Landfill of waste: resource efficiency. Circular economy package

2015/0274(COD) - 02/12/2015 - Legislative proposal

PURPOSE: to improve waste management in the Union in order to facilitate Europe's transition to a circular economy.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with Council.

BACKGROUND: the Commission considers that recent trends suggest that **turning waste into a resource is an essential part** of increasing resource efficiency and closing the loop in a circular economy. The Union's economy currently loses a significant amount of potential secondary raw materials that are found in waste streams. **In 2013, total waste generation in the EU amounted to approximately 2.5 billion tons of which 1.6 billion tons were not reused or recycled** and therefore lost for the European economy. It is estimated that an additional 600 million tons could be recycled or reused. By way of example, only a limited share (43%) of the municipal waste generated in the Union was recycled, with the rest being landfilled (31%) or incinerated (26%).

With respect to **waste management**, the Union also faces large differences amongst its Member States. In 2011, while six Member States landfilled less than 3% of their municipal waste, 18 landfilled over 50%, with some exceeding 90%. This uneven situation needs to be redressed.

The proposal aiming to amend Directive 1993/31/EC on waste is part of a **series of measures** on the circular economy which also includes proposals to amend:

- Directive 2008/98/EC on waste;
- Directive 1994/62/EC on package and packaging waste;
- Directive 2000/53/EC on end-of-life vehicles;
- Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators;
- Directive 2012/19/EU on waste electrical and electronic equipment.

The proposals build in part on the proposal that the Commission tabled in July 2014 and subsequently **withdrew in February 2015**. They are in line with the objectives of the Resource Efficiency Roadmap and the 7th Environment Action Programme including:

- full implementation of the waste hierarchy in all Member States;
- decline in absolute and per capita waste generation;
- ensuring high quality recycling and the use of recycled waste as a major, reliable source of raw materials for the Union.

They also contribute to the implementation of the EU Raw Materials Initiative and address the need to prevent food waste.

IMPACT ASSESSMENT: the impact assessment led to the conclusion that the options envisaged will bring the following benefits:

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- **reduction of the administrative** burden in particular for small establishments or undertakings, simplification and better implementation including by keeping targets 'fit for purpose';
- **more than 170,000 direct jobs could be created** by 2035, most of them impossible to delocalize outside the EU;
- **GHG emission reduction** – more than 600 millions of tons of green house gas could be avoided between 2015 and 2035;
- **positive effects on the competitiveness** of the EU waste management and recycling sectors as well as on the EU manufacturing sector ;
- **reinjection into the EU economy of secondary raw materials** which in turn will reduce the dependency of the EU on raw materials imports.

CONTENT: the proposal aims to **amend the targets laid down in Council Directive 1999/31/EC14 setting landfill restrictions** to make them better reflect the Union's ambition to move to a circular economy and make progress in the implementation of the Raw Materials Initiative by reducing landfilling of waste destined for landfills for non-hazardous waste.

The main points are as follows:

Alignment of definitions: it is proposed that municipal waste should be clearly defined in line with the definition used for statistical purposes by the European Statistical Office and the Organisation for Economic Cooperation and Development. The definitions in Directives 1999/31/EC should be aligned to those of Directive 2008/98/EC of the European Parliament and of the Council.

Reduction in landfill waste: Member States should take the necessary measures to ensure that **by 2030 the amount of municipal waste landfilled is reduced to 10%** of the total amount of municipal waste generated.

Estonia, Greece, Croatia, Latvia, Malta, Romania and Slovakia may obtain **five additional years** for the attainment of the target. In the event of an extension, the Member State should take the necessary measures to reduce by 2030 the amount of municipal waste landfilled to 20% of the total amount of municipal waste generated.

By 31 December 2024 at the latest, the Commission should examine the target with a view to reducing it and introducing restrictions to the landfilling of non-hazardous waste other than municipal waste. To this end, the Commission should send a report accompanied by a proposal, if appropriate, shall be sent to the European Parliament and the Council. The proposal **prohibits the landfilling of biodegradable waste that has been separately collected**.

Reporting: statistical data reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. Member States shall report the data concerning the implementation of the relevant provisions for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected.

The Commission shall review the data reported and publish a report on the results of its review.

Early warning system: the proposal establishes an early warning system to detect shortcomings and allow taking action ahead of the deadlines for meeting the targets. The Commission shall draw up reports three years before each time-limit laid down.

Simplification and streamlining of reporting obligations: it is proposed to repeal provisions obliging Member States to produce implementation reports every three years and use exclusively the statistical data which Member States report every year to the Commission.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.