Waste management: application of directives 75/439/EEC, 75/442/EEC, 78/319/EEC and 86/278/EEC

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OBJECTIVE: the aim of the present Communication is to inform the European Parliament and the Council of the application, between 1989 and 1994 of the Directives on waste management.
SUBSTANCE: the report covers twelve Member States (Austria, Sweden and Finland are not included) and relates to the following Directives: - Directive 75/442/EEC on waste: the Commission notes a certain reticence on the part of the Member States to implement the Directive effectively. It regrets the fact that only eight of the twelve Member States concerned have submitted their national reports. The Commission also remarks on the following points: national laws transposing the Community texts often use definitions and classifications of waste which depart from the Community terminology; it is difficult to say to what extent the Community hierarchy concerning waste is followed in the Member States; there is considerable variation from one Member State to another regarding the number of competent authorities and their level of responsibility; the Member States' commitment to establishing waste management plans has not led to satisfactory results. - Directive 78/319/EEC on toxic and hazardous waste: analysis reveals a very low level of harmonization of national legislations on toxic and hazardous waste, as Member States have, in many cases, not followed the provisions of the Directive. The Commission does not have enough information to draw qualitative conclusions concerning either its main or specific objectives. Harmonization of the implementation of the Directive, particularly as regards waste management plans, has also been inadequate. A large number of plans concerning toxic and dangerous waste have not been drafted or have not been submitted to the Commission in time. Updates have often not been forwarded to the Commission. - Directive 75/439/EEC on the disposal of waste oils: the report relates only to the notifications from six Member States (Spain, Italy, United Kingdom, France, Luxembourg and Netherlands) which provide sufficient data for the period 1990-1994. All these countries have taken the requisite measures to ensure that waste oils are collected and disposed of without causing harm to man or the environment. Nevertheless, the Commission feels that the Directive has only been implemented very partially and that Member States have held back from giving effective priority to regeneration over the burning 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: it is not possible to draw conclusions at European Union level on the basis of five national reports, of which only two (Spain and the Flemish Region) are complete, except to stress the reticence of the Member States to provide these reports. The Commission, however, considers that the Directive has been implemented reasonably effectively as regards its major point (permitted concentrations of heavy metals in sludge used in agriculture) and notes that in general these concentrations are much lower than the limit values laid down in the Directive. In its common position on the amendment of the SOCRATES programme, the Council was unable to concur with the Commission proposal to increase funding for the programme for the period 1998-1999 by ECU 50m. It limited the increase to ECU 25m, giving a total amount of ECU 875m. The Council sees this as a fair compromise solution between two contradictory requirements: - the need to increase the financial allocation for SOCRATES in order to make it more accessible to a large number of users, - the need broadly felt in the Member States to continue along the path of budgetary restraint. The Council has adopted five of the European Parliament's six first-reading amendments (in particular the provision of adequate funding to respond to the needs of the countries of Central and Eastern Europe and Cyprus, the need to maintain a critical mass of funding, incorporation of additional funding for SOCRATES for Heading 3 of the financial perspectives, etc.). However, it has not accepted the European Parliament's main amendment, the increase in funding of ECU 100m rather than the ECU 50m proposed by the Commission.