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European and German Waste Policy

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Definition of waste

Art. 3(1) of the Waste Framework Directive

Waste is:

- ▶ Substance/object which the holder discards or intends or is required to discard
- ▶ i.e. objective and subjective dimension to the term “waste”



European Waste Legislation Framework

- ▶ Series of waste-related directives and – far less frequently – regulations
- ▶ Waste Framework Directive (2008/98/EC) is the basic law of European waste policy
- ▶ Directives on different waste streams (e.g. packaging, end-of-life vehicles) and on different types of waste treatment
- ▶ European level provides only a framework for waste policy
- ▶ Concrete quality of the waste-related services is determined at the national/local level



European Waste Legislation Framework

- ▶ Revised Waste Framework Directive (basic law of waste management) adopted in 2008, laying down inter alia
 - ▶ Waste definition
 - ▶ Waste Management Planning
 - ▶ Waste Management Hierarchy
 - ▶ Principle of self-sufficiency and proximity
 - ▶ Recycling and/or recovery targets for household/construction & demolition waste
 - ▶ Permit requirements



European Waste Legislation Framework

- ▶ Waste management planning (Art. 28)
- ▶ Each Member State (MS) has to complete a **waste management plan covering:**
 - ▶ analysis of the current waste management situation in the geographical entity concerned
 - ▶ measures to be taken to improve environmentally sound preparing for re-use, recycling, recovery and disposal of waste
 - ▶ an evaluation of how the plan will support the implementation of the objectives and provisions of the Waste Framework Directive.



European Waste Legislation Framework

- ▶ Waste management hierarchy (Art. 4)
 - ▶ Prevention
 - ▶ Preparing for re-use
 - ▶ Recycling
 - ▶ Other recovery (most importantly energy from waste)
 - ▶ Disposal



European Waste Legislation Framework

▶ Waste prevention

- ▶ Member States have to design waste prevention programmes until 2013
- ▶ EU Commission has reporting obligations concerning:
 - ▶ By 2011, evolution of waste generation and the scope of waste prevention;
 - ▶ By 2011 the formulation of an action plan for further support measures at European level seeking, in particular, to change current consumption patterns
 - ▶ By 2014 waste prevention and decoupling objectives for 2020
- ▶ Indicators for waste prevention measures may be adopted by the EU Commission



European Waste Legislation Framework

- ▶ Recycling targets (Art. 11)
 - ▶ New reuse/recycling targets for household and construction and demolition waste
 - ▶ Household and similar waste: 50% preparing for re-use and recycling of at least paper, metal, plastic and glass from household and similar waste
 - ▶ Non-hazardous C&D waste: 70% preparing for re-use and recycling and other material recovery, including backfilling operations using waste to substitute other materials



European Waste Legislation Framework

- ▶ Principle of self-sufficiency (Art. 16)
 - ▶ Member States shall establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste taking into account best available techniques.
 - ▶ EU as a whole shall become self-sufficient in waste disposal as well as in the recovery of mixed municipal waste,
 - ▶ Member States themselves shall move toward the aim of self-sufficiency individually taking into account geographical circumstances or the need for specialised installations for certain types of waste



European Waste Legislation Framework

- ▶ Principle of proximity (Art. 16)
 - ▶ Network shall enable waste to be disposed of or mixed municipal waste to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies
 - ▶ The principles of proximity and self-sufficiency shall not mean that each Member State has to possess the full range of final recovery facilities within that Member State.



European Waste Legislation Framework

- ▶ Permit requirements:
 - ▶ The Waste Framework Directive lays down permit requirements for establishments or undertakings intending to carry out waste treatment
 - ▶ Specific exemptions from the permit requirements apply



Legislation relevant for Waste Treatment

- ▶ Landfill Directive
- ▶ Waste incineration Directive
- ▶ IPPC Directive (now Directive on Industrial Emissions)



Legislation relevant for Waste Treatment

- ▶ Landfill Directive (and associated decisions)
 - ▶ Requires Member States to develop national strategies for the reduction of biodegradable waste going to landfills;
 - ▶ Contains criteria for the acceptance of waste in landfills;
 - ▶ Requires landfills to comply with certain constructive requirements.
- ▶ Waste incineration Directive
 - ▶ Lays down i.a. emission limit values for incineration and co-incineration of waste



Legislation relevant for Waste Treatment

- ▶ IPPC Directive (short for: Integrated Pollution Prevention and Control):
 - ▶ Permits for certain waste treatment installations shall be based on best available techniques (BAT)
 - ▶ Best Available Techniques Reference Documents elaborated at the European level describe BAT for the different installations
 - ▶ Germany translates these best available techniques into national law (binding rules)
 - ▶ The IPPC Directive is now integrated in the new Directive on Industrial Emissions to be transposed into national law by 7 January 2013



Producer responsibility: Waste-Stream-Related Directives

- ▶ Packaging waste
- ▶ Electrical and electronic waste
- ▶ End-of-life-vehicles
- ▶ Batteries



Producer responsibility: Waste-Stream-Related Directives

Directives contain the following provisions for the specific waste streams

- ▶ Eco-design requirements including the ban of the use of certain substances
- ▶ Responsibility of the producers for collection and/or treatment
- ▶ Separate collection
- ▶ Specific treatment (recycling/recovery)
- ▶ Recycling/Recovery targets



German Waste Policy – activity on different political levels

- ▶ Federal level lays down basic waste management standards/ rules and policies
- ▶ Regional level (“Länder”)
 - ▶ Implements national law
 - ▶ Works out regional waste laws (some margin for adding standards)
 - ▶ Works out e.g. waste management plans
- ▶ Local level decides about the concrete design of waste management concepts (mode of collection, treatment, pricing) in line with national and regional legislation



German Waste Policy – basic tenets

- ▶ Landfill ban for untreated mixed municipal solid waste (existing in principle since 1993 and without exceptions since 2005)
 - ▶ Requires the pre-treatment of waste before landfilling, i.e. either waste incineration or mechanical-biological treatment
- ▶ Deposit on specific one-way beverage packaging since 2003
- ▶ Different laws and ordinances promoting recycling and recovery of waste



German Waste Policy: some current issues

- ▶ Germany has not yet transposed the new Waste Framework Directive (2008) into national law → new “Circular Economy Law” is being debated
- ▶ A Waste Prevention Programme is being elaborated at national level



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Thank you for listening.

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