Basic information

1997/2037(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Waste management: application of directives 75/439/EEC, 75/442/EEC, 78/319/EEC and 86/278/EEC **Subject** 3.70.06 Soil pollution, deterioration 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	CAMPOY ZUECO Luis (PPE)	09/12/1997
Council of the European Union			

Key events

Date	Event	Reference	Summary
27/02/1997	Non-legislative basic document published	COM(1997)0023	Summary
18/07/1997	Committee referral announced in Parliament		
04/06/1998	Vote in committee		Summary
04/06/1998	Committee report tabled for plenary	A4-0235/1998	
15/09/1998	Debate in Parliament		
16/09/1998	End of procedure in Parliament		
12/10/1998	Final act published in Official Journal		

Technical information

Procedure reference	1997/2037(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/08698

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0235/1998 OJ C 210 06.07.1998, p. 0009	04/06/1998	
Text adopted by Parliament, single reading		T4-0493/1998 OJ C 313 12.10.1998, p. 0053-0099	16/09/1998	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1997)0023	27/02/1997	Summary
Non-legislative basic document	COM(2003)0250	19/05/2003	Summary

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

1997/2037(COS) - 19/05/2003

PURPOSE : to report on the implementation of Community waste legislation between 1998 and 2000. CONTENT : This report deals in particular with the implementation of : - Directive 75/442/EEC on waste; - Directive 91/689/EEC on hazardous waste (replaced Directive 78/319/EEC: - Directive 75/439/EEC on the disposal 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; - Directive 94/62/EC on packaging and packaging waste. Since the previous implementation report for 1995-1997 the Commission considers that a number of Member States (Austria, Italy, Luxembourg, UK) still do not transpose the waste definition correctly into national law. As regards the definition of hazardous waste in particular, the situation has improved since the last report but it appears that there are still a few Member States that have not fully transposed all the elements of this definition. The number of countries that have established separate collection systems for hazardous household waste has increased since the previous report. The report goes on to discuss the hierarchy of principles, which are: waste prevention, recycling, energy recovery and safe disposal. The following points emerge: -From the information provided by Member States, it remains unclear whether and how much waste has been prevented within the EU. According to data supplied on waste generation, it appears that household waste per capita has increased as compared to the previous period while hazardous waste is stabilised. -The success of waste recycling differs widely between Member States. The mean recycling rate for domestic waste for the fifteen Member States is 26% (ranging from 8% to 63%). The mean recycling rate for hazardous waste is also about 27% (ranging from 5% to 77%). This indicates an overall increasing tendency although a number of Member States achieve still modest rates of recycling. Furthermore, available data on packaging indicate an increase in recovery and recycling of packaging waste. -As it is not clear how Member States distinguish between incineration with and without energy recovery, both operations have to be considered together. As regards household waste the mean rate was 23%, with Denmark and Luxembourg reporting rates as high as 58% and 56% respectively. Even with energy recovery though, incineration is generally, according to the hierarchy of principles mentioned above, an inferior option to other waste treatment alternatives further up the waste hierarchy, such as reuse and material recycling. -Despite a decreasing tendency, a good number of Member States continue to rely heavily on landfilling as means of disposing their domestic waste, with the average being 45%. The mean rate of landfilling for hazardous waste is lower (22%) but another 27% in average was reported as "other treatment". Most Member States reported that they had attained high degrees of self-sufficiencyin terms of waste disposal of around 99%, which essentially restates the position of the previous implementation report for 1995-1997. -As regards waste oils, separate collection is an essential prerequisite for their sound management. The average collection rate has increased compared to the previous period. There is, however, room for improvement as 20% of the waste oils is still illegally dumped or illegally burnt, thus strongly harming the environment. In particular some Member States have to improve significantly their collection rates, setting up more efficient collection systems. The hierarchy of principles for waste oils management · regeneration, combustion and safe destruction/tipping · is still insufficiently implemented. As far as the recovery of waste oils is concerned, the use of waste oils as fuels remains by far the predominant option for the management of waste oils. Regeneration is still very scarce in the EU. In that context, the Commission has launched infringement proceedings against 12 Member States for not giving in practice the priority to regeneration. The main constraints preventing the Member States from giving the priority to regeneration continue to be of an economical nature. -As regards sewage sludge, the Commission considers the use of sewage sludge as fertiliser on agricultural soils as the best environmental option provided that it does not pose any threat to the environment as well as to human and animal health. It appears that the provisions of Directive 86/278/EEC have been quite effective in preventing the spreading of pollution because of the use of sludge. Available figures suggest a slight decline in sludge use in agriculture in the EU,

from about 43% in 1995 to 37% in 2000. There are appreciable variations among the different Member States, in some of which the decline in sludge use is rather sharp. The Commission considers that this decline in sludge use in agriculture in favour of incineration is contrary to the waste hierarchy. A monitored and well-regulated land spreading of sludge should be encouraged and sustained. At the same time, rules should be strengthened, when necessary, especially taking into account long-term effects on soil quality. -on the matter of waste management planning, problems persist with France, UK and Italy. The Commission has arranged for the preparation of guidelines addressed to national or regional competent authorities.

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

1997/2037(COS) - 27/02/1997 - Non-legislative basic document

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.

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

1997/2037(COS) - 16/09/1998 - Text adopted by Parliament, single reading

Adopting the report by Mr Luis CAMPOY ZUECO (PPE, E), the European Parliament deplored the shortcomings and the lack of diligence displayed by the Member States in the transposition, application and implementation of Community waste legislation and recalled that they have failed to transpose Community directives on waste management, on toxic and dangerous waste, on the disposal of waste oils and on the use of sewage sludge in agriculture into national legislation. The European Parliament also called for a Community regulation on the definition of waste in Europe. In fact, the Member States continued to interpret concepts such as ?industrial waste?, ?final waste?, ?recycled raw materials? and ?special waste? differently. Parliament called on the Member States: - to give priority to the regeneration rather than the burning of waste oils, in view of the fact that 90% of waste oils can be recycled; - to forward to the Commission, at least for the 1995-1997 period, information which sought to standardise and rationalise reports on the implementation of certain Directives relating to the environment. Parliament also called on the Commission: - to propose tax incentives for the recovery of waste oils; - to initiate systematic infringement proceedings against Member States which fail to comply with all the provisions of the Directives; - to provide a quarterly list of cases against defaulting Member States taken to the Court of Justice, a list of cases already decided by the Court and a list of fines levied by the Court; - to link financial support for waste management for applicant countries to the current EU requirements. Finally, it called on the Commission and the Council to consolidate Community environment law in order to make it more transparent.