Basic information

1997/0085(SYN) SYN - Cooperation procedure (historic)	Procedure completed
Waste management: landfill Amended by 2015/0274(COD) Amended by 2022/0104(COD) **Subject** 3.70.12 Waste management, domestic waste, packaging, light industrial waste	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection	JACKSON Caroline (PPE)	12/10/1998

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection	JACKSON Caroline (PPE)	16/04/1997

Former committee for opinion	Former rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	WATSON Sir Graham (ELDR)	03/09/1997

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2173	1999-04-26
Environment	2017	1997-06-19
Environment	2062	1997-12-16
Environment	2076	1998-03-23
Environment	2033	1997-10-16
Social Affairs	2102	1998-06-04

Key events

Date	Event	Reference	Summary
		COM(1997)0105	Summary

05/03/1997	Legislative proposal published		
11/04/1997	Committee referral announced in Parliament		
19/06/1997	Debate in Council		
16/10/1997	Debate in Council		
16/12/1997	Debate in Council		
21/01/1998	Vote in committee		Summary
21/01/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0026/1998	
17/02/1998	Debate in Parliament		Summary
26/03/1998	Modified legislative proposal published	COM(1998)0189	Summary
04/06/1998	Council position published	06919/3/1998	Summary
09/10/1998	Committee referral announced in Parliament, 2nd reading		
20/01/1999	Vote in committee, 2nd reading		Summary
20/01/1999	Committee recommendation tabled for plenary, 2nd reading	A4-0028/1999	
08/02/1999	Debate in Parliament		
26/03/1999	Modified legislative proposal published	COM(1999)0116	Summary
26/04/1999	Act adopted by Council after consultation of Parliament		
26/04/1999	End of procedure in Parliament		
16/07/1999	Final act published in Official Journal		

Technical information

Procedure reference	1997/0085(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Amendments and repeals	Amended by 2015/0274(COD) Amended by 2022/0104(COD)
Legal basis	EC Treaty (before Amsterdam) E 130S-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/10197

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0026/1998 OJ C 056 23.02.1998, p. 0004	21/01/1998	
		T4-0080/1998		

Text adopted by Parliament, 1st reading/single reading		OJ C 080 16.03.1998, p. 0185-0204	19/02/1998	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0028/1999 OJ C 150 28.05.1999, p. 0005	20/01/1999	
Text adopted by Parliament, 2nd reading		T4-0082/1999 OJ C 150 28.05.1999, p. 0019-0078	09/02/1999	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	06919/3/1998 OJ C 333 30.10.1998, p. 0015	04/06/1998	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1997)0105 OJ C 156 24.05.1997, p. 0010	05/03/1997	Summary
Modified legislative proposal	COM(1998)0189 OJ C 126 24.04.1998, p. 0011	26/03/1998	Summary
Commission communication on Council's position	SEC(1998)0906	28/05/1998	Summary
Modified legislative proposal	COM(1999)0116	26/03/1999	Summary
Follow-up document	COM(2005)0105	30/03/2005	Summary
Follow-up document	COM(2006)0406	19/07/2006	Summary
Document attached to the procedure	SEC(2006)0972	19/07/2006	
Follow-up document	COM(2009)0633	20/11/2009	Summary
Follow-up document	SEC(2009)1586	20/11/2009	Summary
Follow-up document	COM(2013)0006	17/01/2013	Summary
Follow-up document	COM(2017)0088	27/02/2017	Summary
Commission document (COM)	COM(2018)0656	24/09/2018	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary

CofR	Committee of the Regions: opinion	CDR0112/1997 OJ C 244 11.08.1997, p. 0015	11/06/1997	
EESC	Economic and Social Committee: opinion, report	CES0980/1997 OJ C 355 21.11.1997, p. 0004	01/10/1997	Summary
EU	Implementing legislative act	32003D0033 OJ L 011 16.01.2003, p. 0027-0049	19/12/2002	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Directive 1999/0031 OJ L 182 16.07.1999, p. 0001	Summary

Waste management: landfill

1997/0085(SYN) - 04/06/1998 - Council position

The common position incorporates either totally or in part 13 of the 33 amendments proposed by the European Parliament at first reading. Apart from the changes resulting from the European Parliament's amendments most of the changes in the common position tend to make the proposal less stringent by introducing new exemptions and by extending time frames. They deal mainly with the following aspects: - definitions: the period of exemption for temporary storage prior to recovery or treatment has been extended from one to three years. The definitions of isolated settlements or small islands have been modified. A new parameter for areas with difficult access has been introduced. Also, the total capacity of exempted landfill sites on small islands has been increased from 10 000 tonnes to 15 000 tonnes where the annual intake does not exceed 1 000 tonnes; - scope: an exemption for landfill of non-hazardous waste other than inert waste from mining activities has been included. Exemptions have been included for water control, leachate management and control of gas provided for in Annex I and Annex III for underground storage; - wastes and treatments not permitted in landfills: the aim of reducing biodegradable waste to 75% in 2002, 50% in 2005 and 25% in 2010 have been modified, becoming 75% in 2006, 50% in 2009 and 35% in 2016. Furthermore, a possibility of exemption (of up to four years for the Member States which deposit over 80% of the waste collected in landfills) and a revision clause have been introduced; - waste permitted in the various categories of landfills: the possibility of eliminating stable, non- reactive hazardous wastes from landfills for non-hazardous wastes has been introduced; - cost of the landfill of waste: the period considered for estimating the costs involved in the closure and aftercare of the closed landfill is changed from 50 years to 30 years; - existing landfills: the period within which existing landfills must conform to the directive has been extended from five to eight years. For existing landfills for hazardous wastes, the period has been changed from two years to one year for certain provisions of the directive and increased from two to three years for other provisions of the directive; - general requirements for all classes of landfills (Annex I): the requirement seeking to specify a uniform minimum distance between landfills and residential areas has been deleted; - waste acceptance criteria and procedures (Annex II): this annex has had added to it the various criteria for acceptance which must be determined by the technical committee.

Waste management: landfill

1997/0085(SYN) - 26/04/1999 - Final act

PURPOSE: to prevent or minimise, as far as possible, negative effects on the environment arising from landfill, by means of the introduction of strict technical and operational requirements with respect to waste and landfills. COMMUNITY MEASURE: Council Directive 99/31/EC on the landfill of waste. CONTENT: The Directive lays down high standards for waste treatment in the Union and seeks to discourage the use of landfill. The main aspects of the Directive are as follows: Scope: the Directive defines different categories of waste and applies to all types of landfills, which are defined as waste disposal sites for the deposit of the waste onto or into land (i.e. underground), including: internal waste sites (landfill where a producer of waste is carrying out its own waste disposal at the place of production), and a permanent site, i.e. more than one year, which is used for the temporary storage of waste. Landfills are divided into 3 classes: those for hazardous waste, for non-hazardous waste and those for inert waste. The Directive does not apply to the following: - the spreading on the soil of sludges; - the use of landfills for inert waste for redevelopment or restoration work; - the deposit of unpolluted soil or of non-hazardous inert waste resulting from prospecting and extraction, treatment and storage of mineral resources, as well as from the operation of quarries; - the deposit of non-hazardous dredging sludges alongside small waterways from which they have been dredged

and of non-hazardous sludges in surface water, including the bed and its subsoil. The Member States may legislate that some of the provisions of the Directive do not apply: landfill sites for non-hazardous or inert wastes with a total capacity not exceeding 15,000 tonnes or with an annual intake not exceeding 1,000 tonnes serving islands; landfill sites for non-hazardous or inert waste in isolated settlements if the landfill site is destined for the disposal of waste generated only by that isolated settlement. Provisions are made regarding waste and treatment not acceptable in landfills: liquid wastes, waste which is explosive, corrosive, oxidising, highly flammable or flammable, infectious hospital or other clinical wastes arising from medical or veterinary establishments, used tyres (with certain exceptions), any other type of waste that does not fulfil the acceptance criteria (laid down in Annex II). The dilution of a mixture of waste solely in order to meet the waste acceptance criteria is prohibited. - Wastes accepted in different classes of landfill: a standard procedure for the acceptance of waste is established; wastes have to be treated before they are accepted for landfill; hazardous waste within the meaning of the Directive has to be assigned to a hazardous waste landfill; landfills for non-hazardous waste must be used for municipal waste and for nonhazardous waste; landfill sites for inert waste must be used only for inert waste. The application for a landfill permit has to contain the following details: identity of the applicant and, in some cases, of the operator; a description of the types and total quantity of waste to be deposited; the capacity of the disposal site; a description of the site; the proposed methods for pollution prevention and abatement; the proposed operation, monitoring and control plan; the plan for closure and aftercare procedures; the applicant's financial security; an impact assessment, where required under Council Directive 85/337/EEC. - Cost of the landfill of waste: Member States must ensure that all of the costs involved in the setting up and operation of a landfill site, as well as the cost of the financial security and the estimated costs of the closure and after-care of the site for a period of at least 30 years. - Existing landfill sites: Member States must ensure that existing landfill sites do not continue to operate unless they comply with the provisions of the Directive as soon as possible and within 8 years of the date of transposition of the Directive. In this regard, a conditioning plan has to be submitted for approval by the competent authority). As far as landfills for hazardous waste are concerned, the time limit for compliance is one or three years, depending on the provisions of the Directive. ENTRY INTO FORCE: 16/07/1999. DEADLINE SET FOR TRANSPOSITION: 16/07/2001.

Waste management: landfill

1997/0085(SYN) - 09/02/1999 - Text adopted by Parliament, 2nd reading

At second reading under cooperation procedure, the decision on common position 49/98/EC established by the Council with a view to adopting a Council Directive on the landfill of waste was adopted by the European Parliament. This recommendation by Caroline F. Jackson (PPE,UK) amends the common position in the following areas: - defining landfill of waste as the option of last resort in the hierarchy of prevention, recovery, recycling, incineration and landfill; - asking the Commission to propose a directive on composting and biomethanisation; - providing for the option of using economic instruments such as a tax on waste going to landfill to achieve the objectives of the proposed directive; - ensuring that the price charged for waste disposal in a landfill reflects the true cost for the whole lifetime of a landfill and that these costs are not borne by the public purse; - making a much more specific definition of "liquid waste"; - making a distinction between non-hazardous and inert waste; - requiring a stricter limit on biodegradable municiple waste going to landfills no later than 15 years after the date laid down in Article 18(1) - namely 25 rather than 35% of the total amount (by weight) of such waste as defined by standardised Eurostat data for 1995 or the latest available year before that; - requiring Member States to give a progress report to the Commission at each of the three stages and the Commission to report to the European Parliament within 3 months on the extent to which the targets are being met and any according adjustments to the directive which may be needed. - allowing any Member States which, according to the standardised data mentioned above, put more than 80% of their collected municipal waste to landfill to postpone the attainment of the targets for two and not four years; - penalising any failure by Member States to give the Commission prior warning of such a decision and requiring the Commission to inform the European Parliament of such a decision; - tightening up the provision on measures to be taken by Member States to ensure that the cost of the financial security or its equivalent for a landfill site is covered by the price to be charged by the operator for waste disposal in that site; - making the proposed site register on quantities of waste deposited publicly available; - specifying that responsibility for monitoring the site after its closure will rest with the operator for at least 30 years unless he can prove that it is no longer a threat to the environment; - requiring Member States to close down any landfill sites which haven't been granted a permit under framework Directive 75/442/EEC on waste; - Shortening from 8 to 5 years the time period allowed for landfills already in operation at the time of transposition of the proposed directive to comply with the steps outlined in the proposal and hence be allowed to continue operating; - suggesting minimum guidelines for the distances from the boundary of the site to residential and recreational areas, waterways, water bodies and other agricultural and urban sites; - specifying that the leachate collection and sealing system,required for landfills by the proposal, must cover the landfill base, sides and surface and ensure that leachate accumulation cannot enter the subsoil but can be collected and drawn off; - limiting the drainage layer for the leachate collection and sealing system from greater than or equal to 0.5 metres to greater than or equal to 0.3 metres.

Waste management: landfill

1997/0085(SYN) - 20/11/2009

This report aims to inform the other Community institutions, the Member States and the public about the **implementation of the EU legislation on waste over the period 2004-2006**. It covers Directives 2006/12/EC on waste, 91/689/EC on hazardous waste, 75/439/EEC on waste oils, 86/278/EEC on sewage sludge, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2002/96/EC on waste electrical and electronic equipment, and 2000/53/EC on end-of-life vehicles.

As regards the implementation of this Directive, the report recalls that the Landfill Directive is intended to prevent or reduce the adverse effects of the landfill of waste on the environment, in particular on surface water, groundwater, soil, air and human health. It sets stringent technical requirements for landfill sites, specific requirements for waste acceptance on the sites, and introduces landfill categories depending on the waste intended to be disposed of. The Directive obliges Member States to ensure that competent national authorities issue permits to operate the sites. One of the key provisions includes targets for a gradual diversion of biodegradable municipal waste from landfills in order to reduce methane emissions, coupled with technical requirements for capture and treatment of landfill gas.

Implementation: the practical implementation of the Landfill Directive remains highly unsatisfactory and considerable efforts need to be undertaken to improve it. **Ten years after the adoption of the Directive, not all Member States report having transposed and implemented all its provisions** and the

Commission continues to open a significant number of infringement cases against Member States for bad transposition or implementation of this legislation. It receives on a daily basis a **vast number of complaints related to illegal landfills** lacking the permits required by EU waste legislation, causing serious adverse effects to the environment and risks to human health. These complaints have demonstrated a general and persistent nature of significant implementation deficiencies in a large part of the EU. In the cases observed, Member States have often tolerated serious deficiencies for long time periods without ensuring that illegal activities are brought to an end and punished. A large number of landfills do not comply with the requirements of the Directive and there is a real risk that a vast majority of Member States will not meet the deadline of 16 July 2009 by which all sub-standard landfills that existed before the introduction of the Directive need to comply with its requirements (unless specifically derogated). Only nine Member States report having met the 2006 targets for the diversion of biodegradable municipal waste from landfills and capture of landfill gas appears insufficient.

The problem seems particularly acute in the EU-10 where landfilling remains a predominant option since no alternative waste management infrastructure is available. Despite a quick progress in these countries in closing sub-standard landfills, efforts need to be stepped up to ensure full compliance.

In 2009, 13 non-conformity cases and 11 bad application cases were pending against Member States related to the Landfill Directive. In response to these systemic failures of Member States to properly implement the EU waste legislation, the Commission has taken a strategic approach. **So-called "horizontal" infringements and court cases have been launched** addressing the lack of national infrastructures and effective enforcement measures. Vast numbers of individual cases have been used as illustrations. This approach allows problems to be solved in more places than if focus would only have been on individual landfill sites.

General conclusions: whilst Community legislation is reasonably well transposed into national legislation, although sometimes with significant delays, the lack of adequate enforcement causes widespread failure in achieving the agreed environmental protection objectives in practice. The implementation and "real-world" application" of waste legislation in the reporting period 2004-2006 remained unsatisfactory in many areas. As demonstrated by a large number of infringement cases, the state of practical implementation remains critical in respect of the Waste Framework Directive, the Landfill Directive, and the Waste Shipment Regulation where coordinated efforts are required to bring the situation in line with the legislation.

In particular, it is advisable that, together with the Commission, Member States and The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) increase their actions to bridge the implementation gap of the Landfill Directive. Also in various Member States the results of the WEEE, Packaging and ELV directives remained below the agreed binding targets and numerous infringement cases continued to be open.

Even though progress was made in some Member States, huge implementation efforts need to be undertaken in many countries. **Some reported problems are particularly common in countries which joined the Community in 2004 where over 90% of waste continues to be landfilled**.

Efforts need to be stepped up in order to bring the waste management infrastructure in line with the requirements of the Community legislation, including:

- creating separate collection systems for different waste streams,
- education of citizens,
- investments in pre-treatment of waste before its final disposal.

These efforts are crucial to make the letter of law effectively protect the environment and human health.

Waste management: landfill

1997/0085(SYN) - 30/03/2005 - Follow-up document

This report is published pursuant to Directive 1999/31/EC on the landfill of waste on the national strategies drawn up by Member States to reduce the amounts of biodegradable waste going to landfills.

To recall, the objective of Directive 1999/31/EC on the landfill of wasteis to prevent or reduce as far

as possible negative effects on the environment, in particular the pollution of surface water, groundwater, soil and air, and on the global environment, including the greenhouse effect, as well as any resulting risk to human health, from landfilling of waste, during the whole lifecycle of the landfill.

Pursuant to Article 5(1) of the Directive Member States must set up a national strategy for the implementation of the reduction of biodegradable waste going to landfills not later than 16 July 2003 and notify the Commission of this strategy. The strategies should include measures to achieve the targets set out in Article 5(2) by means of in particular recycling, composting, biogas production or materials/energy recovery.

Article 5(2) requires the reduction of biodegradable municipal waste going to landfills to

– 75% by 16 July 2006

– 50% by 16 July 2009 and

– 35% by 16 July 2016

calculated on the basis of the total amount of biodegradable municipal produced in 1995 or the latest year before 1995 for which standardised Eurostat data is available.

Member States that landfilled more than 80 % of their municipal waste in 1995 may postpone each of the targets by a maximum of four years.

By January 2004 the Commission had received the national strategies from Austria, Denmark, France, Germany, Italy, Greece, Luxembourg, the Netherlands, Portugal, Sweden as well as regional plans for England, Wales, Scotland, Northern Ireland, Gibraltar, the Flemish Region and the Walloon Region. Ireland and Spain have not submitted their strategies. Finland's strategy was submitted too late to be included in this report. In addition, the ten new Member States had to submit their national strategies after accession. The Commission will continue to liaise with these Member States in order to obtain information covering the whole Community.

The report draws together the strategies submitted. As no format was provided for the strategies, the structure and detail of the strategies submitted vary significantly. The report consists of a description of the current status in Member States and their national strategies as well as general conclusions. It is accompanied by a Commission staff working paper which contains a more detailed summary of the strategies and the data received from Member States.

Only twelve Member States have submitted their national strategies. Two of the twelve Member States have submitted these strategies on a regional basis. For the United Kingdom all the regional strategies were submitted. For Belgium no strategy was submitted for the region of Brussels.

The promotion of composting, recycling of paper and energy recovery are elements of all strategies. Most strategies stress the importance of using source segregated organic waste to obtain good quality compost. The level of detail of the strategies and the measures to achieve the targets vary considerably. Some Member States have chosen legally binding measures, while others have chosen voluntary measures and incentives. Greece and the United Kingdom will postpone the reduction targets by four years.

Waste management: landfill

1997/0085(SYN) - 26/03/1998 - Modified legislative proposal

The amended proposal incorporates 13 of the 29 amendments adopted by the European Parliament at first reading. The main changes made by the Commission have the purpose of: - introducing into one recital a reference to the waste hierarchy; - stressing the need for legislation on the processing of dredging sludges; - ensuring that the cost of the financial security is included in the price to be charged for the landfilling of waste; - drawing attention to the need to improve monitoring and reporting systems; - inserting in the definition of inert waste a specific reference to the proposed water framework Directive; - defining liquid waste more specifically in relation to percentage of solids; - clarifying that mine storage and underground storage are covered by the overall definition of landfill; - introducing an exemption for non-hazardous sludges to be deposited in surface water including the waterway bed as well as an exemption for the deposit of unpolluted soil or non-hazardous inert waste from various mining activities; - introducing an obligation for the Commission to forward to Parliament and the Council a report on national strategies and an obligation for Member States and the Commission to report on compliance with the reduction targets; - deleting the exemption for tyres with a diameter above 1400 mm; - specifying the obligations for the operator during the aftercare period (a period of 30 months); - introducing a provision to ensure that landfills without a permit in accordance with Directive 75/442/EEC are closed down.

Waste management: landfill

1997/0085(SYN) - 26/03/1999 - Modified legislative proposal

The Commission's re-examined proposal incorporates a number of the amendments adopted by the European Parliament at its second reading. The amendments accepted by the Commission aim in particular to : - draw attention to the waste hierarchy for the order of preference to be followed in the elimination of waste, the use of economic instruments in certain cases and the need to integrate the cost of the financial guarantee in the price to be charged for the landfilling of waste; - clarify the definition of liquid waste; - tighten the common position by reintroducing a reduction target for biodegradable waste of 25%; - give only a 2 year derogation for those countries which today landfill more than 80%; - change the time frame for existing landfills to comply with the Directive to 5 years; - ensure that the cost of the financial guarantee is included in the price which is charged for the landfilling of waste; - ensure that the Member States monitor the waste which is landfilled in those landfill sites which are exempted from the provisions of the Directive and to keep these data available to the public; - introduce further specifications regarding the obligations on the operator during the aftercare period; - re-introduce the rules already proposed with respect to the minimum distance of landfills from housing, recreation areas, reservoirs, waterways, as well as other agricultural or urban sites.

Waste management: landfill

1997/0085(SYN) - 20/11/2009

This Commission Staff Working Document accompanies the Commission Communication on the implementation of the Community waste legislation (2004-2006):

- Directive 2006/12/EC on waste,
- Directive 91/689/EEC on hazardous waste,
- Directive 75/439/EEC on waste oils,
- Directive 86/278/EEC on sewage sludge,
- Directive 94/62/EC on packaging and packaging waste,
- Directive 1999/31/EC on the landfill of waste,
- Directive 2002/96/EC on waste electrical and electronic equipment.

To recall, each year or every two years Member States have to report to the Commission on the achievement of the collection, re-use, recycling and/or recovery targets for certain waste streams such as packaging waste, waste electrical and electronic equipment, and end-of-life vehicles.

The 2004-2006 report reveals that **EU waste law is being poorly implemented and enforced in many Member States**. The assessment highlights the need for significant efforts by Member States to ensure that waste management meets the standards set by EU legislation.

Waste management: landfill

1997/0085(SYN) - 19/12/2002 - Implementing legislative act

COMMUNITY MEASURE : Council Decision 2003/33/EC establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 of and Annex II to Directive 1999/31/EC. CONTENT : the Council adopted Decision establishing criteria and procedures for the acceptance of waste at landfills. The Decision expands on the preliminary criteria and procedures for the acceptance of waste established in Annex II of Directive 99/31/EC of 26 April 1999 on the landfill of waste (so-called Landfill Directive). The Decision lays down: - the procedures for characterising waste, checking compliance of the waste with the acceptance criteria and the on-site verification that the waste arriving at the landfill is identical to the waste described in the documents; - acceptance criteria and limit values for inert waste, for certain non-hazardous waste, for stable non-reactive hazardous waste accepted at landfills for non-hazardous waste, for hazardous waste and for underground storage; - the different test methods to be used. Waste resulting from prospecting, extraction, treatment and storage of mineral resources and from the working of quarries is not covered by this Decision, when they are deposited on-site. ENTRY INTO FORCE : 16/07/2004. Member States shall apply the criteria set out in section 2 of the Annex to this Decision by 16/07/2005.

Waste management: landfill

1997/0085(SYN) - 01/10/1997 - Economic and Social Committee: opinion, report

The Committee welcomes the main thrust and declared objectives of the proposal are in keeping with the consistent implementation of Community waste management strategy, recently upheld in the Council resolution on waste policy. Some important points have been overlooked, and the Committee feels these should most definitely be included: - Secondly, the proposal needs to reflect the environmental-information access criteria specified by the relevant directive, and to provide for adequate levels of public participation in the decisions on disposal operations. The Committee urges the addition to Article 8 of a clause calling on the competent authorities to inform the public of any steps taken to ensure the landfill complies with authorization requirements. - Given that the proposal also aims to encourage waste pre-treatment and recovery techniques, the Committee calls on the Commission to provide fresh impetus for the following: research to collate reliable statistics on waste production and types of waste, particularly for industrial waste; specific directives and regulations on priority waste-flow management, starting with the recovery of used tyres; Community regulations on civil liability for environmental damage.

Waste management: landfill

1997/0085(SYN) - 28/05/1998 - Commission communication on Council's position

In general the Commission was satisfied as the common position had received the unanimous support of all the Member States. The Commission considers that the common position provides for a number of safeguards with respect to both existing and new landfills. In order to prevent and reduce waste disposal the common position includes specific measures concerning the type of waste which is disposed of in landfills. It includes provisions for controlling the opening, management, closure and monitoring of landfill sites together with provisions for acceptability of waste in landfills. However, the common position introduces more exemptions than were in the Commission proposal.

Waste management: landfill

1997/0085(SYN) - 19/02/1998 - Text adopted by Parliament, 1st reading/single reading

Adopting the report by Mrs Caroline JACKSON (PPE,UK) the European Parliament took the view that the landfill of waste is the option of the last resort in the hierarchy of prevention, recovery, recycling and incineration and landfill. In order to strengthen the new directive, Parliament adopted amendments seeking to: - include in the scope of the directive risks for the global environment including the greenhouse effect; - calling on the Commission to table by the end of 1998 a directive on the incineration of non-hazardous waste in existing and new incinerators on the basis of strict standards for dioxins. - calling on the Commission to put forward by the end of 1998 a directive on composting and biomethanization, since it is ecologically more sensible to make compost and biogas from biodegradable waste than to landfill or incinerate it; - calling on the Council to adopt economic instruments such as a tax on waste going to landfill, such measures being the responsibility of the Member States in the absence of community measures; - calling for European legislation on the processing of dredging sludges; - proposing authorization for the disposal of whole tyres. Parliament also seeks to ensure that: - by 2002 biodegradable municipal waste is reduced to 75% of the total amount by weight of biodegradable municipal waste produced in 1993; - for Member States to submit a progress report to the Commission on each of the three stages (31/12/2002, 2005 and 2010). - for as long as a discharge is likely to cause a hazard to the environment, the operator of the site shall be responsible for monitoring and analysing landfill gas and leachate from the site for a period of at least 30 years after closure of the landfill; Finally, Parliament calls for the following criteria to be applied in order of importance with regard to landfill sites following the entry into force of the directive: - the existence of groundwater; - local geological and hydrogeological conditions; - the risk of flooding, subsidence, landslides or avalanches on the site; - protection of natural or cultural heritage and coastal and nature protection zones in the area; - the distances from the boundary of the site to residential areas which should be a minimum of 0.5 km in the case of municipal landfills and 2 km in the case of hazardous waste.

Waste management: landfill

1997/0085(SYN) - 05/03/1997 - Legislative proposal

OBJECTIVE: To provide for measures, procedures and guidance to prevent or reduce as far as possible negative effects on the environment, in particular the pollution of surface water, ground water, soil and air, as well as the resulting risks to human health, from landfilling of waste.
SUBSTANCE: The proposal for a directive sets high standards for the treatment of waste and seeks to discourage landfilling. The main points of the proposal are as follows: 1. A gradual reduction in the amount of biodegradable waste going to landfills. The proposal sets objectives for the reduction in the amount of biodegradable municipal waste going to landfills, with target dates for their completion: by 2002, the amount must be 75% (by weight) of the total amount produced in 1993; by 2005, it must be down to 50%; and by 2010 to 25%. These last two stages are mandatory. It should be noted that the Member States will be allowed flexibility in choosing the means for achieving these objectives. 2. Pre-treatment of waste before landfilling: all waste must be treated before it is landfilled. Treatment is defined as 'the physical, chemical or biological processes, including sorting, that change the characteristics of the waste in order to reduce its volume or hazardous nature, facilitate its handling or enhance recovery'. 3. Ban on the disposal of used tyres. This ban applies both to whole and shredded tyres, and will encourage their recovery and at the same time reduce the risk of fire. 4. Increased cost of landfilling. The Member States must ensure that the price charged for the disposal of any type of waste in a landfill covers at a minimum all costs involved in the setting up and operation of the site, the cost of the financial security and the estimated costs of the closure and aftercare of the site for a period of at least 50 years. 5. Ban on joint disposal of hazardous and non-hazardous waste; it should be noted that in the majority of Member States this is no longer practised. 6. General requirements for landfills. The general environmental requirements for all classes of landfills (Annex I) have been improved by introducing a minimum distance from landfill to residential areas, by emphasising the surface sealing of the sites, by prohibiting the spreading of dirt from sites onto public roads and the surrounding land and finally by requiring fencing and control of access to the sites for security reasons in order to avoid illegal dumping. 7. Stricter provisions for existing landfills. A conditioning plan is to be presented within 3 years after the entry into force of the proposal and implemented five years after this date. 8. Remote areas: small islands with only one landfill and isolated settlements with difficult access may be exempted from some provisions of the directive.

Waste management: landfill

1997/0085(SYN) - 19/07/2006 - Follow-up document

This report from the Commission aims to inform other Community institutions, Member States and the public about the implementation of EU waste legislation over the period 2001 to 2003. In particular, it examines the following specific directives :

- Directive 75/442/EEC on waste;
- Directive 91/689/EEC on hazardous waste;
- Directive 75/439/EEC on waste oils;
- Directive 86/278/EEC on sewage sludge;
- Directive 94/62/EC on packaging and packaging waste;
- Directive 1999/31/EC on the landfill of waste.

The report is based on information provided by the Member States and is accompanied by a Commission staff working document which gives a more detailed account of the information and data received from them.

Overall, in spite of the progress made, implementation of EU waste still cannot be considered satisfactory, as demonstrated by the large number of infringement procedures concerning waste. Significant efforts therefore need to be made towards full implementation, especially in the form of promoting waste prevention and recycling. These issues in particular are now addressed by the recently adopted EU Thematic Strategy on waste prevention and recycling, which focuses on the environmental impact of waste and on life cycle thinking in waste management.

Waste management: landfill

1997/0085(SYN) - 17/01/2013

The Commission presents a report on the **implementation of the EU legislation on waste over the period 2007 - 2009**. It covers Directives 2006/12/EC on waste, 91/689/EC on hazardous waste, 75/439/EEC on waste oils, 86/278/EEC on sewage sludge, 94/62/EC on packaging and packaging waste, 1999/31/EC on the **landfill of waste**, 2002/96/EC on waste electrical and electronic equipment (WEEE), and 2000/53/EC on end-of-life vehicles.

The Communication recalls that evidence shows that full implementation of EU waste legislation would save EUR 72 billion a year, increase the annual turnover of the EU waste management and recycling sector by EUR 42 billion and create over 400 000 jobs by 2020. However, the report states that illegal waste operations or missing infrastructure in Member States are causing missed opportunities for economic growth, which the EU cannot afford, and leading to environmental threats. It is therefore paramount to take decisive steps to bridge the implementation gap in waste management and move towards a resource efficient society.

The report notes that Member States' reports for the period 2007 to 2009 indicate that EU legislation on waste is to a large extent **properly transposed into national legislation**.

However, for other Directives, there are important problems with practical implementation and enforcement, with the Hazardous Waste Directive, the 2006 WFD, and the Landfill Directive raising biggest concerns.

Landfill Directive: whereas its strict requirements are often transposed into national law and measures are taken to reduce biodegradable waste going to landfill, the number of non-compliant landfills that are still in operation remains a matter of concern. Another serious problem is the overall rate of landfilling, whilst some Member States have shown that reduction to near zero rates is feasible, several others largely depend on this least favourable waste management option. This requires particular attention in view of the policy priority of the Roadmap for a Resource Efficient Europe to virtually eliminate landfilling.

Many Member States have taken measures to eliminate it completely, and were very successful in this respect (landfilling rates for municipal waste had fallen below 5% in Belgium, Denmark, Germany, the Netherlands, Austria and Sweden).

However, **in many countries landfilling is a predominant** (if not the only available) municipal waste management option for. Significant efforts need to be made by the latter countries to change the situation and drastically reduce landfilling.

All Member States reported having taken measures to reduce the landfilling of municipal waste, including prevention programmes, and to have adopted national strategies and measures to reduce the amount of biodegradable waste going to landfills. Data provided on the amount of biodegradable waste going to landfills show that the amount of such waste is continuously reduced: out of the 19 Member States for which data can be compared with that from the previous report, 11 were able to reduce the amount of biodegradable municipal waste going to landfills.

According to the available data, at the end of the reporting period 2007 - 2009, there was still a **considerable number of non-compliant landfills in operation**, although their number has decreased in comparison with the previous report (especially in the case of landfills for non-hazardous waste). The majority of Member States indicated that all landfills in operation, including landfills for inert waste, complied with the requirements of the Directive. Four Member States reported only a small share of compliant landfills, with the rest requiring upgrading and modernisation.

The Commission will review the targets for diversion of biodegradable waste from landfills and present a report to the European Parliament and the Council in 2014, if appropriate accompanied by a proposal.

Waste management: landfill

1997/0085(SYN) - 27/02/2017

The Commission presented a report on the implementation of EU waste legislation for the period 2010-2012.

Of the 27 Member States under the obligation to report, most have submitted replies to the implementation questionnaires for the directives this report covers, namely:

- Directive 2008/98/EC on waste,
- Directive 86/278/EEC on sewage sludge,
- **Directive 1999/31/EC** on landfilling,
- Directive 94/62/EC on packaging and packaging waste,
- Directive 2002/96/EC on waste electrical and electronic equipment (WEEE),
- Directive 2006/66/EC on batteries and accumulators.

Quality of reporting: not all Member States have fulfilled the obligation laid down in the Directives to report to the Commission on their implementation every three years. Some did not submit replies to the Implementation Questionnaire 2010-2012.

The Commission noted the **highly variable nature of the quality and accuracy of the reports** and information provided. Answers frequently only referred to national legislation or to answers given in previous reporting periods, without providing further information on the implementation of the directives on the ground, even when this was explicitly requested.

The Commission considered that the triennial implementation reports prepared by the Member States have **not proven effective** for verifying compliance with the directives, their implementation and their impact.

Directive 1999/31/EC on landfill: this Directive has been in force for a long time and there has been little change since the previous reporting period.

The main findings are as follows:

- **the landfill of municipal waste in the EU-27 has decreased** from a total of 96.055 million tonnes/193 kg per capita in 2009 to a total of 78.036 million tonnes/152 kg per capita in 2012;
- **the average rate of landfilling of the total waste generated decreased** to 32% in 2012. Some Member States reported landfilling rates for municipal waste below 5% in 2012;
- in a number of Member States, however, **landfilling is still the predominant municipal waste treatment operation**, with landfilling rates of more than 80% of the total waste generated. These Member States have a lot to do to reduce landfilling;

- most Member States reported a **year-by-year reduction of landfilling of biodegradable municipal and other biodegradable waste**. They took measures to provide for the collection, treatment and use of landfill gas and to minimise nuisances and hazards. They also transposed the requirement for waste acceptance criteria into their national legislation;

- 15 Member States reported that all of their **hazardous waste landfills** meet the requirements of the directive and seven reported that they still had non-compliant landfills;

- **the number of non-compliant landfills in operation** for all waste streams (hazardous, non-hazardous and inert) remains a matter of concern in certain Member States.

General conclusions: the Commission considered that Member States should make greater efforts to **improve the quality, reliability and comparability of data** for assessing waste management performance. They could do this by benchmarking reporting methodologies and introducing a data quality check report, so that when reporting on the achievement of the targets set out in the legislation, Member States use the most recent and harmonised methodology.

The Commission recalled that in the **recent review of waste policy and legislation**, it proposed to repeal provisions obliging Member States to produce triennial implementation reports and to base compliance monitoring exclusively on quality statistical data that Member States must provide the Commission with annually.