waste Prevention and
Recycling and the associated Commission proposal to amend the Waste
Framework Directive (COM (2005)667)**

5 June 2006

**In their responses to the Commission's proposals the EEB calls on the Council and Parliament to
reorientate the Commission's proposals following 5 main priority focuses :**

1) Use of Lifecycle Thinking tools (eg LCAs) as a complement, not a substitute, to the hierarchy

- Defend and **reinstate the fully differentiated 5 step waste hierarchy** – prevention, reuse, recycling, other recovery and disposal.
- Reinforce the use of the waste hierarchy, by reconfirming the hierarchy as the guiding principal and rule for waste management regulation and planning (both at EU and National level). Establish a **precautionary procedure for use of lifecycle thinking tools** such as LCAs with reference to the hierarchy and in particular waste management planning.
- Ensure that the hierarchy and the priority for recycling over incineration is not undermined by end of waste status for waste going to incineration (especially co incineration), giving municipal waste incinerators the recovery status or an inappropriate definition of recycling

2) Providing EU level leadership on waste prevention

- Reconfirm the Commission's responsibility to make waste prevention a priority in action, and **insist that the Framework Directive sets common, measurable EU targets on reduction in the generation of waste– starting with stabilisation of waste generation as an intermediate objective**. The objective of stabilisation of municipal waste in the 2012-2017 period should be a first focus, requiring the Commission to set up further objectives on other waste types by 2010.
- Match the (welcomed) Waste Prevention programmes and national target setting required at the National level with specific **supportive actions from the Commission at the EU level**. Key measures are: continued use of producer responsibility legislation, a common definition of prevention in the framework directive, development of EU **Waste prevention indicators**, concrete measures on **product policy** and an EU action plan committing to specific EU level actions to be listed in Annex IV.
- Require the National Waste Prevention programmes to be regularly revised and properly reported on to the Commission, for evaluation and subsequent reporting to Parliament

3) Setting a vision and provisions for achieving an EU Recycling Society

- Refuse any a roll-back of key elements of the current policy framework and existing waste stream legislation in particular: **Reconfirm the continued use of recycling targets and producer responsibility via implementing legislation (ie daughter directives) as a primary EU steering tool and** clearly define recycling (excluding energy and chemical feedstock recovery)
- Establish a concrete vision of the EU Recycling Society through an EU objective on the minimisation of residual waste¹(for example a switch from the current EU average ratio of 70:30 to a ratio of 30:70 or higher (disposal :reuse + recycling) by 2015);

¹ Residual waste should be understood as all waste that is left after prevention, reuse and recycling, ie those waste that require incineration and landfilling

- Implement the waste hierarchy by establishing **minimum provisions for the ‘Cascade of management options’** – namely at least reuse and repair networks, separation of a minimum number of waste materials and final pre-treatment to remove reusable and recyclable fractions before incineration or landfill;
- Set a date by which the Commission shall propose a **directive on biodegradable** waste including drivers for the separate collection of biodegradable wastes and recycling targets and a plan of action for assessing the need for similar drivers in other priority waste streams,
- Reject the repeal of the waste oils directive, and in particular loss of the regeneration priority in the absence of significant environmental arguments for such a repeal,
- Challenge the suitability of setting standards on recycling in the future extension of the scope of the IPPC Directive or through comitology

4) Rejecting a Pro-incineration Strategy

- Refuse any a roll-back of key elements of ECJ jurisprudence concerning incineration, in particular the current (ECJ) interpretation of **municipal waste incineration as disposal** where energy production is just a secondary effect and not the principal (main) purpose of the process;
- Establish the principal that the classification of any waste operation as **recovery** versus disposal **should steer to environmentally superior operations for each waste stream**. Recognise the necessity of a multi-criteria approach to this (beyond simply ‘substitution’) and hence reinforce that incineration should not be classified as recovery merely on the basis of energy efficiency
- Recognise that reusable, recyclable, hazardous and mixed municipal wastes should not be part of the EU’s priorities for (renewable or bio-) energy solutions,
- Ensure that end-of-waste criteria should not, a priori, apply to waste to be incinerated

5) Prioritising the minimisation of movements and export of waste

- Insist that as a principal **the movements and exports of waste both inside and to outside the EU should be minimized, and the proximity principle applied**, as far as possible
- Recognise that in order to protect the environment a precautionary approach should be taken to the concept of a market for waste recovery and that waste shipment even inside the EU can cause serious problems of ecodumping.

In addition to these 5 key areas the Council and Parliament should address some horizontal issues:

Waste definitions and scope

- Ensure no loopholes to the scope of the waste regime are created by reclassification of waste via by-products or inappropriate end-of-waste criteria;

Governance, enforcement and monitoring,

- Establish an enlarged EU level Waste Committee (including EU stakeholder representatives) as well as sufficient stakeholder scrutiny and democratic controls on the implementation and development of waste legislation
- Address the issue of the absence of EU level monitoring and follow-up enforcement mechanisms

Maintaining full provisions on hazardous waste

- Refuse any a roll-back of key elements of the current legislation on the protection levels required for the management of hazardous wastes – in particular as concerns full use of existing hazardousness definition lists, the non-mixing provisions and domestic hazardous waste management

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