

Brussels, 22.7.2005
J 646

Dear Mr Duncan,

Thank you for your letter of 27 June 2005 concerning the Commission's proposed approach to the issue of biodegradable waste management in the European Union.

I appreciate your contribution and willingness to discuss various aspects of biodegradable waste management with the Commission and I welcome your willingness to explore the use of alternative instruments to a directive on biodegradable waste. As indicated in the meeting held on 13 June, I am considering such an alternative approach to the issue of biodegradable waste.

The alternatives that are being examined would propose using quality benchmarks to determine when specific wastes cease to be waste. This would enable compost of a sufficient quality to be treated as a product, without the need of a separate directive. In addition, it is planned to address the issue of emissions of biowaste treatment facilities through the upcoming extension of the IPPC Directive. This would ensure an appropriate level of environmental protection as the emissions of biological treatment facilities are limited and the application of "Best Available Techniques" is capable of securing similar or even higher standards than those which could be established by a separate directive on biodegradable waste.

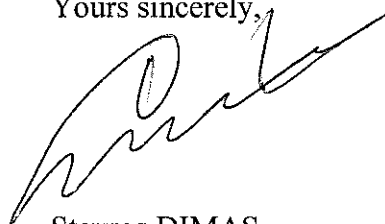
I do not believe that composting or separate collection of biodegradable waste should be made mandatory at EU level. There are a number of different techniques that can be used to treat biodegradable waste and their environmental performance depends largely on local conditions. Therefore, Member States are best suited to define national waste management policies for the treatment of biodegradable waste diverted from landfills. However, I intend to propose the insertion of an environmental objective in the Waste Framework Directive to ensure that the Member States assume a life-cycle approach to waste management. This would encourage Member States to take into account environmental aspects such as climate change or carbon depletion of soils when they develop policies for the management of biodegradable waste. If this is needed my services are willing to develop guidelines on applying life-cycle thinking to the management of biodegradable waste. In addition, the issues of carbon depletion of soils will be addressed in the Thematic Strategy on soil protection.

Mr Bill Duncan
Managing Director
ASSURE
Rue de Luxembourg 19/21
B-1000 Brussels

In my view the measures described above would create sufficient drivers for environmentally sound management of biodegradable waste and, at the same time, will take into account diverging conditions in the Member States without creating unnecessary constraints for them.

I trust that you will forward my reply to the co-signatories of the letter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Stavros DIMAS', written in a cursive style.

Stavros DIMAS