

# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2003/2124(INI)</a>	Procedure completed
Waste Framework Directive 75/442/EEC. Follow-up report		
Subject 3.70.12 Waste management, domestic waste, packaging, light industrial waste		

Key players			
European Parliament	Committee responsible		Rapporteur
	<b>ENVI</b> Environment, Public Health, Consumer Policy		Appointed 24/03/2003
			EDD <a href="#">BLOKLAND Johannes</a>
	Committee for opinion		Rapporteur for opinion
	<b>PETI</b> Petitions		Appointed 11/09/2003
			PPE-DE <a href="#">DESCAMPS Marie-Hélène</a>

Key events			
19/05/2003	Non-legislative basic document published	COM(2003)0250	Summary
04/09/2003	Committee referral announced in Parliament		
04/11/2003	Vote in committee		Summary
04/11/2003	Committee report tabled for plenary	<a href="#">A5-0394/2003</a>	
19/11/2003	Decision by Parliament	<a href="#">T5-0508/2003</a>	Summary
19/11/2003	End of procedure in Parliament		

Technical information	
Procedure reference	2003/2124(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 54
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/19862

Documentation gateway					
Non-legislative basic document		COM(2003)0250	19/05/2003	EC	Summary
Committee report tabled for plenary, single reading		<a href="#">A5-0394/2003</a>	04/11/2003	EP	
Text adopted by Parliament, single reading		<a href="#">T5-0508/2003</a> OJ C 087 07.04.2004, p. 0077-0400 E	19/11/2003	EP	Summary

## Waste Framework Directive 75/442/EEC. Follow-up report

PURPOSE : to present a report on the implementation of Community waste legislation. CONTENT : This report deals in particular with the implementation of -Directive 75/442/EEC on waste; -Directive 91/689/EEC on hazardous waste (replaced Directive 78/319/EEC: -Directive 75/439/EEC on the disposal of waste oils; -Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture; -Directive 94/62/EC on packaging and packaging waste. The definition of 'waste' and of related waste management terminology, such as recovery and disposal, are essential elements for the implementation of the European waste management policy as well as for the functioning of the internal market in this field. The Commission has taken measures to establish a consolidated European Waste Catalogue (EWC), which is now set down in Commission Decision 2000/532/EC. Since the previous implementation report for 1995-1997 the Commission considers that a number of Member States (Austria, Italy, Luxembourg, UK) still do not transpose the waste definition correctly into national law. As regards the definition of hazardous waste in particular, the situation has improved since the last report but it appears that there are still a few Member States that have not fully transposed all the elements of this definition. The number of countries that have established separate collection systems for hazardous household waste has increased since the previous report. The report goes on to discuss the hierarchy of principles, which are: waste prevention, recycling, energy recovery and safe disposal. The following points emerge: -From the information provided by Member States, it remains unclear whether and how much waste has been prevented within the EU. According to data supplied on waste generation, it appears that household waste per capita has increased as compared to the previous period while hazardous waste is stabilised. -The success of waste recycling differs widely between Member States. The mean recycling rate for domestic waste for the fifteen Member States is 26% (ranging from 8% to 63%). The mean recycling rate for hazardous waste is also about 27% (ranging from 5% to 77%). This indicates an overall increasing tendency although a number of Member States achieve still modest rates of recycling. Furthermore, available data on packaging indicate an increase in recovery and recycling of packaging waste. -As it is not clear how Member States distinguish between incineration with and without energy recovery, both operations have to be considered together. As regards household waste the mean rate was 23%, with Denmark and Luxembourg reporting rates as high as 58% and 56% respectively. Even with energy recovery though, incineration is generally, according to the hierarchy of principles mentioned above, an inferior option to other waste treatment alternatives further up the waste hierarchy, such as reuse and material recycling. -Despite a decreasing tendency, a good number of Member States continue to rely heavily on landfilling as means of disposing their domestic waste, with the average being 45%. The mean rate of landfilling for hazardous waste is lower (22%) but another 27% in average was reported as 'other treatment'. Most Member States reported that they had attained high degrees of self-sufficiency in terms of waste disposal of around 99%, which essentially restates the position of the previous implementation report for 1995-1997. -As regards waste oils, separate collection is an essential prerequisite for their sound management. The average collection rate has increased compared to the previous period. There is, however, room for improvement as 20% of the waste oils is still illegally dumped or illegally burnt, thus strongly harming the environment. In particular some Member States have to improve significantly their collection rates, setting up more efficient collection systems. The hierarchy of principles for waste oils management - regeneration, combustion and safe destruction/tipping - is still insufficiently implemented. As far as the recovery of waste oils is concerned, the use of waste oils as fuels remains by far the predominant option for the management of waste oils. Regeneration is still very scarce in the EU. In that context, the Commission has launched infringement proceedings against 12 Member States for not giving in practice the priority to regeneration. The main constraints preventing the Member States from giving the priority to regeneration continue to be of an economical nature.?

## Waste Framework Directive 75/442/EEC. Follow-up report

The committee adopted the own-initiative report drawn up by Hans BLOKLAND (EDD, NL) in response to the Commission's follow-up report on the implementation of Community waste legislation. It concluded that in general Member States did not take their reporting requirements seriously enough and called on the Commission to initiate proceedings against Member States whose reports still display serious shortcomings. It said that, due to the inadequate reports submitted, there was still no clear picture of the extent to which the Framework Directive had been implemented and the objectives achieved. The committee therefore urged Member States which are not satisfactorily implementing or are delaying the application of directives on waste to implement them, and called on the Commission to make optimum use of its powers to ensure this, including opening infringement proceedings against all Member States which still had illegal or unsupervised waste-disposal sites. The report called on all the Member States to: incorporate the definition of waste laid down in the framework directive into their national legislation; draw up or - where appropriate - improve waste management plans; make greater efforts to prevent and reduce waste generation; find ways to promote separate collection of recyclable waste; and make available sufficient incineration capacity for domestic refuse, recovering energy from it. It added that domestic refuse intended for incineration should not be exported to other Member States or to non-EU countries. MEPs pointed out that different market conditions exist in the EU - for example, there is no ban on dumping of waste in Belgium (Wallonia), Greece, Ireland, Italy, Portugal, Spain and the UK. Taxes on dumping of waste differ between Member States and no such tax even exists in a number of countries. The Commission was urged to check that the waste directives were implemented in such a way as to prevent unfair competition due to cost differentials, to ensure that waste was not channelled towards environmentally-inferior treatment operations. Lastly, the committee regretted that the Commission had not yet adopted proposals to develop a set of quantitative and qualitative reduction targets covering all relevant waste, to be achieved at Community level by 2010. ?

## Waste Framework Directive 75/442/EEC. Follow-up report

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The European Parliament adopted a resolution based on its own-initiative report drafted by Johannes BLOKLAND (EDD, Netherlands) on the Waste Framework Directive. (Please see the summary of 04/11/03.) Parliament asked the Commission to review Directive 75/442/EEC with a view to establishing clear and enforceable conditions for the definition of waste disposal and waste recovery operations. These conditions should be based on minimum quality criteria such as: - the calorific value of the waste to be incinerated; - emissions of pollutants into air, water and soil; - separation of waste flows; - energy efficiency of incineration/co-incineration plants; - capacity to destroy organic components; - capacity to concentrate inorganic components or dramatically reduce their volume; - absence of hazardous substances in the end-product of co-incineration. It called on the Commission and Member States to set up a permanent waste Steering and Advisory Committee, along the lines of the existing structures applying to the Clean Air For Europe Strategy, so as to allow thorough and consistent monitoring and coordination of implementation of current waste legislation and stakeholder consultation on all waste legislation.?