Basic information

1992/0406(SYN) SYN - Cooperation procedure (historic)	Procedure completed
Incineration of toxic and dangerous waste: rectification of legal basis Repealed by 1998/0289(COD) **Subject** 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection	FLORENZ Karl-Heinz (PPE)	27/07/1994

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	1777	1994-07-11
Environment	1817	1994-12-16

Key events

Date	Event	Reference	Summary
19/03/1992	Legislative proposal published	COM(1992)0009	Summary
11/05/1992	Committee referral announced in Parliament		
24/11/1992	Vote in committee		Summary
14/12/1992	Debate in Parliament		
24/02/1993	Vote in committee		Summary
22/06/1993	Modified legislative proposal published	COM(1993)0296	Summary
27/08/1993	Amended legislative proposal for reconsultation published	08306/1993	Summary
08/09/1993	Formal reconsultation of Parliament		
23/02/1994	Vote in committee		Summary
07/03/1994	Debate in Parliament		
11/07/1994	Council position published	06823/1/1994	Summary
22/07/1994	Committee referral announced in Parliament, 2nd reading		

12/10/1994	Vote in committee, 2nd reading		Summary
12/10/1994	Committee recommendation tabled for plenary, 2nd reading	A4-0043/1994	
16/11/1994	Debate in Parliament		
16/12/1994	Act adopted by Council after consultation of Parliament		
16/12/1994	End of procedure in Parliament		
31/12/1994	Final act published in Official Journal		

Technical information

Procedure reference	1992/0406(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Amendments and repeals	Repealed by 1998/0289(COD)
Legal basis	EC Treaty (before Amsterdam) E 130S-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/3/05671

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0388/1992 OJ C 021 25.01.1993, p. 0008	24/11/1992	
Text adopted by Parliament, partial vote at 1st reading /single reading		T3-0723/1992 OJ C 021 25.01.1993, p. 0090-0099	16/12/1992	Summary
Text adopted by Parliament, 1st reading/single reading		T3-0140/1993 OJ C 115 26.04.1993, p. 0071-0090	10/03/1993	Summary
Committee final report tabled for plenary, reconsultation		A3-0128/1994 OJ C 091 28.03.1994, p. 0008	23/02/1994	
Text adopted by Parliament after reconsultation		T3-0126/1994 OJ C 091 28.03.1994, p. 0037-0062	09/03/1994	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0043/1994 OJ C 341 05.12.1994, p. 0005	12/10/1994	
Text adopted by Parliament, 2nd reading		T4-0118/1994 OJ C 341 05.12.1994, p. 0104-0120	17/11/1994	Summary

Council of the EU

Document type	Reference	Date	Summary
Amended legislative proposal for reconsultation	08306/1993	27/08/1993	Summary

Supplementary legislative basic document	N3-0106/1994	04/03/1994	
Council position	06823/1/1994 OJ C 232 20.08.1994, p. 0035	11/07/1994	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1992)0009 OJ C 130 21.05.1992, p. 0001	19/03/1992	Summary
Modified legislative proposal	COM(1993)0296 OJ C 190 14.07.1993, p. 0005	22/06/1993	Summary
Reconsultation	COM(1993)0570	10/11/1993	
Commission communication on Council's position	SEC(1994)1161	17/07/1994	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1178/1992 OJ C 332 16.12.1992, p. 0049	22/10/1992	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1994/0067
OJ L 365 31.12.1994, p. 0034 Summary

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 09/03/1994 - Text adopted by Parliament after reconsultation

Parliament adopted the report by Mr Florenz on the incineration of hazardous waste.

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 22/10/1992 - Economic and Social Committee: opinion, report

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 16/12/1994 - Final act

OBJECTIVE: to make provision for measures to protect the environment from dangerous emissions from the incineration of hazardous waste. COMMUNITY MEASURE: Council directive 94/67/EC on the incineration of hazardous waste. CONTENT: the directive makes provision for measures and methods which will prevent or, where this is not possible, minimise the impact from the incineration of hazardous waste on the environment and the resultant risk to human health. It therefore sets out suitable operating conditions and strict emission limit values, defined on the basis of the best available technologies, and makes provision for measures to prevent the transfer of pollution from one medium (air) to another (water). Measures are provided for cases in which emission limit values are exceeded and for the stoppages, breakdowns and technical failures which are inevitable in purification systems. The directive also introduces a limit value of 0.1 ng/m3 for dioxin and furan emissions as of 1 January 1997, it being understood that the Member States will at least use this value as a guide value until then. The Commission will present new emission limit values to the Council by 31 December 2000 in the light of technical developments. ENTRY INTO FORCE: 31 December 1994 DEADLINE FOR TRANSPOSITION: 31 December 1996

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 16/12/1992 - Text adopted by Parliament, partial vote at 1st reading/single reading

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 17/11/1994 - Text adopted by Parliament, 2nd reading

Parliament rejected the Council common position.

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 10/03/1993 - Text adopted by Parliament, 1st reading/single reading

Parliament approved the report by Mr Karl-Heinz Florenz (PPE, D) on a directive concerning the incineration of hazardous waste. Parliament adopted amendments tabled by the Committee on the Environment, foremost among which was a clause prescribing that state-of-the-art technology should be used to reduce emissions of dioxins and furans to a minimum. By no later than 1 January 1997, none of the average values measured over the sampling period, lasting a minimum of six and a maximum of eight hours, would be allowed to exceed a ceiling of 0.1 ng/m3. Until that date, Member States should apply that ceiling, at least as a guide value. The ceiling corresponded to the sum of the concentrations of all dioxins and furans, assessed in accordance with Annex I to the report.

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 27/08/1993 - Amended legislative proposal for reconsultation

At its 1 676th meeting of 29 June 1993, the Council called for the European Parliament to be reconsulted solely in relation to an amendment to the legal basis for the directive. The new legal basis was Article 130s(1) of the Treaty rather than Article 100a. The Council justified that change on the ground that the directive in question related to the protection of the environment and prevention of pollution caused by emissions from the incineration of hazardous waste rather than the harmonisation of national legislation on incineration.

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 22/06/1993 - Modified legislative proposal

In its amended proposal, the Commission incorporated 15 of the 26 amendments adopted by Parliament, including those: - underlining the high level of environmental protection, and the precautionary principle underpinning the proposal for a directive; - drawing attention to the proper treatment of waste produced by incineration, in particular filtration dusts; - making it possible to reduce, as far as possible, the environmental impact of incineration; - facilitating a better understanding of the types of hazardous waste excluded from the scope of the directive; - introducing the concept of 'state of the art' by stressing the requirement to comply with the state of the art once an application for a permit has been applied for; - stressing the importance of strictly monitoring waste for incineration, by extending the period during which samples and the results of analyses of waste prior to incineration are retained; - providing details on the total oxidation of combustion gases; - reducing the period of operation of existing installations before they close permanently. The Commission also accepted the amendments: - calling for the Commission to report to the Council and European Parliament by 1 January 2000; - extending to all installations the ban on discharging waste water from the purification of combustion gases; - calling on the Member States to use as a guide value, until 1 January 1997, an emission value of 0.1 ng/m3 for dioxins and furans.

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 11/07/1994 - Council position

The common position incorporates the four amendments by the European Parliament accepted by the Commission in its amended proposal: - an amendment specifying the objectives of the directive: "or, where that is not practicable, to reduce as far as possible negative effects"; - the exclusion from the scope of the directive of combustible liquid wastes, including waste oils, "provided that they meet [...] three criteria"; - an amendment on keeping samples, which must be kept for at least one month after the incineration; - an amendment introducing a limit value of 0.1 ng/m3 for emissions of dioxins and furans as of 1 January 1997, this value to be used as a guide until then. The other 14 parliamentary amendments accepted by the Commission were not included in the common position, due to the changes made by the Council, all of which tend to make the technical requirements less severe or simplify the procedures. In addition, the Council introduced the following new elements: - the legal basis for the directive is now Article 130S of the Treaty; - incinerators for animal carcasses and incinerators for infectious but not hazardous clinical waste have been excluded from the scope of the directive; - the lower threshold for co-incineration installations (10% of the heat produced) has been deleted and the formula for calculating the limit values applicable to these installations has been amended; - the emission limit values have been lowered; - the disposal in water of liquid waste from the cleaning of exhaust gases has been allowed for all installations, whereby the Council must establish specific limit values for these effluents within two years; - the deadline for the application of the directive to existing installations has been changed to three and a half years; - the provision on revising licences every five years has been replaced by a provision allowing for new emission limit values to be submitted to the Council by 31 December 2000. - the type IIIa committee has been replaced by a type IIIb committee; - the provisions on reports on the implementation of the directive have been amended.

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 17/07/1994 - Commission communication on Council's position

The Commission states in its opinion on the Council common position on this proposal for a directive that it accepts all the amendments made by the Council in its common position, with the exception of the change to the committee. The Commission regrets this change because the comitology chosen (type IIIa instead of type IIIb) does not guarantee that decisions will be taken.

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 19/03/1992 - Legislative proposal