# Management of waste from extractive industries. Mining Waste Directive

2003/0107(COD) - 02/06/2003 - Legislative proposal

PURPOSE : to present a proposal for a Directive on the management of waste from the extractive industries. CONTENT : waste from the extractive industries involves material that must be removed in order to gain access to mineral resources such as topsoil, overburden and waste rock. It also includes tailings, which remain after minerals have been extracted from the ore. Annually such waste amounts to an estimated 29% of total waste generated in the EU, with an annual volume in excess of 400 million tonnes. Whilst some of this waste can be classified as inert, other fractions may contain large quantities of dangerous substances, such as heavy metals. In some cases the management of tailings is a risky business involving residual processing chemicals and elevated levels of metals. Tailings are frequently stored on heaps or in large ponds held by large dams. Environmental disasters involving extractive wastes include Aberfan (Wales) in 1966, Stava (Italy) in 1985, Aznalcollar (Spain) in 1998 and more recently Baia Mare and Baia Borsa both in Romania in 2000. In order to avoid a repeat of past disasters the EU recognises that wastes from the extractive industries require enhanced management techniques based on harmonised legislation. Whilst national regulations regarding the management of extractive wastes are already in place, uniform EU legislation would allow for the establishment of a more level-playing field in which industry can operate. Legislation would offer clearer specification and requirements as far as the design, operation, closure and after-care of waste management facilities is concerned. This would be particularly useful when taking the EU's enlargement into account. A number of the candidate countries are home to extractive industrial locations and in many cases there is a real need to raise standards. Currently waste from the extractive industries is covered by the general provision of the Waste Framework Directive and the Landfill Directive. In spite of this there is a growing consensus on the need to develop tailor made rules applicable and unique to the extractive waste sector. It is therefore the objective of this proposal to set minimum standards in order to improve the way in which waste from the extractive industries is managed. Particular emphasis is given to waste recovery in order to contribute to the conservation of resources and to reduce pressure on the exploitation of virgin natural materials. The proposal covers waste coming from all sectors of the extractive industry. The provisions are such that they will affect mainly those sectors, which are likely to cause the most significant environmental and health hazards or accidents. Largely, metal mining. It excludes from its scope waste, which represents a low environmental risk, such as unpolluted soil and waste from the exploration of mineral resources. Inert waste is covered with a limited set of requirements. Also excluded is waste, which, although generated in the course of mineral extraction or treatment operations, is inappropriate to be managed under the provisions of this proposal, such as food waste or waste from offshore operations. The objectives and basic requirements can be found in the main body of the text with three annexes completing the legal provisions. These contain the technical requirements that can be adopted to scientific progress via comitology, taking into account the results of the BATdocument on the management of tailings and waste rock. Specifically, the proposal focuses on the following aspects: - Operational issues connected with waste management, - Prevention of soil and water pollution, and - Ensuring stability of waste management facilities (in particular tailings ponds). The proposal contains: - A range of conditions to be attached to operating permits. - A range of general obligations covering waste management. - The obligation to characterise waste before disposing of it or treating it. - Measures to ensure the safety of waste management facilities. - A requirement to draw up closure plans for waste management facilities. And: - An obligation to provide for an appropriate level of financial security.