Incineration of waste

1998/0289(COD) - 26/11/1999 - Council position

The Council's common position, whilst generally maintaining the approach proposed by the Commission, has added a series of provisions aiming either to strengthen or clarify the text. As requested by the European Parliament, the Council agreed to merge : - the existing Directive concerning the incineration of hazardous waste; - the Commission's proposal amending the Directive (which introduces emission limit values and associated conditions for the treatment of waste water); - the Commission's proposal on the incineration of waste to strengthen the provisions contained in existing legislation on municipal waste incineration, on the one hand, and to cover waste not within the scope of the existing Directive on the incineration of hazardous waste, on the other. Concerning the merge and subject to a specified transition period for NOx and heavy metal emissions caused by the incineration of hazardous waste, the Council accepted that for hazardous and non-hazardous waste the same emission limit values apply. More stringent provisions are maintained concerning the reception and storage purposes. New elements which have been introduced by the Council are based on the following points : - scope : the Council decided it was appropriate to consider vegetable waste from the food processing industry and cork waste biomass and, therefore, excluded them from the scope of the Directive; - definitions: the Council specified the notions of "dangerous waste", "mixed municipal waste", "co-incineration plant", "existing incineration plant", and "nominal capacity"; - application and permit: Member States who wish to do so may list the types of waste in the permit which can be co-incinerated in defined categories of such plants; if an operator of a plant incinerating non-hazardous waste envisages starting also to incinerate hazardous waste, the permit must be adapted according to provisions in the Directive relating to the integrated prevention and the reduction of pollution; - operating conditions: the Council added conditions for the co-incineration of hazardous waste and added an exemption clause for existing bark boilers, a provision to ensure the secure handling of infectious clinical waste and a provision aiming to ensure that the management of the plants shall be in the hands of a competent natural person; - water discharges from the cleaning of exhaust gases: the common position specifies that the waste waters to be dealt with concern only those resulting from the cleaning of exhaust gases. It underlines that if the waste waters are treated outside the plant this should be done according to strict conditions including, for example, the prohibition of dilution. Moreover, the Council added an optional provision for Member States to set emission limit values for polycyclic aromatic hydrocarbons (PAHs) or other pollutants; - measurement requirements: the Council added the same optional clause for air, as it did for water. It also added another optional clause allowing competent authorities to issue a permit allowing the possibility to reduce the periodic measurement for heavy metals and dioxins and furans, but onlyunder very strict conditions. After 2005, however, such derogations can only be authorised if the emissions are 50% below the emission limit values and if specific criteria have been developed according to the Committee procedure provided for by the Directive. The Council introduced a 97% daily average value over the year for the carbon monoxide emission limit value mentioned in Annex V(e). Finally, the compliance figures and limit values for emissions into water have been changed to offer an alternative both for total suspended solids and heavy metals. The Council added a review clause asking the Commission to report before the end of 2008 both to the European Parliament and the Council on the application of the proposed Directive and the experience and progress achieved since its implementation, to be accompanied, if appropriate, by proposals for revision. On the subject of transitional provisions, the Council added a new paragraph 3 to clarify that plants, which are producing products or generating energy and which have a permit where required by Community legislation, shall, if they start to co-incinerate waste not later than 4 years after the entry into force of the Directive, be regarded as existing co-incineration plants. The Council has also made a certain number of amendments to the Annexes.