

III

(Preparatory acts)

COMMITTEE OF THE REGIONS

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Opinion of the European Committee of the Regions — Legislative proposals amending waste directives

(2017/C 017/09)

Rapporteur:	Domenico GAMBACORTA (IT/EPP), President of the Province of Avellino
Reference documents:	Proposal for a Directive of the European Parliament and of the Council amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment
	COM(2015) 593 final — 2015/0272 (COD)
	Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/31/EC on the landfill of waste
	COM(2015) 594 final — 2015/0274 (COD)
	Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste
	COM(2015) 595 final — 2015/0275 (COD)
	Proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste
	COM(2015) 596 final — 2015/0276 (COD)

RECOMMENDATIONS FOR AMENDMENTS**Amendment 1**

Proposal for a Directive of the European Parliament and of the Council amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment, COM(2015) 593 final — 2015/0272 (COD).

Article 2

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
Amendment of Directive 2006/66/EC	Amendment of Directive 2006/66/EC
Directive 2006/66/EC is amended as follows:	Directive 2006/66/EC is amended as follows:

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
	(1) in Article 2 (Scope), the following paragraph 3 is added: ‘3. This Directive shall not apply to batteries and accumulators whose energy storage contains no metals or their compounds as active materials or as electrode materials and which also do not contain any hazardous substances.’;
(1) Article 22 is deleted;	(2) Article 22 is deleted;
(2) Article 23 is amended as follows:	(3) Article 23 is amended as follows:
(a) paragraph 1 is replaced by the following: ‘The Commission shall draw up a report on the implementation of this Directive and its impact on the environment and the functioning of the internal market by the end of 2016 at the latest.’;	(a) paragraph 1 is replaced by the following: ‘The Commission shall draw up a report on the implementation of this Directive and its impact on the environment and the functioning of the internal market by the end of 2016 at the latest.’;
(b) in paragraph 2, the introductory phrase is replaced by the following: ‘In its report, the Commission shall include an evaluation on the following aspects of this Directive:’	(b) in paragraph 2, the introductory phrase is replaced by the following: ‘In its report, the Commission shall include an evaluation on the following aspects of this Directive.’

Reason

The primary objective of this Directive is to minimise the negative impact of batteries on the environment by avoiding hazardous substances (heavy metals) release into the environment. It establishes rules for the market placement of batteries and their special disposal.

Member States promote research into environmentally friendly and cost-effective recycling methods for all types of batteries and accumulators. Organic batteries are a new generation of batteries that do not contain hazardous materials. Research and Innovation activities are carried out all over Europe. In addition to the environmentally safe components, the batteries have an enormous economic potential and a broad range of application.

Without the proposed amendment, organic batteries will be subject to the special disposal requirements for conventional batteries, although they are environmentally friendly. This would be an obstacle to technological innovation supporting the environmental objectives and would also prevent this innovation from contributing to growth and jobs for Europe. Therefore, organic batteries should be excluded from the scope of the Directive.

Amendment 2

Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/31/EC on the landfill of waste, COM(2015) 594 final — 2015/0274 (COD)

Article 1 (6)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(6) Article 15 is replaced by the following: ‘Article 15 Reporting	(6) Article 15 is replaced by the following: ‘Article 15 Reporting

Text proposed by the Commission	CoR amendment
1. Member States shall report the data concerning the implementation of Article 5(2) and (5) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5. The first reporting shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year]. 2. Member States shall report the data concerning the implementation of the targets laid down in Article 5(2) until 1 January 2025. 3. The data reported by the Member State in accordance with this Article shall be accompanied by a quality check report. 4. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years. 5. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 1. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 17(2) of this Directive.'	1. Member States shall report the data concerning the implementation of Article 5(2) and (5) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5. The first reporting shall cover the data for the period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year]. 2. Member States shall report the data concerning the implementation of the targets laid down in Article 5(2) until 1 January 2025. 3. The data reported by the Member State in accordance with this Article shall be accompanied by a quality check report. 4. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. 5. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 1. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 17(2) of this Directive. 6. Wherever feasible, and in line with the principle of Better Regulation, any additional reporting obligation originated from this Directive should be primarily carried out by the use or improvement of existing national reporting obligations, as long as it can be guaranteed that the information provided about waste will be standardised as is required. Creating new reporting lines exclusively to comply with this directive should be the last resort, particularly concerning local and regional authorities. Member States and the Commission shall jointly assess additional reporting needs before Member States introduce implementing rules to comply with this Directive's reporting obligations.'

Reason

This is in line with the EU Better Regulation package and the recent CoR opinion on Implementing EU Environmental obligations. The information should be standardised in order to be able to compare it when adopting measures to improve waste management.

Amendment 3

Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste, COM (2015) 595 final — 2015/0275 (COD)

Article 1(8)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
8) The following Article 8a is inserted:	(8) The following Article 8a is inserted:
<i>'Article 8a</i>	<i>'Article 8a</i>
General requirements for extended producer responsibility schemes	General requirements for extended producer responsibility schemes
[...]	[...]
2. Member States shall take the necessary measures to ensure that the waste holders targeted by the extended producer responsibility schemes established in accordance with Article 8, paragraph 1, are informed about the available waste collection systems and the prevention of littering. Member States shall also take measures to create incentives for the waste holders to take part in the separate collection systems in place, notably through economic incentives or regulations, when appropriate.	2. Member States shall take the necessary measures to ensure that the waste holders targeted by the extended producer responsibility schemes established in accordance with Article 8, paragraph 1, are informed about the available <i>take back systems, recognised reuse centres, permitted preparation for reuse centres and</i> waste collection systems and <i>about</i> the prevention of <i>waste and</i> littering. Member States shall also take measures to create incentives for the waste holders, <i>producers and retailers</i> to take part in the separate collection systems in place, notably through economic incentives or regulations, when appropriate.
3. Member States shall take the necessary measures to ensure that any organisation set up to implement extended producer responsibility obligations on behalf of a producer of products:	3. Member States shall take the necessary measures to ensure that any organisation set up to implement extended producer responsibility obligations on behalf of a producer of products:
(a) has a clearly defined geographical, product and material coverage;	(a) has a clearly defined geographical, product and material coverage;
(b) has the necessary operational and financial means to meet its extended producer responsibility obligations;	(b) has the necessary operational and financial means to meet its extended producer responsibility obligations;
(c) puts in place an adequate self-control mechanism, supported by regular independent audits to appraise:	(c) puts in place an adequate self-control mechanism <i>and a definition of the minimum requirements for assessing extended producer responsibility</i> , supported by regular independent audits to appraise:
— the organisation's financial management, including the compliance with the requirements laid down in paragraph 4(a) and (b);	— the organisation's financial management, including the compliance with the requirements laid down in paragraph 4(a) and (b);
— the quality of data collected and reported in accordance with paragraph 1, third indent, and the requirements of Regulation (EC) No 1013/2006.	— the quality of data collected and reported in accordance with paragraph 1, third indent, and the requirements of Regulation (EC) No 1013/2006.

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(d) makes publicly available the information about: — its ownership and membership; — the financial contributions paid by the producers; — the selection procedure for waste management operators. 4. Member States shall take the necessary measures to ensure that the financial contributions paid by the producer to comply with its extended producer responsibility obligations: (a) cover the entire cost of waste management for the products it puts on the Union market, including all the following: — costs of separate collection, sorting and treatment operations required to meet the waste management targets referred to in paragraph 1, second indent, taking into account the revenues from re-use or sales of secondary raw material from their products; — costs of providing adequate information to waste holders in accordance with paragraph 2 — costs of data gathering and reporting in accordance with paragraph 1, third indent.	(d) makes publicly available the information about: — its ownership and membership; — the financial contributions paid by the producers; — the selection procedure for waste management operators. 4. Member States shall take the necessary measures to ensure that the financial contributions paid by the producer to comply with its extended producer responsibility obligations: (a) cover the entire cost of end-of-life and waste management for the products it puts on the Union market, including all the following: — cost of take-back systems for used products — cost of reuse systems — costs of separate collection and transport to sorting and treatment plants including transport from islands or isolated areas whenever feasible, sorting and treatment operations required to meet the waste management targets referred to in paragraph 1, second indent, taking into account the revenues from re-use or sales of secondary raw material from their products; — costs of providing adequate information to waste holders in accordance with paragraph 2; — cost of collection and treatment of non-separately collected waste from the products it puts on the Union market which are collected and treated as a part of the residual waste stream or which end up as litter and are collected and treated by the competent authorities; — any ancillary costs that need to be met by municipal or other public authorities having the ultimate responsibility for waste collection, particularly in the event that extended producer responsibility schemes are not fulfilling their tasks; — costs of data gathering and reporting in accordance with paragraph 1, third indent.

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
b) are modulated on the basis of the real end-of-life cost of individual products or groups of similar products, notably by taking into account their re-usability and recyclability; (c) are based on the optimised cost of the services provided in cases where public waste management operators are responsible for implementing operational tasks on behalf of the extended producer responsibility scheme. 5. Member States shall establish an adequate monitoring and enforcement framework with the view to ensure that the producers of products are implementing their extended producer responsibility obligations, the financial means are properly used, and all actors involved in the implementation of the scheme report reliable data. Where, in the territory of a Member State, multiple organisations implement extended producer responsibility obligations on behalf of the producers, Member State shall establish an independent authority to oversee the implementation of extended producer responsibility obligations. 6. Member States shall establish a platform to ensure a regular dialogue between the stakeholders involved in the implementation of extended producer responsibility, including private or public waste operators, local authorities and, where applicable, recognised preparation for re-use operators.' [...]	(b) are modulated on the basis of the real end-of-life cost of individual products or groups of similar products, notably by taking into account their re-usability and recyclability; (c) are based on the optimised cost of the services provided in cases where public waste management operators are responsible for implementing operational tasks on behalf of the extended producer responsibility scheme. 5. Member States shall establish an adequate monitoring and enforcement framework with the view to ensure that the producers of products are implementing their extended producer responsibility obligations, the financial means are properly used, and all actors involved in the implementation of the scheme report reliable data. Where, in the territory of a Member State, multiple organisations implement extended producer responsibility obligations on behalf of producers of the same product type, the Member State, or competent subnational authorities, shall establish an independent authority (a clearing house) to oversee the implementation of extended producer responsibility obligations. 6. Member States shall ensure that extended producer responsibility schemes contribute to litter prevention and collection, and support clean-up initiatives. 7. Member States shall establish a platform to ensure a regular dialogue between the stakeholders involved in the implementation of extended producer responsibility, including private or public waste operators, local authorities and, where applicable, permitted re-use and preparation for re-use operators.' [...]

Reason

EU rules should enable full producer responsibility for waste generated. Given the EU-wide scale of the market this must be ensured by common minimum criteria. In keeping with subsidiarity EPR should be defined nationally/locally.

Amendment 4

Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste, COM (2015) 595 final — 2015/0275 (COD)

Article 1(9)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(9) Article 9 is replaced by the following: ‘Article 9 Prevention of waste 1. [...] 2. Member States shall monitor and assess the implementation of the waste prevention measures. For that purpose, they shall use appropriate qualitative or quantitative indicators and targets, notably on the per capita quantity of municipal waste that is disposed of or subject to energy recovery. [...]’	(9) Article 9 is replaced by the following: ‘Article 9 Prevention of waste 1. [...] 2. Member States shall monitor and assess the implementation of the waste prevention measures. For that purpose, they shall use appropriate qualitative or quantitative indicators and absolute targets notably on the per capita quantity of municipal waste that is disposed of or subject to energy recovery. [...]’

Reason

The indicators should be based on the quantity of waste generated, like 100 kg residual waste per capita, to create a representative and effective target, also for countries with small economies and/or that are producing less waste already.

Amendment 5

Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste, COM (2015) 595 final — 2015/0275 (COD)

Article 1(10)(a)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(10) Article 11 is amended as follows: (a) in paragraph 1, the first and second subparagraphs are replaced by the following: ‘1. Member States shall take measures, as appropriate, to promote preparing for re-use activities, notably by encouraging the establishment of and support for re-use and repair networks and by facilitating the access of such networks to waste collection points, and by promoting the use of economic instruments, procurement criteria, quantitative objectives or other measures.	(10) Article 11 is amended as follows: (a) in paragraph 1, the first and second subparagraphs are replaced by the following: ‘1. Member States shall take measures, as appropriate, to promote preparing for re-use activities, notably by encouraging the establishment of and support for re-use and repair networks, and by facilitating the access of such networks to waste collection points, or by creating pre-determined waste for re-use collection points , and by promoting the use of economic instruments, procurement criteria, quantitative objectives or other measures.

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
Member States shall take measures to promote high quality recycling and, to this end, shall set up separate collection of waste where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors and to attain the targets set out in paragraph 2.'	Member States shall take measures to promote high quality recycling and, to this end, shall set up separate collection of waste where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors and to attain the targets set out in paragraph 2. <i>In line with the principles of subsidiarity and proportionality and the EU Better Regulation principles Member States shall carry out an assessment, building on the Impact Assessment that accompanies this Directive, of the impact of the targets proposed by this Directive at local and regional level, particularly when these tiers of government are the ones responsible for waste management. The Commission will use the findings as evidence to apply early warning and flexibility in the implementation of this Directive, as stipulated in articles 15 and 16 and Chapter V.'</i>

Reason

The new Directive foresees a range of mechanisms to address the issue of under and non-compliance, but also to encourage progress. However in most cases insufficient understanding at EU level of the regional and local responsibilities of waste result in underachievement EU targets.

Amendment 6

Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste, COM (2015) 595 final — 2015/0275 (COD)

Article 1(10)(c)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(c) in paragraph 2, point (b) is replaced by the following: '(b) by 2020, the preparing for re-use, recycling and backfilling of non-hazardous construction and demolition waste excluding naturally occurring material defined in category 17 05 04 in the list of waste shall be increased to a minimum of 70 % by weight;'	(c) in paragraph 2, point (b) is replaced by the following: '(b) by 2020, the preparing for re-use, recycling and backfilling of non-hazardous construction and demolition waste excluding naturally occurring material defined in category 17 05 04 in the list of waste shall be increased to a minimum of 70 % by weight. <i>The Commission shall assess the management of this waste stream and consider whether recycling targets for specific construction materials to be met by 2025 and 2030 should be set by 2020;'</i>

Reason

The measures proposed for non-hazardous construction and demolition waste, which make up a significant proportion of all waste, are insufficiently ambitious in this respect. Rather than the present combined target for preparing for reuse, recycling and backfilling, we would propose that — at least as a general approach — specific targets be set for recycling of specific construction materials, in order to work towards a circular economy.

Amendment 7

Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste, COM (2015) 595 final — 2015/0275 (COD)

Article 1(10)(d)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(d) in paragraph 2, the following points (c) and (d) are added:	(d) in paragraph 2, the following points (c) and (d) are added:
‘(c) by 2025, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 60 % by weight;	‘(c) by 2025, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 60 % by weight;
(d) by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 65 % by weight.’	(d) by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 70 % by weight.’

Reason

Keeping to the 70 % target, as proposed last year by the European Commission, is a missed opportunity as recycling creates local jobs and produces fewer emissions than does landfilling or incineration. The CoR has already pointed out that the good results achieved in some Member States and some regions demonstrate that it is possible to reach or come close to ambitious targets, when the overall conditions are right and the necessary administrative capacity has been put in place ⁽¹⁾.

Amendment 8

Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste, COM (2015) 595 final — 2015/0275 (COD)

Article 1(13)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
Article 1(13)	Article 1(13)
(13) Article 22 is replaced by the following:	(13) Article 22 is replaced by the following:
‘Member States shall ensure the separate collection of bio-waste where technically, environmentally and economically practicable and appropriate to ensure the relevant quality standards for compost and to attain the targets set out in Article 11(2)(a), (c) and (d) and 11(3).	‘Member States shall ensure the separate collection of bio-waste unless it is shown to be technically, environmentally and economically impracticable to ensure the relevant quality standards for compost and to attain the targets set out in Article 11(2)(a), (c) and (d) and 11(3).

⁽¹⁾ COM(2014) 397 final.

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
They shall take measures, as appropriate, and in accordance with Articles 4 and 13, to encourage the following: a) the recycling, including composting, and digestion of bio-waste; b) the treatment of bio-waste in a way that fulfils a high level of environmental protection; c) the use of environmentally safe materials produced from bio-waste.'	They shall take measures, as appropriate, and in accordance with Articles 4 and 13, to encourage the following: a) the recycling, including composting, and digestion of bio-waste; b) the treatment of bio-waste in a way that fulfils a high level of environmental protection; c) the use of environmentally safe materials produced from bio-waste. <i>The Commission together with the Member States shall assess, no later than 2018, whether minimum quality criteria should be set for compost and digestate produced from bio-waste, in order to guarantee a high level of protection for human health and the environment.'</i>

Reason

The proposed amendment seeks to make the collection of bio-waste mandatory. Subpoint (a) should be fine-tuned by linking the recycling of bio-waste to the production of high-quality compost and digestate, otherwise it ends up in landfills rather than being recycled.

Amendment 9

Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste, COM (2015) 595 final — 2015/0275 (COD)

Article 1(17)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(17) Article 29 is amended as follows: (a) in paragraph 1, the first sentence is replaced by the following: ‘1. Member States shall establish waste prevention programmes setting out waste prevention measures in accordance with Articles 1, 4 and 9.’; (b) paragraphs 3 and 4 are deleted.	(17) Article 29 is amended as follows: (a) in paragraph 1, the first sentence is replaced by the following: ‘1. Member States shall establish waste prevention programmes setting out waste prevention measures in accordance with Articles 1, 4 and 9 aiming at the 10 % reduction of municipal waste generated in 2025 compared to 2015 levels and to reduce food waste by at least 30 % by 2025 and 50 % by 2030.’; (b) paragraphs 3 and 4 are deleted.

Reason

Municipal waste prevention is in line with the targets set by the 7th environment action programme and the Commission's mandate, in accordance with Article 9(c) of the framework directive. Various national waste prevention programmes already have quantitative targets.

Amendment 10

Proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste, COM(2015) 596 final — 2015/0276 (COD)

Article 1(3)(b)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(b) in paragraph 1, the following points (f) to (i) are added: ‘(f) no later than 31 December 2025 a minimum of 65 % by weight of all packaging waste will be prepared for reuse and recycled; (g) no later than 31 December 2025 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste: 55 % of plastic; 60 % of wood; 75 % of ferrous metal; 75 % of aluminium; 75 % of glass; 75 % of paper and cardboard; (h) no later than 31 December 2030 a minimum of 75 % by weight of all packaging waste will be prepared for reuse and recycled; (i) no later than 31 December 2030 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste: 75 % of wood; 85 % of ferrous metal; 85 % of aluminium; 85 % of glass; 85 % of paper and cardboard.’	(b) in paragraph 1, the following points (f) to (i) are added: ‘(f) no later than 31 December 2025 a minimum of 65 % by weight of all packaging waste will be prepared for reuse and recycled; (g) no later than 31 December 2025 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste: 55 % of plastic; 60 % of wood; 75 % of ferrous metal; 75 % of aluminium; 75 % of glass; 75 % of paper and cardboard; (h) no later than 31 December 2030 a minimum of 75 % by weight of all packaging waste will be prepared for reuse and recycled; (i) no later than 31 December 2030 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste: 75 % of wood; 85 % of ferrous metal; 85 % of aluminium; 85 % of glass; 85 % of paper and cardboard. <i>The Commission will present a new target for plastic packaging waste within the next few years based on data derived from research in the context of the strategy on the circular economy.’</i>

Reason

There is no target set for 2030 for the preparing for reuse and recycling of plastic packaging. As a minimum the European Commission should be required to present such a target within a few years.

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS,

General remarks

1. welcomes the legislative proposals amending waste directives of the new Circular Economy Package and points to their benefits for consumers, businesses, the environment and the EU economy;
2. in that context underlines that the transition to a circular economy will create new jobs, increase the competitiveness of the EU small, medium and big enterprises, boost the development of clean technologies, and reduce Europe's dependency on imported raw materials and energy;

Aligning of definitions

3. welcomes the clear set of harmonised definitions in the waste directives and calls on the European Commission to ensure that all the definitions are in line with the European Waste Catalogue, to avoid ambiguity and to ensure that comparable data are available on the progress made by the Member States and local and regional authorities;
4. recommends that the co-legislators nonetheless provide a definition of 'littering';

Controls

5. recommends tighter controls on illegal shipments of waste, which, inter alia, significantly reduce the availability in the EU of enough waste to feed the circular economy, which is based on recycling and reuse;

Labelling

6. calls for compulsory labelling for consumer products marketed in the EU that clearly defines how to sort waste according to waste collection macro-categories for categories covered by established separate collection. When a product generates waste that falls into different categories, the label should specify how to disassemble the various components into different categories of sorted material, provided the consumer can do this with ease;

Extended producer responsibility

7. points out that the proposal to harmonise minimum requirements is crucial for boosting the performance of extended producer responsibility schemes across the Member States;
8. urges the co-legislators not to water down these requirements and to maintain key provisions such as those guaranteeing transparency, full coverage of costs by producers for local and regional authorities with regard to the collection, management and processing of waste streams, and public information. Buyback of reusable packaging (glass containers and plastic bottles (PET)) by large retail chains may be one of the most significant factors in preventing waste production;

Waste prevention

9. highlights the need for more detail regarding 'minimum quality requirements' for foodstuffs and proposes that a minimum standard procedure be laid down for food recovery which guarantees food safety and which can be rolled out uniformly across the Member States;
10. calls on local, regional and national authorities to launch communication and education campaigns to raise awareness on waste prevention;

Clean-up initiatives: 'Let's Do It' and 'Clean-Up Day'

11. urges the Commission, Member States and local and regional authorities to give their full support to the various civil society initiatives leading to local and national clean-up activities (e.g. the local 'Let's Do It' campaign or the international day of action dubbed 'Let's clean up the world in just one day!');

Reuse and recycling

12. calls once again for further targets to be set for reuse. The targets should be binding, independent and geared to specific waste streams, particularly furniture, fabrics and waste electrical and electronic equipment (WEEE). Preparing for reuse is important for waste prevention: like recycling it is at the top of the waste hierarchy and it offers reliable potential for developing the circular economy ⁽²⁾;

13. in that context, calls on the Commission to set a minimum target of 70 % by weight for preparing for reuse and recycling for plastic to be met by 2030 in packaging waste;

14. points out that prevention and reuse are connected to activities that occur with substances and objects that are currently not related to the status of waste, in contrast with the processes of recycling and preparation for reuse, involving materials that do have the status of waste. Because of the legal consequences of the status of waste for companies and institutions, further clarification regarding the distinction between waste and non-waste, is recommended;

15. proposes defining, for example in the European Waste Catalogue, the concepts of recycling and reuse, as these currently comprise two different types of facility tailored to different streams and specific needs. a) Waste products intended for recycling arrive on the sorting belt of the selective sorting system facility, where they will be grouped together according to industry needs. b) In the case of waste intended for reuse, it is possible to avoid the waste management system cycle altogether. Large retail chains could be encouraged to buy back packaging, although the purchaser ultimately decides what to do with this waste;

16. urges the co-legislators to recommend that Member States introduce financial incentives for processes which produce less waste in their waste prevention programmes. Similarly, it calls on local and regional authorities to put in place incentives for reducing waste not sent for recycling;

17. recommends that the European Commission assess whether the framework directive should require Member States to report (non-hazardous) industrial waste and the European Environment Agency to monitor and collect these data. The Commission should review the situation by 2020, evaluating targets on preparing for reuse and recycling for this waste stream ⁽³⁾;

18. points out that moving from targets for recycling to combined targets for preparing for reuse and recycling: i) creates difficulties with regard to the separate measuring of recycling and of preparing packaging and waste packaging for reuse; and ii) needs to be clarified;

19. considers it necessary to define harmonised methods for calculating recycling rates across the EU and, with regard to food waste and inert construction and demolition waste, to adopt a provision which defines instruments and bodies designated to monitor data on reducing waste generation along the entire production, processing and consumption chain;

20. proposes that the European Commission develops indicators for the environmental value of different sorts of waste. The current legislation and the European Commission's proposal do not take into account the differences in environmental value of different sorts of waste. In this way, it will be made clear on which materials there must be special focus on to improve the waste management and make it more environmentally friendly;

Energy recovery and landfilling

21. in line with the waste hierarchy, calls on the Member States to promote the development of high efficiency energy from waste, in the context of the European Commission Waste to Energy Initiative; notes that such waste-to-energy plants can help the Union move towards becoming less dependent on import of energy in line with the Energy Union;

⁽²⁾ CDR-1617-2013.

⁽³⁾ CDR-1617-2013.

22. acknowledges the importance of gradually introducing restrictions on landfilling and supports the Commission's shift towards banning landfilling of waste subject to separate collection (including bio-waste), taking into account communication COM(2015) 614 on the circular economy which promotes the cascading use of biological resources which can create competitiveness through reuse ⁽⁴⁾;

23. recommends continuing to give priority to a qualitative, more ambitious approach eliminating landfilling of recyclable, biodegradable waste;

24. calls on the European Commission to examine the possibility of extending the maximum 10 % landfilling target by 2030 beyond the municipal waste and applying it to all types of waste ⁽⁵⁾;

Derogations for certain Member States with regard to targets for municipal waste and landfilling

25. upholds the exemptions granted to the seven Member States with the lowest levels of waste management, but stresses the need to maintain the proposed provisions whereby exempted Member States must submit implementation plans with detailed timetables of the measures needed to meet their targets;

Data registration and communication requirements

26. flags up the absence of a provision, proposed by the European Commission in 2014 in the framework directive, requiring industrial and commercial businesses to keep a register of non-hazardous waste processed by them and, upon request, to make these data available to the relevant authorities;

Delegated acts

27. is concerned about the considerable power that the proposed directives confer on the European Commission to adopt delegated acts, and calls on the co-legislators to restrict the use of them as they weaken their own supervisory powers and do not comply with the democratic and legislative process ⁽⁶⁾;

Covenant of Mayors on waste management

28. given the notable success of the Covenant of Mayors for Climate and Energy, proposes that a similar structure on waste management be set up; in this context highlights the role of the Committee of the Regions as the European Union's assembly of regional and local representatives in mobilising local and regional authorities and stepping up their efforts to boost resource efficiency, reduce waste and increase recycling, reuse and recovery of waste in cities;

Subsidiarity and proportionality

29. points out while there is no cause for concern as regards compliance with subsidiarity, the European Commission's proposals do give rise to concerns as regards compliance with proportionality ⁽⁷⁾.

Brussels, 15 June 2016.

*The President
of the European Committee of the Regions*
Markku MARKKULA

⁽⁴⁾ COR-2014-04083, CdR 3751/2013, CdR 1617/2013.

⁽⁵⁾ CdR 1617/2013.

⁽⁶⁾ COR-2014-04083; Consultation of the subsidiarity expert group and relevant decisions of national and regional parliaments on subsidiarity and proportionality related aspects of the circular economy package — synthesis and analysis, COR-2016-1521.

⁽⁷⁾ See also the Consultation of the subsidiarity expert group and relevant decisions of national and regional parliaments on subsidiarity and proportionality related aspects of the circular economy package — synthesis and analysis, COR-2016-1521.