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ASSOCIATION
OF CITIES
AND REGIONS
FOR RECYCLING
AND SUSTAINABLE
RESOURCE
MANAGEMENT

THE NEW WASTE FRAMEWORK DIRECTIVE AND ITS IMPLICATIONS FOR PREVENTION AND RECYCLING

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Summary

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HISTORICAL VIEW

- DIRECTIVE 75/442 modified by 91/156

- DIRECTIVE 2006/12

- DIRECTIVE 2008/98
 - Adopted 19 November 2008
 - Published 22 November 2008
 - Entered into force 12 December 2008
 - To transpose before 12 December 2010



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STRUCTURE OF DIRECTIVE 2008/98

- 49 introductory statements « whereas »
- 43 articles
- V annexes

→ Clarify
→ Simplify





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STRUCTURE

- Chap.1 (art.1to7) Subject Matter, Scope, Definitions
(Waste hierarchy, By-products, End-of-Waste Status)
- Chap.2 (art.8to14) General Requirements
(Extended producer responsibility; Prevention; Recycling)
- Chap.3 (art15to 22) Waste Management
(Principles of self-sufficiency and proximity, Hazardous waste, Waste oils, Bio-waste)
- Chap.4 (art.23to27) Permits and Registrations
- Chap.5 (art.28to33) Plans and Programmes
- Chap.6 (art.34to36) Inspections and Records
- Chap.7 (art.37to43) Final Provisions
(Reporting, Committee procedure,..)



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SCOPE OF APPLICATION

- FRAMEWORK DIRECTIVE

(with specific provisions on Hazardous Waste , Used Oils and Bio-Waste)

- 12 exclusions:

- gaseous effluents/waste waters/ radioactive waste/mining waste/decommissioned explosives / faecal matter if...and agricultural or forestry material
- soil in situ and excavated uncontaminated soil
- animal by-products/ carcasses of animals except...
- sediments relocated inside waters



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WHAT ABOUT PREVENTION AND RECYCLING ?

- HIERARCHY WITH 5 LEVELS
- NEW DEFINITIONS
- WASTE PREVENTION PROGRAMMES
- RECYCLING RATE
- OTHER PROVISIONS
(REUSE; EPR ; SELECTIVE COLLECTION; USED OILS; BIOWASTE)



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HIERARCHY WITH 5 LEVELS

- waste priority order:

- ▶ Prevention
- ▶ Preparing for re-use
- ▶ Recycling
- ▶ Other recovery, e.g. energy recovery
- ▶ Disposal

- Except...“life-cycle thinking”

= ???

EC Guidelines ?



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HIERARCHY WITH 5 LEVELS

Directive 2008/98 HIERARCHY > Directive 94/62 ?

YES because:

- *Framework directive > packaging directive*
- *No explicit contradiction between 5 and 3 steps*
- *Lex posterior priori derogat*
- *More harmonization is better for the environment and the internal market!*



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NEW DEFINITIONS

(Article 3)

"**prevention**" means :....

measures taken **before** a waste,... including the **re-use of products**

that reduce:

- a) the quantity of waste;
- b) the adverse impacts of the generated waste on the environment and human health;
- or c) the content of harmful substances.



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NEW DEFINITIONS

(13) "re-use" means

any operation by which products or components that are **not waste** are used again **for the same purpose** for which they were conceived;

(16) "preparing for re-use" means

checking, cleaning or repairing recovery operations, by which products or components of products that have become **waste** are prepared so that they will be re-used without any other pre-processing;



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HIERARCHY/ NEW DEFINITION

→ THREE LEVELS OF “REUSE”:

1. PRODUCT REUSE (= PREVENTION)
2. WASTE REUSE WITHOUT COMPLEX PRE-PROCESSING (= PREPARING FOR REUSE)
3. « COMPLEX » WASTE REUSE (= RECYCLING)

...shall apply as a priority order in waste prevention and management legislation and policy (art.4)



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NEW DEFINITIONS

Recycling means:

any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.

➔ CHEMICAL RECYCLING ?

Recovery includes :

« incineration facilities dedicated to the processing of municipal solid waste only where their energy efficiency is equal to or above:

-0,60 for installations in operation and permitted before 1 January 2009;

-0,65 for installations permitted after 31 December 2008

using the following formula...

➔ $(E_p - (E_f + E_i)) / (0,97 \times (E_w + E_f)) = ???$



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NEW DEFINITIONS / LEGAL CONCEPT « END-OF-WASTE »

(Art.6)

Waste ceases to be waste when...

a useful and safe product is placed on the market if

- commonly used
- a market or demand exists
- meets technical requirements, legislation and standards
- no overall adverse environmental or human health impacts

Cfr JRC REPORT
(300 pages)

Priority Flows:
Glass, Paper and Metal !!!



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WASTE PREVENTION PROGRAMMES

(ARTICLE 29)

...no later than **5 years**

... **integrated** either into the waste management plans **or not**

... shall set out waste prevention **objectives**

... shall describe the **existing** prevention measures and **evaluate** the usefulness of others

... shall determine appropriate specific **qualitative or quantitative benchmarks**

... **may** determine specific qualitative or quantitative **targets and indicators**,

➔ **APPROPRIATE QUANTITATIVE BENCHMARKS / (+ possible TARGETS AND INDICATORS)**

➔ **GUIDELINES / INFORMATION SHARING SYSTEM/ INDICATORS**

(to be developed by the Commission)(art.29)



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WASTE PREVENTION PROGRAMMES

Art.30 (Evaluation and Revision)

Art.31 (Public participation)

Art.32 (Cooperation)

Art.33 (Notification)

Art.9 *The Commission shall...submit...*

a) by the end of 2011

... an interim report on the evolution of waste generation

/... a product eco-design policy /

... an action plan to change the current consumption patterns

b) by the end of 2014

...waste prevention and decoupling objectives for 2020



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PROMOTION OF REUSE

(Article 11)

Member States shall take measures as appropriate to promote the re-use of products and preparing for re-use activities, notably through :

- - *encouraging the establishment and **support of re-use and repair networks**,*
- - *the use of **economic instruments**,*
- - *procurement **criteria**,*
- - *quantitative **objectives***
- - *or **other measures**.*



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Who generates the most waste? (kg MSW/inh/y) 2007 Eurostat /2006 OCDE

Denmark	801.....740
Ireland	786..... 800
Cyprus	754.....
Luxembourg	694..... 680
Malta	652.....
Netherlands	630..... 625
Austria	597..... 585
Spain	588.....600
United Kingdom	572..... 585
Germany	564..... 565
Italy	550..... 550
France	541... ..535
Estonia	536.....
Sweden	518.....495
Finland	507.....495
Belgium	492.....480
Portugal	472.....445
Bulgaria	468.....
Hungary	456.....
Greece	448.....440
Slovenia	441.....
Lithuania	400.....
Romania	379.....
Latvia	377.....
Poland	322.....260
Slovakia	309.....280
Czech Republic	294.....300



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WASTE PREVENTION PROGRAMMES

LA1

To exchange information and experience

LA3

To act in partnership (Twinning/cooperation agreements)



European campaign
for waste reduction

LA2

To identify quantitative targets and indicators (Clusters of Experts)

LA4

To increase awareness (European Week for Waste Reduction)



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**100kg LESS WASTE
= 160 kg LESS CO2**

Based on a EU
average of **600 kg of
waste generated**
**per inhabitant and
per year,**

there is a waste
reduction potential of
100 kg/inh/year

(~ 15%) !

CAMPAIGN CONCEPT

Actions for the 4 flows

Actions for the 4 flows	Amount (kg/inhab./year)	Potential waste reduction (kg/inhab./year)	Potential CO2 reduction (kg/inhab./year)
1 Organic waste :	220	40	57
→Promote composting at source (at home, local, in green spaces...)	180	30	11
→Fight against food waste	30	8	27
→Promote reusable nappies	10	2	19
2 Paper waste :	100	15	16
→Fight against unwanted flyers or newspapers	20	5	5
→Encourage dematerialization (schools and offices)	80	10	11
3 Packaging :	150	25	30
→Choose products whose packaging can be returned to place of purchase	35	12	7
→Promote tap water	6	2	4
→Develop reusable bags	2	1	2
→Fight against over-packaging	107	10	17
4 Bulky & other waste :	130	20	57
→Promote reuse of clothes	8	4	37
→Promote reuse of furniture, EEE, toys, other bulky waste	110	13	>20
→Fight against excess buying	12	3	NI
TOTAL	600	100	>160



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RECYCLING TARGETS

(Art. 11)

« By 2020, the preparing for re-use and recycling of:

- ▶ 50% by weight of **at least paper, metal, plastic and glass** from **household** and possibly other origins as far as these waste streams are **similar** to waste from households;
- ▶ 70% by weight of non-hazardous **construction & demolition waste**

... can include transition periods for Member States which, in 2008, recycled **less than 5 % of either categories** of waste ”



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RECYCLING TARGETS

→ «HOUSEHOLD + SIMILAR = ???

→ « RECYCLING » =

Recovery into products, materials or substances...

not fuel = ???

+ PREPARING FOR RE-USE =?

→ « RATE » =

Numerator =? Denominator=? /Calculation methodology = ???



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50% of reuse-recycling of WHAT ?

50 % of <u>Municipal Waste</u>	522 kg	261 <u>kg ?</u>	
50% of <u>4 HOUSEHOLD SPECIFIC FLOWS</u>	270 kg Paper (120 kg) 55%/65% Glass (50 kg) 60%/65% Metal (50 kg) 50% Plastics (50kg)	<u>135 kg ?</u> 66 kg /78kg 30 kg /32kg 25 kg	<u>25 kg /0 kg?</u>
(22,5% of Plastics Packaging) (70% /Construction waste) (80-85%/Automobile waste) (50-80%/WEEE)	37 kg		<u>8KG</u> + ???



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MUNICIPAL WASTE RECYCLING HIPARADE

Country	Eurostat 2007 source (in %)	AEE 09 source (in %)	Country	Eurostat 2007 source (in %)	AEE 09 source (in %)
Germany	64	66	Czech Republic	3	22
Belgium	62	60	Bulgaria	0	20
Netherlands	60	50	Hungary	14	15
Norway	----	48	Estonia	36	14
Sweden	49	47	Spain	30	14
Austria	59	43	Portugal	18	14
Luxembourg	28	43	Greece	16	13
Denmark	41	41	Malta	7	13
Ireland	36	36	Cyprus	13	12
Finland	36	32	Slovenia	34	11
Romania	1	31	Latvia	14	10
United Kingdom	34	29	Slovakia	7	10
France	30	27	Poland	10	8
Italy	44	24	Lithuania	4	8



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OTHER PROVISIONS / BIOWASTE RECYCLING

(art.22)

MS shall take measures, **as appropriate**,...to encourage:

- the separate collection of bio-waste with a view to the composting and digestion

« *Biowaste* » = *biodegradable garden and park waste, food and kitchen waste...and comparable waste from food processing plants*

...

The Commission shall carry out an assessment on the management of bio-waste with a view to submitting **a proposal if appropriate**

GREEN PAPER
DECEMBER 2008

STAKEHOLDER
CONSULTATION
ON IMPACT ASSESSEMENT:
August/September 2009?



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OTHER PROVISIONS / SELECTIVE COLLECTION

(art.11)

Subject to ...

**(TECHNICAL, ENVIRONMENTAL AND
ECONOMICAL PRACTICABILITY)**

... by 2015 separate collection shall be set up for at least the following: paper, metal, plastic and glass.



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SELECTIVE COLLECTION

Door-to-door ?

- ▶ B, FR, A, All, L,

Bring Systems ?

- ▶ Sw, Fin, S, Port, U-K,



ACR+ CONFERENCE
Malta, 7-9 October 2009



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OTHER PROVISIONS / EXTENDED PRODUCER RESPONSIBILITY

(Art.8)

Member States **may** take measures ...which **may** include:

- an acceptance of returned products and of the waste
- subsequent management of the waste
- financial responsibility for such activities
- obligation to provide information
- the design of products



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OTHER PROVISIONS/ WASTE OILS RECYCLING

(art.21)

- Collected separately ...**if technically feasible**
- Not mixed ..**if technically feasible and economically viable**
- Priority regenerated ...if waste oils, **according to national legislation**, are subject to requirements of regeneration



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FUTURE AGENDA

COMITOLOGY DECISIONS

- End-of-Waste Criteria
- List of Waste
- Recycling targets/Calculation Methods
- Prevention indicators
- Plans-Programmes Notification format
- Questionnaire for implementation reports

OTHER ACTIONS

- Waste Prevention Guidelines/Exchange of Best Practice
- Energy efficiency formula
- Guidance on the application of the waste Hierarchy
- Impact assessment on bio-waste followed by a proposal, if approp.
- Interim report on waste generation and prevention (end 2011)
- Eco-design policy and action plan to change consumption patterns (end 2011)
- ...

FOR OTHER ASPECTS



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