

Waste Framework Directive

2005/0281(COD) - 28/11/2006

The committee adopted the report by Caroline JACKSON (EPP-ED , UK) amending - under the first reading of the codecision procedure - the Commission proposal to overhaul the 1975 Framework Directive on waste. The committee regarded the new approach suggested by the Commission, based on the "life-cycle" of a product, as too theoretical, and preferred to stick "as a general rule" to the current policy of a waste hierarchy, which ranks treatments in five categories, from the most to the least environmentally-sound. It said that Member States should be allowed to depart from this hierarchy "when life-cycle assessments and cost-benefit analyses indicate clearly that an alternative treatment option shows a better record". Other amendments focused on the following areas:

- there should be a **better distinction between waste and by-products** which can still be used industrially, such as glass, metal or compost. The Commission should issue "interpretative guidelines on the basis of existing jurisprudence" and propose, if appropriate, "criteria for determining case by case" when such materials or substances cannot be regarded as waste. Where necessary the Commission should also propose environmental criteria to be met by each category of waste which could be used as a secondary product, material or substance, two years after entry into force of the directive. Five years after entry into force it should also, if appropriate, state what specifications should apply to compost, aggregates, paper, glass, metal, end-of-life tyres and second-hand clothing;

- **binding targets:** Member States should stabilise their total waste production by 2012 "as compared to their overall annual waste production in 2008". The Commission should submit by 2008 a list of indicators to enable Member States to monitor, assess and report their progress and should formulate by 2010 a product eco-design policy and an action plan seeking to change consumption patterns. The committee also called on the Commission to set, by 2010, "further qualitative and quantitative waste reduction objectives for 2020, based on best available practice";

- **Member States' obligations:** the committee also wanted to simplify the requirements for national waste management programmes, to make them less bureaucratic and more compatible with the subsidiarity principle. The requirement for the Member States to ensure that "all waste undergoes recovery operations" should apply "where practicable". A new article laid down provisions on the traceability and control of hazardous waste, stipulating that national authorities should do whatever is needed to ensure that the collection, production and transportation of such waste, as well as its storage and treatment, are carried out in conditions providing optimum protection for the environment, including measures to ensure traceability and control "from production to final destination". Member States should also ensure that mineral waste oils are collected separately and that all hazardous waste treatment installations should have a permit;

- **producer responsibility:** a new article introduced the principle of producer responsibility, with suggestions for implementing it: take-back obligations, information for consumers saying how far the product is recyclable, requests to producers concerning materials and design, and separate collection of the products at the end of their lives;

- **definitions:** the committee proposed new clauses containing clear definitions of "prevention", "recovery", "disposal" and "energy recovery";

- **exemptions:** the committee said that "uncontaminated excavated materials which can be used in their natural state" should not fall within the scope of the directive.

