COMMON POSITION (EC) No 38/2002
adopted by the Council on 15 April 2002
with a view to adopting Regulation (EC) No .../2002 of the European Parliament and of the Council of ... on waste statistics

(2002/C 145 E/05)

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285 thereof,

Having regard to the proposals from the Commission (1),

Having regard to the opinion of the Economic and Social Committee (2),

Acting in accordance with the procedure laid down in Article 251 of the Treaty (3),

Whereas:

(1) Regular Community statistics on the production and management of waste from businesses and private households are required by the Community for monitoring the implementation of waste policy. This creates the basis for monitoring compliance with the principles of maximisation of recovery and safe disposal. Statistical instruments are still required, however, for assessing compliance with the principle of waste prevention and to establish a link between waste generation data and global, national and regional inventories of resource use.

(2) The terms for the description of waste and waste management need to be defined in order to ensure the comparability of results in waste statistics.

(3) Community waste policy has led to the establishment of a set of principles to be followed by waste-producing units and waste management. This requires the monitoring of waste at different points of the waste-stream generation, collection, recovery and disposal.


(5) To guarantee comparable results, waste statistics should be produced in accordance with the specified breakdown, in an appropriate form and within a fixed period of time from the end of the reference year.

(6) Since the objective of the proposed measure, namely to establish a framework for the production of Community statistics on the generation, recovery and disposal of waste, cannot be sufficiently achieved by the Member States, by reason of the need to define terms of description of waste and waste management so as to ensure the comparability of the statistics supplied by the Member States, and can therefore be better achieved at Community level, the Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve the objective of the proposed measure.

(7) Individual Member States may need a transitional period for the establishment of their statistics on waste for the economic activities of NACE REV. 1 as established by Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (5) for which their national statistical system requires major adaptations.

(8) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (6).

(9) The Statistical Programme Committee has been consulted by the Commission,

HAVE ADOPTED THIS REGULATION:

Article 1

Objective

1. The objective of this Regulation is to establish a framework for the production of Community statistics on the generation, recovery and disposal of waste.
2. Member States and the Commission, within their respective fields of competence, shall produce Community statistics on the generation, recovery and disposal of waste, excluding radioactive waste, which is already covered by other legislation.

3. The statistics shall cover the following areas:
   (a) generation of waste according to Annex I;
   (b) recovery and disposal of waste according to Annex II.

4. In compiling the statistics, Member States and the Commission shall observe the mainly substance-oriented statistical nomenclature, as set out in Annex III.

5. The Commission shall, in accordance with the procedure referred to in Article 7(2), establish a table of equivalence between the statistical nomenclature of Annex III and the list of waste established by Commission Decision 2000/532/EC (1).

Article 2

Definitions

For the purposes and within the framework of this Regulation:

(a) 'waste' shall mean any substance or object as defined in Article 1(a) of Council Directive 75/442/EEC of 15 July 1975 on waste (2);

(b) 'separately collected fractions of waste' shall mean household and similar waste, selectively collected in homogeneous fractions by public services, non-profit organisations and private enterprises acting in the field of organised waste collection;

(c) 'recycling' shall have the same meaning as in the definition given in Article 3(7) of European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (3);

(d) 'recovery' shall mean any of the operations provided for in Annex II.B to Directive 75/442/EEC;

(e) 'disposal' shall mean any of the operations provided for in Annex II.A to Directive 75/442/EEC;

(f) 'recovery or disposal facility' shall mean a facility that requires a permit or registration pursuant to Articles 9, 10 or 11 of Directive 75/442/EEC;

(g) 'hazardous waste' shall mean any waste as defined in Article 1(4) of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste (4);

(h) 'non-hazardous waste' shall mean waste which is not covered by point (g);

(i) 'incineration' shall mean thermal treatment of waste in an incineration plant as defined in Article 3(4) or a co-incineration plant as defined in Article 3(5) of Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste (5);

(j) 'landfill' shall mean a waste disposal site as defined in Article 2(g) of Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (6);

(k) 'capacity of waste incineration facilities' shall mean the maximum capacity to incinerate waste, in tonnes per annum or in gigajoules;

(l) 'capacity of waste recycling facilities' shall mean the maximum capacity to recycle waste, in tonnes per annum;

(m) 'capacity of landfills' shall mean the remaining capacity (at the end of the data reference year) of the landfill facility to dispose of waste in the future, measured in cubic metres;

(n) 'capacity of other disposal facilities' shall mean the capacity of the facility to dispose of waste, measured in tonnes per annum.

Article 3

Collection of data

1. Member States shall, whilst complying with conditions as to quality and accuracy to be defined in accordance with the procedure referred to in Article 7(2), acquire the data necessary for the specification of the characteristics listed in Annexes I and II by means either of:

   — surveys,

   — administrative or other sources, such as the reporting obligations under Community legislation on waste management,

— statistical estimation procedures on the basis of samples or waste-related estimators, or

— a combination of these means.

In order to reduce response burdens, the national authorities and the Commission shall, subject to the limits and the conditions fixed by each Member State and by the Commission in their respective fields of competence, have access to administrative data sources.

2. In order to reduce the administrative burden on small enterprises, enterprises of less than 10 employees shall be excluded from surveys, unless they contribute significantly to the generation of waste.

3. Member States shall produce statistical results, following the breakdown set out in Annexes I and II.

4. The exclusion referred to in paragraph 2 must be consistent with the coverage and quality objectives as referred to in Section 7(1) of Annexes I and II.

5. Member States shall transmit the results, including confidential data, to Eurostat in an appropriate format and within a set period of time from the end of the respective reference periods, as laid down in Annexes I and II.

6. The treatment of confidential data and the transmission of such data as provided for in paragraph 5 shall be carried out in accordance with the existing Community provisions governing statistical confidentiality.

**Article 4**

**Transitional period**

1. During a transitional period, which may not exceed two years after the entry into force of this Regulation, the Commission may, at the request of a Member State and in accordance with the procedure referred to in Article 7(2), grant derogations from the provisions of Section 5 of Annexes I and II, for the production of results relating to Section 8(1.1), items 13 to 17 of Annex I and to Section 8(2) of Annex II.

2. The derogations referred to in paragraph 1 can be granted to individual Member States only for the data of the first reference year.

**Article 5**

**Import and export of waste**

1. The Commission shall draw up a programme for pilot studies on the import and export of waste to be carried out on a voluntary basis by Member States. The pilot studies shall aim to assess the relevance and feasibility of obtaining data, and to evaluate the costs and benefits of collecting the data, and the burden on businesses.

2. The Commission programme for pilot studies shall be consistent with the contents of Annexes I and II, particularly the aspects related to the scope and coverage of wastes, waste categories for the classification of waste, reference years and periodicity, taking into account the reporting obligations under Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (1).

3. The Commission shall finance up to 100 % of the costs for conducting the pilot studies.

4. On the basis of the conclusions of the pilot studies, the Commission shall inform the European Parliament and the Council of the possibilities of compiling statistics for the activities and characteristics covered by the pilot studies for import and export of waste. The Commission shall adopt the necessary implementation measures in accordance with the procedure referred to in Article 7(2).

5. The pilot studies should be conducted within three years of the entry into force of this Regulation.

**Article 6**

**Implementation measures**

The measures necessary for the implementation of this Regulation, shall be adopted in accordance with the procedure referred to in Article 7(2). These shall include measures:

(a) for adjustment to economic and technical developments in the collection and statistical processing of data, as well as the processing and the transmission of results;

(b) for adaptation of the specifications listed in Annexes I, II and III;

(c) for the production of results in accordance with Article 3(2), (3) and (4), taking into account the economic structures and technical conditions in a Member State; such measures may allow an individual Member State not to report certain items in the breakdown, provided the impact on the quality of the statistics is proven to be limited. In all cases where exemptions are given, the total amount of waste for each item listed in Sections 2(1) and 8(1) of Annex I shall be compiled;

(d) for the definition of the proper quality evaluation criteria and the contents of the quality reports as referred to in Section 7 of Annexes I and II;

(e) for setting out the appropriate format for the transmission of results by Member States within two years of the date of entry into force of this Regulation;

(f) for compiling the list for granting transitional periods and derogations to Member States, as specified in Article 4;

(g) for implementation of the results of the pilot studies, as specified in Article 5(4), Annex I Section 1(2), Annex I Section 2(2) and Annex II Section 8(3).

Article 7

Committee procedure

1. The Commission shall be assisted by the Statistical Programme Committee established by Council Decision 89/382/EEC, Euratom of 19 June 1989 establishing a committee on the statistical programmes of the European Communities (1).

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3. The Committee shall adopt its rules of procedure.

4. The Commission shall transmit to the Committee set up by Directive 75/442/EEC the draft measures that it intends to submit to the Statistical Programme Committee.

Article 8

Report

1. The Commission shall, within five years of the date of entry into force of this Regulation and every three years thereafter, submit a report to the European Parliament and the Council on the statistics compiled pursuant to this Regulation and in particular on their quality and the burden on businesses.

2. The Commission shall, within two years of the date of entry into force of this Regulation, submit to the European Parliament and the Council a proposal abolishing overlapping reporting obligations.

Article 9

Entry into force

This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at . . .

For the European Parliament
The President

For the Council
The President

ANNEX I

GENERATION OF WASTE

SECTION 1

Coverage

1. The statistics are to be compiled for all activities classified within the coverage of Sections C to Q of NACE REV. 1. These sections cover all economic activities, except agriculture, hunting, forestry (A) and fishing (B), which are outside the domain of this Annex.

This Annex also covers:

(a) waste generated by households;

(b) waste arising from recovery and/or disposal operations.

2. The Commission will draw up a programme for pilot studies to be carried out on a voluntary basis by Member States in order to assess the relevance of including sections A and B of NACE REV. 1 in the coverage list referred to in point 1. The Commission will finance up to 100% of the costs for these pilot studies. On the basis of the conclusions of these pilot studies, the Commission will adopt the necessary implementation measures in accordance with the procedure referred to in Article 7(2) of this Regulation.

SECTION 2

Waste categories

1. Statistics on the following waste categories are to be produced:

<table>
<thead>
<tr>
<th>Aggregates list</th>
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<tbody>
<tr>
<td>Item No</td>
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<td>42</td>
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<td>43</td>
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</tbody>
</table>

2. In accordance with the reporting obligation under Directive 94/62/EC, the Commission will draw up a programme for pilot studies to be carried out on a voluntary basis by Member States in order to assess the relevance of including packaging waste entries (EWC-Stat Version 2) in the breakdown list set out in point 1. The Commission will finance up to 100% of the costs for these pilot studies. On the basis of the conclusions of these pilot studies, the Commission will adopt the necessary implementation measures in accordance with the procedure referred to in Article 7(2) of this Regulation.

**SECTION 3**

**Characteristics**

1. Characteristics for the waste categories:

   for each waste category listed in Section 2(1), the quantity of waste generated will be compiled.

2. Regional characteristics:

   population or dwellings served by a collection scheme for mixed household and similar waste (NUTS 2 level).
SECTION 4

Reporting unit

1. The reporting unit to be used for all waste categories is 1 000 tonnes of (normal) wet waste. For the waste categories 'sludge' an additional figure for dry matter should be provided.

2. The reporting unit for regional characteristics should be the percentage of the population or dwellings.

SECTION 5

First reference year and periodicity

1. The first reference year is the second calendar year following the entry into force of this Regulation.

2. Member States will furnish data for every second year after the first reference year.

SECTION 6

Transmission of results to Eurostat

The results are to be transmitted within 18 months of the end of the reference year.

SECTION 7

Report on the coverage and quality of statistics

1. For each item listed in Section 8 (activities and households), Member States will indicate the percentage to which the compiled statistics represent the universe of waste of the respective item. The minimum requirement for the coverage will be defined in accordance with the procedure referred to in Article 7(2) of this Regulation.

2. Member States will submit a quality report, indicating the degree of precision for the collected data. A description will be given on the estimations, aggregations or exclusions, and the way these procedures affect the distribution of waste categories, listed in Section 2(1) by economic activities and households, as referred to in Section 8.

3. The Commission will include the coverage and quality reports in the report provided for in Article 8 of this Regulation.

SECTION 8

Production of results

1. The results for the characteristics listed in Section 3(1), are to be compiled for:

1.1. the following sections, divisions, groups and classes of NACE REV. 1:

<table>
<thead>
<tr>
<th>Item No</th>
<th>NACE REV. 1.1 code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>C</td>
<td>Mining and quarrying</td>
</tr>
<tr>
<td>2</td>
<td>DA</td>
<td>Manufacture of food products, beverages and tobacco</td>
</tr>
<tr>
<td>3</td>
<td>DB + DC</td>
<td>Manufacture of textiles and textile products + manufacture of leather and leather products</td>
</tr>
<tr>
<td>4</td>
<td>DD</td>
<td>Manufacture of wood and wood products</td>
</tr>
<tr>
<td>5</td>
<td>DE</td>
<td>Manufacture of pulp, paper and paper products; publishing and printing</td>
</tr>
<tr>
<td>6</td>
<td>DF</td>
<td>Manufacture of coke, refined petroleum products and nuclear fuel</td>
</tr>
<tr>
<td>7</td>
<td>DG + DH</td>
<td>Manufacture of chemicals, chemical products, manmade fibres + manufacture of rubber and plastic products</td>
</tr>
<tr>
<td>8</td>
<td>DI</td>
<td>Manufacture of other non-metallic mineral products</td>
</tr>
<tr>
<td>9</td>
<td>DJ</td>
<td>Manufacture of basic metals and fabricated metal products</td>
</tr>
<tr>
<td>10</td>
<td>DK + DL + DM</td>
<td>Manufacture of machinery and equipment + manufacture of electrical and optical equipment + manufacture of transport equipment</td>
</tr>
<tr>
<td>Item No</td>
<td>NACE REV. 1.1 code</td>
<td>Description</td>
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<tr>
<td>11</td>
<td>DN excluded 37</td>
<td>Manufacturing n.e.c.</td>
</tr>
<tr>
<td>12</td>
<td>E</td>
<td>Electricity, gas, steam and hot water and water supply</td>
</tr>
<tr>
<td>13</td>
<td>F</td>
<td>Construction</td>
</tr>
<tr>
<td>14</td>
<td>G-Q excluded 90 and 51.57</td>
<td>Services activities: wholesale and retail trade; repair of motor vehicles, motor cycles and personal and household goods + hotels and restaurants + transport, storage and communications + financial intermediation + real estate, renting and business activities + public administration, defence and compulsory social security + education + health and social work + other community, social and personal activities + activities of households + extra-territorial organisations and bodies</td>
</tr>
<tr>
<td>15</td>
<td>37</td>
<td>Recycling</td>
</tr>
<tr>
<td>16</td>
<td>51.57</td>
<td>Wholesale of waste and scrap</td>
</tr>
<tr>
<td>17</td>
<td>90</td>
<td>Sewage and refuse disposal, sanitation and similar activities</td>
</tr>
</tbody>
</table>

1.2. households

<table>
<thead>
<tr>
<th>Item No</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>Waste generated by households</td>
</tr>
</tbody>
</table>

2. For economic activities, statistical units are local units or kind-of-activity units, as defined in Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community (1), according to each Member State's statistical system.

In the quality report, to be produced under Section 7, a description of how the chosen statistical unit affects the groupings of NACE REV. 1 data distribution should be included.

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ANNEX II

RECOVERY AND DISPOSAL OF WASTE

SECTION 1

Coverage

1. The statistics are to be compiled for all recovery and disposal facilities which run any of the operations referred to in Section 8(2) and which belong to or are part of the economic activities according to the groupings of NACE REV. 1, mentioned in Annex I, Section 8(1.1).

2. Facilities whose waste treatment activities are limited to the recycling of waste on the site where the waste was generated, are not covered by this Annex.

SECTION 2

Waste categories

The list of waste categories for which the statistics are to be compiled, according to each recovery or disposal operation as referred to in Section 8(2), are the following:

<table>
<thead>
<tr>
<th>Incineration</th>
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<tbody>
<tr>
<td>Item No</td>
</tr>
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<td>12</td>
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</tbody>
</table>

Operations which may lead to recovery (excluding energy recovery)

<table>
<thead>
<tr>
<th>Item No</th>
<th>EWC-Stat Version 2</th>
<th>Hazardous/ non-hazardous waste</th>
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<tbody>
<tr>
<td>Code</td>
<td>Description</td>
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</tr>
<tr>
<td>1</td>
<td>01.3</td>
<td>Used oils</td>
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<tr>
<td>2</td>
<td>01.3</td>
<td>Used oils</td>
</tr>
<tr>
<td>3</td>
<td>06</td>
<td>Metallic wastes</td>
</tr>
<tr>
<td>4</td>
<td>06</td>
<td>Metallic wastes</td>
</tr>
<tr>
<td>Item No</td>
<td>EWC-Stat Version 2</td>
<td>Hazardous/ non-hazardous waste</td>
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<tr>
<td>5</td>
<td>07.1</td>
<td>Glass wastes</td>
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<td></td>
<td>Non-hazardous</td>
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<tr>
<td>6</td>
<td>07.2</td>
<td>Paper and cardboard wastes</td>
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<td></td>
<td>Non-hazardous</td>
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<tr>
<td>7</td>
<td>07.3</td>
<td>Rubber wastes</td>
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<td></td>
<td>Non-hazardous</td>
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<td>8</td>
<td>07.4</td>
<td>Plastic wastes</td>
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<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>9</td>
<td>07.5</td>
<td>Wood wastes</td>
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<td></td>
<td>Non-hazardous</td>
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<tr>
<td>10</td>
<td>07.6</td>
<td>Textile wastes</td>
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<td></td>
<td></td>
<td>Non-hazardous</td>
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<tr>
<td>11</td>
<td>07.6</td>
<td>Textile wastes</td>
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<td></td>
<td>Hazardous</td>
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<tr>
<td>12</td>
<td>09</td>
<td>Animal and vegetal wastes</td>
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<td></td>
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<td>(excluding animal waste of food preparation and products)</td>
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<td></td>
<td>Non-hazardous</td>
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<tr>
<td>13</td>
<td>09.11</td>
<td>Animal waste of food preparation and products</td>
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<td>Non-hazardous</td>
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<tr>
<td>14</td>
<td>12</td>
<td>Mineral waste</td>
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<td></td>
<td></td>
<td>Non-hazardous</td>
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<tr>
<td>15</td>
<td>12</td>
<td>Mineral waste</td>
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<td></td>
<td>Hazardous</td>
</tr>
<tr>
<td>16</td>
<td>01 + 02 + 03</td>
<td>Other wastes, excluding used oils (chemical compound waste + chemical preparation wastes + other chemical wastes + health care and biological wastes + discarded equipment + mixed ordinary wastes + common sludges + solidified, stabilised or vitrified wastes)</td>
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<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>17</td>
<td>01 + 02 + 03</td>
<td>Other wastes, excluding used oils (chemical compound waste + chemical preparation wastes + other chemical wastes + health care and biological wastes + discarded equipment + mixed ordinary wastes + common sludges + solidified, stabilised or vitrified wastes)</td>
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<td>Hazardous</td>
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### Disposal (other than incineration)

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<tr>
<th>Item No</th>
<th>EWC-Stat Version 2</th>
<th>Hazardous/ non-hazardous waste</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>01 + 02 + 03</td>
<td>Chemical wastes, excluding used oils (chemical compound waste + chemical preparation wastes + other chemical wastes)</td>
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<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>2</td>
<td>01 + 02 + 03</td>
<td>Chemical wastes, excluding used oils (chemical compound waste + chemical preparation wastes + other chemical wastes)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hazardous</td>
</tr>
<tr>
<td>3</td>
<td>01.3</td>
<td>Used oils</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>4</td>
<td>01.3</td>
<td>Used oils</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hazardous</td>
</tr>
<tr>
<td>5</td>
<td>09</td>
<td>Animal and vegetal wastes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>6</td>
<td>10.1</td>
<td>Household and similar waste</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>7</td>
<td>10.2</td>
<td>Mixed and undifferentiated materials</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>8</td>
<td>10.3</td>
<td>Sorting residues</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>9</td>
<td>11</td>
<td>Common sludges</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>10</td>
<td>12</td>
<td>Mineral wastes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>11</td>
<td>12</td>
<td>Mineral wastes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hazardous</td>
</tr>
</tbody>
</table>
### SECTION 3

**Characteristics**

The characteristics, for which the statistics are to be compiled on recovery and disposal operations, as referred to in Section 8(2) are set out in the table below.

<table>
<thead>
<tr>
<th>Item No</th>
<th>Code</th>
<th>Description</th>
<th>Hazardous/ non-hazardous waste</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>05 + 06 + 07 + 08 + 13</td>
<td>Other wastes (health care and biological wastes + metallic wastes + non-metallic wastes + discarded equipment + solidified, stabilised or vitrified wastes)</td>
<td>Non-hazardous</td>
</tr>
<tr>
<td>13</td>
<td>05 + 06 + 07 + 08 + 13</td>
<td>Other wastes (health care and biological wastes + metallic wastes + non-metallic wastes + discarded equipment + solidified, stabilised or vitrified wastes)</td>
<td>Hazardous</td>
</tr>
</tbody>
</table>

### SECTION 4

**Reporting unit**

The reporting unit to be used for all waste categories is 1 000 tonnes of (normal) wet waste. For the waste categories 'sludge' an additional figure for dry matter should be provided.

### SECTION 5

**First reference year and periodicity**

1. The first reference year is the second calendar year following the entry into force of this Regulation.

2. Member States will furnish data for every second year, after the first reference year, for the facilities which are referred to in Section 8(2).

### SECTION 6

**Transmission of results to Eurostat**

The results are to be transmitted within 18 months of the end of the reference year.

### SECTION 7

**Report on the coverage and quality of statistics**

1. For the characteristics listed in Section 3, and for each item amongst the types of operations listed in Section 8(2), Member States will indicate the percentage to which the compiled statistics represent the universe of waste of the respective item. The minimum requirement for the coverage will be defined in accordance with the procedure referred to in Article 7(2) of this Regulation.
2. For the characteristics listed in Section 3, Member States will submit a quality report, indicating the degree of precision of the collected data.

3. The Commission will include the coverage and quality reports in the report provided for in Article 8 of this Regulation.

SECTION 8

Production of results

1. The results are to be compiled for each item amongst the types of operations listed in Section 8(2), according to the characteristics as referred to in Section 3.

2. List of recovery and disposal operations: the codes refer to the codes in the Annexes to Directive 75/442/EEC:

<table>
<thead>
<tr>
<th>Item No</th>
<th>Code</th>
<th>Types of recovery and disposal operations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><strong>Incineration</strong></td>
</tr>
<tr>
<td>1</td>
<td>R1</td>
<td>Use principally as a fuel or other means to generate energy</td>
</tr>
<tr>
<td>2</td>
<td>D10</td>
<td>Incineration on land</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Operations which may lead to recovery (excluding energy recovery)</strong></td>
</tr>
<tr>
<td>3</td>
<td>R2+</td>
<td>Solvent reclamation/regeneration</td>
</tr>
<tr>
<td></td>
<td>R3+</td>
<td>Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes)</td>
</tr>
<tr>
<td></td>
<td>R4+</td>
<td>Recycling/reclamation of metals and metal compounds</td>
</tr>
<tr>
<td></td>
<td>R5+</td>
<td>Recycling/reclamation of other inorganic materials</td>
</tr>
<tr>
<td></td>
<td>R6+</td>
<td>Regeneration of acids or bases</td>
</tr>
<tr>
<td></td>
<td>R7+</td>
<td>Recovery of components used for pollution abatement</td>
</tr>
<tr>
<td></td>
<td>R8+</td>
<td>Recovery of components from catalysts</td>
</tr>
<tr>
<td></td>
<td>R9+</td>
<td>Oil refining or other reuses of oil</td>
</tr>
<tr>
<td></td>
<td>R10+</td>
<td>Land treatment resulting in benefit to agriculture or ecological improvement</td>
</tr>
<tr>
<td></td>
<td>R11</td>
<td>Use of wastes obtained from any of the operations numbered R1 to R10</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Disposal operations</strong></td>
</tr>
<tr>
<td>4</td>
<td>D1+</td>
<td>Deposit into or onto land (e.g. landfill etc.)</td>
</tr>
<tr>
<td></td>
<td>D3+</td>
<td>Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)</td>
</tr>
<tr>
<td></td>
<td>D4+</td>
<td>Surface impoundment (e.g. placement of liquid or sludge discards into pits, pounds or lagoons, etc.)</td>
</tr>
<tr>
<td></td>
<td>D5+</td>
<td>Special engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment etc.)</td>
</tr>
<tr>
<td></td>
<td>D12</td>
<td>Permanent storage (e.g. emplacement of containers in a mine etc.)</td>
</tr>
<tr>
<td>5</td>
<td>D2+</td>
<td>Land treatment (e.g. biodegradation of liquid or sludge discards in soils, etc.)</td>
</tr>
<tr>
<td></td>
<td>D6+</td>
<td>Release into a water body except seas/oceans</td>
</tr>
<tr>
<td></td>
<td>D7</td>
<td>Release into seas/oceans including sea-bed insertion</td>
</tr>
</tbody>
</table>
3. The Commission will draw up a programme for pilot studies, to be carried out on a voluntary basis by Member States. The pilot studies will aim to assess the relevance and feasibility of obtaining data on the amounts of waste conditioned by preparatory operations, as defined in Annexes II.A and II.B to Directive 75/442/EEC. The Commission will finance up to 100% of the costs for conducting these pilot studies. On the basis of the conclusions of these pilot studies, the Commission will adopt the necessary implementation measures in accordance with the procedure referred to in Article 7(2) of this Regulation.

4. Statistical units are local units or kind-of-activity units, as defined in Regulation (EEC) No 696/93, according to each Member State’s statistical system.

In the quality report, to be produced under Section 7, a description of how the chosen statistical unit affects the groupings of NACE REV. 1 data distribution should be included.
ANNEX III

WASTE STATISTICAL NOMENCLATURE

as referred to in Annex I, Section 2(1) and Annex II, Section 2 EWC-Stat REV. 2 (mainly substance oriented waste statistical nomenclature)

01 Chemical compound wastes
01.1 Spent solvents
01.11 Halogenated spent solvents
  1 Hazardous
      aqueous solvent mixes containing halogens
      chlorofluorocarbons
      degreasing wastes containing solvents without a liquid phase
      halogenated solvents and solvent mixes
      organic halogenated solvents, washing liquids and mother liquors
      other halogenated solvents
      other halogenated solvents and solvent mixes
      sludges containing halogenated solvents
      sludges or solid wastes containing halogenated solvents
  01.12 Non-halogenated spent solvents
      0 Non-hazardous
          wastes from solvent extraction
      1 Hazardous
          aqueous solvent mixes free of halogens
          other organic solvents, washing liquids and mother liquors
          other solvents and solvent mixes
          sludges containing other solvents
          sludges or solid wastes containing other solvents
          sludges or solid wastes free of halogenated solvents
          solvent mixes or organic liquids free of halogenated solvents
          solvents
          solvents and solvent mixes free of halogenated solvents
  01.2 Acid, alkaline or saline wastes
  01.21 Acid wastes
      0 Non-hazardous
          cyanide-free wastes not containing chromium
          acids
      1 Hazardous
          acidic pickling solutions
          acids not otherwise specified
          bleach solutions and bleach fixer solutions
          cyanide-free wastes containing chromium
electrolyte from batteries and accumulators
fixer solutions
hydrochloric acid
nitric acid and nitrous acid
phosphoric and phosphorous acid
sulphuric acid
sulphuric acid and sulphurous acid
waste not otherwise specified

01.22 Alkaline wastes
0 Non-hazardous
alkalines
1 Hazardous
alkalis not otherwise specified
ammonia
calcium hydroxide
cyanic (alkaline) wastes containing heavy metals other than chromium
cyanic (alkaline) wastes which do not contain heavy metals
metal hydroxide sludges and other sludges from metal insolubilisation treatment
soda
solvent based developer solutions
wastes containing cyanide
wastes not otherwise specified
water based developer and activator solutions
water based offset plate developer solutions

01.23 Saline solutions
0 Non-hazardous
saline solutions containing sulphates, sulphites or sulphides
saline solutions containing chlorides, fluorides and halides
saline solutions containing phosphates and related solid salts
saline solutions containing nitrates and related compounds
1 Hazardous
waste from electrolytic refining

01.24 Other saline wastes
0 Non-hazardous
barite-containing drilling muds and wastes
carbonates
chloride-containing drilling muds and wastes
metallic oxides
phosphates and related solid salts
salts and solutions containing organic compounds
sludges from copper hydrometallurgy
solid salts containing ammonium
solid salts containing chlorides, fluorides and other halogenated solid salts
solid salts containing nitrides (nitrometallic)
solid salts containing sulphates, sulphites or sulphides
waste containing sulphur
waste from potash and rock salt processing
wastes not otherwise specified

1 Hazardous
metallic salts
other wastes
phosphatizing sludges
salt slags from secondary smelting
salts and solutions containing cyanides
sludges from zinc hydrometallurgy (including jarosite, goethite)
waste from treatment of salt slags and black drosses treatment
wastes containing arsenic
wastes containing mercury
wastes containing other heavy metals

01.3 Used oils

01.31 Used motor oils

1 Hazardous
chlorinated engine, gear and lubricating oils
non-chlorinated engine, gear and lubricating oils
other engine, gear and lubricating oils

01.32 Other used oils

0 Non-hazardous
oil-containing drilling muds and wastes
desalted sludges
sludges from plant, equipment and maintenance operations
sludges from grinding, honing and lapping
polishing sludges
wastes not otherwise specified

1 Hazardous
acid alkyl sludges
brake fluids
chlorinated emulsions
hydraulic oils containing only mineral oil
hydraulic oils, containing PCBs or PCTs
insulating or heat transmission oils and other liquids containing PCBs or PCTs
machining sludges
mineral insulating and heat transmission oils
non-chlorinated emulsions
non-chlorinated hydraulic oils (not emulsions)
non-chlorinated insulating and heat transmission oils and other liquids
oil waste not otherwise specified
other chlorinated hydraulic oils (not emulsions)
other chlorinated insulating and heat transmission oils and other liquids
other hydraulic oils
spent waxes and fats
synthetic insulating and heat transmission oils and other liquids
synthetic machining oils
tank bottom sludges
waste machining emulsions containing halogens
waste machining emulsions free of halogens
waste machining oils containing halogens (not emulsioned)
other hydraulic oils
spent waxes and fats
synthetic insulating and heat transmission oils and other liquids
synthetic machining oils
tank bottom sludges
waste machining emulsions containing halogens
waste machining emulsions free of halogens
waste machining oils containing halogens (not emulsioned)

01.4 Spent chemical catalysts
01.41 Spent chemical catalysts

0 Non-hazardous
other spent catalysts
spent catalysts containing precious metals
spent catalysts e.g. from NOx removal
spent catalysts e.g. from removal of NOx

02 Chemical preparation wastes
02.1 Off-specification chemical wastes
02.11 Agrochemical product wastes

1 Hazardous
agrochemical wastes
inorganic pesticides, biocides and wood preserving agents
pesticides

02.12 Unused medicines

0 Non-hazardous
discarded chemicals and medicines
medicines

02.13 Paints, varnish, inks and adhesive wastes

0 Non-hazardous
aqueous liquid waste containing ink
aqueous liquid wastes containing adhesives and sealants
aqueous sludges containing adhesives and sealants
aqueous sludges containing ink
aqueous sludges containing paint or varnish
aqueous suspensions containing paint or varnish
dried ink
dye stuffs and pigments
hardened adhesives and sealants
hardened paints and varnishes
powder paints
waste coating powders
waste from paint or varnish removal
waste from water-based ink
waste from water-based paints and varnishes
waste printing toner (including cartridges)
wastes from water-based adhesives and sealants
wastes not otherwise specified

1. Hazardous
adhesives and sealants sludges containing halogenated solvents
adhesives and sealants sludges free of halogenated solvents
ink sludges containing halogenated solvents
ink sludges free of halogenated solvents
paint, inks, adhesives and resins
sludges from paint or varnish removal containing halogenated solvents
sludges from paint or varnish removal free of halogenated solvents
waste adhesives and sealants containing halogenated solvents
waste adhesives and sealants free of halogenated solvents
waste ink containing halogenated solvents
waste ink free of halogenated solvents
waste paints and varnish containing halogenated solvents
waste paints and varnish free of halogenated solvents

02.14 Other chemical preparation wastes

0. Non-hazardous
aerosols
bleaching sludges from hypochlorite and chlorine processes
bleaching sludges from other bleaching processes
detergents
industrial gases in high pressure cylinders, LPG containers and industrial aerosol containers (including halons)
photographic film and paper containing silver or silver compounds
waste from chemical treatment
waste from nitrogen chemical processes and fertiliser manufacture
wastes from preserving agents
wastes from production of silicon and silicon derivatives
wastes not otherwise specified

1 Hazardous
non-halogenated organic wood preservatives
organochlorinated wood preservatives
organometallic wood preservatives
inorganic wood preservatives
sludges containing mercury
discarded chemicals
photochemicals

02.2 Unused explosives

02.21 Waste explosives and pyrotechnical products

1 Hazardous
fireworks waste
other waste explosives

02.22 Waste ammunition

1 Hazardous
waste ammunition

02.3 Mixed chemical wastes

02.31 Minor mixed chemical wastes

0 Non-hazardous
other waste containing inorganic chemicals, e.g. lab chemicals not otherwise specified, fire extinguishing powders
other waste containing organic chemicals, e.g. lab chemicals not otherwise specified

02.32 Chemical wastes mixed for treatment

0 Non-hazardous
premixed wastes for final disposal

02.33 Packaging polluted by hazardous substances

03 Other chemical wastes

03.1 Chemical deposits and residues

03.11 Tars and carbonaceous wastes

0 Non-hazardous
asphalt
wastes not otherwise specified
carbon black
anode scraps
wastes from the production of anodes for aqueous electrolytical processes
1. Hazardous
   - Acid tars
   - Other tars
   - Tars and other carbon-containing wastes from anode manufacture

03.12 Oils/water emulsions sludges

1. Hazardous
   - Bilge oils from inland navigation
   - Bilge oils from jetty sewers
   - Desalter sludges or emulsions
   - Interceptor sludges
   - Oil/water separator sludges
   - Oil/water separator solids
   - Other emulsions
   - Waste from marine transport tank cleaning, containing chemicals
   - Waste from railway and road transport tank cleaning, containing chemicals
   - Waste from storage tank cleaning, containing chemicals

03.13 Chemical reaction residues

0. Non-hazardous
   - Dregs and green liquor sludge (from black liquor treatment)
   - Tanning liquor containing chromium
   - Tanning liquor free of chromium
   - Wastes not otherwise specified

1. Hazardous
   - Aqueous washing liquids and mother liquors
   - Halogenated still bottoms and reaction residues
   - Non-vitrified solid phase
   - Other still bottoms and reaction residues

03.14 Spent filtration and absorbent materials

0. Non-hazardous
   - Sludges from decarbonation
   - Spent activated carbon
   - Saturated or spent ion exchange resins
   - Solutions and sludges from regeneration of ion exchangers

1. Hazardous
   - Activated carbon from chlorine production
   - Filter cake from gas treatment
   - Halogenated filter cakes, spent absorbents
   - Other filter cakes, spent absorbents
   - Saturated or spent ion exchange resins
   - Solutions and sludges from regeneration of ion exchangers
spent activated carbon
spent filter clays

03.2 Industrial effluent sludges
03.21 Sludges from industrial processes and effluent treatment

0 Non-hazardous
anaerobic treatment sludges of animal and vegetal wastes
anaerobic treatment sludges of municipal and similar wastes
de-inking sludges from paper recycling
landfill leachate
sludges containing chromium
sludges free of chromium
sludges from on-site effluent treatment
sludges not otherwise specified
wastes not otherwise specified

03.22 Sludges containing hydrocarbons

0 Non-hazardous
wastes not otherwise specified

1 Hazardous
aqueous liquid waste from oil regeneration
aqueous washing liquids
steam degreasing wastes
waste from marine transport tank cleaning, containing oil
waste from railway and road transport tank cleaning containing oil
waste from storage tank cleaning, containing oil
grease and oil mixture from oil/waste water separation

04 Radioactive wastes
04.1 Nuclear waste
04.11 Nuclear wastes
04.2 Spent ionising sources
04.21 Spent ionising sources
04.3 Equipment and products contaminated by radioactivity
04.31 Equipment and products contaminated by radioactivity
04.4 Soils contaminated by radioactivity
04.41 Soils contaminated by radioactivity
05 Health care and biological wastes
05.1 Infectious health care wastes
05.11 Human infectious health care wastes

0 Non-hazardous
body parts and organs including blood bags and blood preserves
1 Hazardous
other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection

05.12 Animal infectious health care wastes

0 Non-hazardous
sharps

05.2 Non-infectious health care wastes

05.21 Non-infectious human health care wastes
05.22 Non-infectious animal health care wastes

05.3 Genetic engineering wastes

05.31 Genetic engineering wastes

1 Hazardous
other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection

06 Metallic wastes

06.1 Ferrous metal waste and scrap

06.11 Ferrous metal waste and scrap

0 Non-hazardous
discarded moulds
ferrous metal filings and turnings
other ferrous metals particles
iron and steel
ferrous materials removed from bottom ash

06.2 Non-ferrous metal waste and scrap

06.21 Waste precious metal

1 Hazardous
waste containing silver from on-site treatment of photographic waste

06.22 Waste aluminium packaging

06.23 Other waste aluminium

0 Non-hazardous
aluminium

06.24 Copper waste

0 Non-hazardous
copper, bronze, brass
cables

06.25 Lead waste

0 Non-hazardous
lead

06.26 Other metal wastes

0 Non-hazardous
non-ferrous metal filings and turnings
other non-ferrous metal particules
zinc
tin

06.3 Mixed metal wastes
06.31 Mixed metallic packaging
  0 Non-hazardous
  metallic
  small metals (cans etc.)
  other metals

06.32 Other mixed metallic wastes
  0 Non-hazardous
  wastes not otherwise specified
  mixed metals

07 Non-metallic wastes
07.1 Glass wastes
07.11 Glass packaging
  0 Non-hazardous
  glass

07.12 Other glass wastes
  0 Non-hazardous
  waste glass
  glass

07.2 Paper and cardboard wastes
07.21 Waste paper and cardboard packaging
  0 Non-hazardous
  paper and cardboard

07.22 Waste composite packaging carton
07.23 Other paper and cardboard wastes
  0 Non-hazardous
  fibre and paper sludge
  wastes not otherwise specified
  paper and cardboard

07.3 Rubber wastes
07.31 Used tyres
  0 Non-hazardous
  used tyres

07.32 Other rubber wastes
07.4 Plastic wastes
07.41 Plastic packaging wastes
  0 Non-hazardous
  plastic
07.42 Other plastic wastes

0 Non-hazardous
  waste plastics (excluding packaging)
  plastics particles
  waste from the plastic converter industry
  plastic
  small plastics
  other plastics

07.5 Wood wastes

07.51 Wood packaging

0 Non-hazardous
  wooden

07.52 Sawdust and shavings

0 Non-hazardous
  sawdust
  shavings, cuttings, spoiled timber/particle board/veneer

07.53 Other wood wastes

0 Non-hazardous
  waste bark and cork
  bark
  wood

07.6 Textile wastes

07.61 Worn clothing

0 Non-hazardous
  absorbents, filter materials, wiping cloths, protective clothing
  clothes
  non-halogenated wastes from dressing and finishing
  textiles
  wastes from composite materials (impregnated textile, elastomer, plastomer)
  wastes from processed mixed textile fibres
  wastes from processed textile fibres mainly of animal origin
  wastes from processed textile fibres mainly of artificial or synthetic origin
  wastes from processed textile fibres mainly of vegetable origin
  wastes from unprocessed mixed textile fibres before spinning and weaving
  wastes from unprocessed textile fibres and other natural fibrous substances mainly of vegetable origin
  wastes from unprocessed textile fibres mainly artificial or synthetic
  wastes from unprocessed textile fibres mainly of animal origin

1 Hazardous
  halogenated wastes from dressing and finishing
07.63 Leather wastes
  0 Non-hazardous
    waste tanned leather (blue sheetings, shavings, cuttings, buffing dust) containing chromium
    wastes from dressing and finishing
    wastes not otherwise specified

08 Discarded equipment
  08.1 Discarded vehicles
    08.11 Discarded private cars
      0 Non-hazardous
        end-of-life vehicles
  08.12 Other discarded vehicles
    0 Non-hazardous
      discarded vehicles

  08.2 Discarded electrical and electronic equipment
  08.21 Discarded major household equipment
  08.22 Discarded minor household equipment
  08.23 Other discarded electrical and electronic equipment
    0 Non-hazardous
      single-use cameras with batteries
      single-use cameras without batteries
      other discarded electronic equipment (e.g. printed circuit boards)
      electronic equipment (e.g. printed circuit boards)

  08.3 Bulky household equipment
  08.31 Bulky household equipment

  08.4 Discarded machines and equipment components
  08.41 Batteries and accumulators wastes
    0 Non-hazardous
      alkaline batteries
      other batteries and accumulators
      batteries
    1 Hazardous
      transformers and capacitors containing PCB or PCTs
      lead batteries
      Ni-Cd batteries
      mercury dry cells

  08.42 Spent catalytic equipment
    0 Non-hazardous
      catalysts containing precious metals removed from vehicles
      other catalysts removed from vehicles
08.43 Other discarded machines and equipment components

0 Non-hazardous
  wastes not otherwise specified
  equipment containing chlorofluorocarbons
  other discarded equipment
  equipment containing chlorofluorocarbons

1 Hazardous
  fluorescent tubes and other mercury containing waste

09 Animal and vegetal wastes

09.1 Waste of food preparation and products

09.11 Animal waste of food preparation and products

0 Non-hazardous
  animal tissue waste
  sludges from washing and cleaning
  fleshings and lime split waste
  liming waste
  organic matter from natural products (e.g. grease, wax)

09.12 Vegetal waste of food preparation and products

0 Non-hazardous
  sludges from washing and cleaning
  plant tissue waste
  sludges from washing, cleaning, peeling, centrifuging and separation
  materials unsuitable for consumption or processing
  wastes not otherwise specified
  wastes from washing, cleaning and mechanical reduction of the raw material
  sludges from on-site effluent treatment

09.13 Mixed waste of food preparation and products

0 Non-hazardous
  materials unsuitable for consumption or processing
  oil and fat
  organic compostable kitchen waste (including frying oil and kitchen waste from canteens and restaurants)
  wastes not otherwise specified

09.2 Green wastes

09.21 Green wastes

0 Non-hazardous
  waste from forestry exploitation
  compostable wastes
09.3 Animal faeces, urine and manure
09.31 Slurry and manure
0 Non-hazardous
animal faeces, urine and manure (including spoiled straw), effluent, collected separately and treated off-site

10 Mixed ordinary wastes
10.1 Household and similar wastes
10.11 Household wastes
0 Non-hazardous
mixed municipal waste

10.12 Street cleaning wastes
0 Non-hazardous
waste from markets
street cleaning residues

10.2 Mixed and undifferentiated materials
10.21 Mixed packaging
0 Non-hazardous
mixed

10.22 Other mixed and undifferentiated materials
0 Non-hazardous
aqueous liquid waste from vitrified waste tempering
composite packaging
inorganic off-specification batches
organic off-specification batches
other inorganic wastes with metals not otherwise specified
photographic film and paper free of silver or silver compounds
solid wastes from ships’ cargoes
spent blasting grit
waste not otherwise specified
wastes whose collection and disposal is not subject to special requirements in view of the prevention of infection
wastes whose collection and disposal is not subject to special requirements in view of the prevention of infection (e.g. dressing, plaster casts, linen, disposable clothing, diapers)
welding wastes

10.3 Sorting residues
10.31 Vehicle shredder wastes
0 Non-hazardous
light fraction from automobile shredding

10.32 Other sorting residues
0 Non-hazardous
rejects from paper and cardboard recycling
shredder residues
non-composted fraction of municipal and similar wastes
non-composted fraction of animal and vegetable wastes
off specification compost
wastes not otherwise specified
screenings

11 Common sludges
11.1 Waste water treatment sludges
11.11 Sludges from treatment of public sewerage water
  0 Non-hazardous
    sludges from treatment of urban waste water
11.12 Biodegradable sludges from treatment of other waste water
  0 Non-hazardous
    sludges from on-site effluent treatment
    waste from cooling columns
    wastes not otherwise specified
    sludges from the treatment of industrial waste water
    wastes not otherwise specified
11.2 Sludges from purification of drinking and process water
11.21 Sludges from purification of drinking and process water
  0 Non-hazardous
    boiler feedwater sludges
    sludges from water clarification
    wastes not otherwise specified
11.3 Unpolluted dredging spoils
11.31 Unpolluted dredging spoils
  0 Non-hazardous
    dredging spoil
11.4 Cesspit contents
11.41 Cesspit contents
  0 Non-hazardous
    septic tank sludge
12 Mineral wastes
12.1 Construction and demolition wastes
12.11 Concrete, bricks and gypsum waste
  0 Non-hazardous
    wastes not otherwise specified
    wastes from other cement-based composite materials
    concrete
bricks
gypsum based construction materials

12.12 Waste hydrocarbonised road-surfacing material
0 Non-hazardous
  asphalt containing tar
  asphalt (not containing tar)
  tar and tar products
1 Hazardous
  insulation materials containing asbestos

12.13 Mixed construction wastes
0 Non-hazardous
  other insulation materials
  mixed construction and demolition waste

12.2 Asbestos wastes
12.21 Asbestos wastes
0 Non-hazardous
  wastes from asbestos-cement manufacture
  discarded equipment containing free asbestos
  wastes from the asbestos processing industry
  asbestos based construction materials
1 Hazardous
  wastes containing asbestos from electrolysis

12.3 Waste of naturally occurring minerals
12.31 Waste of naturally occurring minerals
0 Non-hazardous
  aqueous sludges containing ceramic materials
  dusty and powdery waste
  fresh-water drilling muds and wastes
  other non-compostable wastes
  red mud from the alumina production
  soil and stones
  soil from cleaning and washing beet
  solid wastes from primary filtration and screening
  tailings
  waste from mineral metaliferous excavation
  waste from mineral non-metaliferous excavation
  waste from stone cutting and sawing
  waste from the dressing of metalferous minerals
  waste from the dressing of non-metalferous minerals
waste from washing and cleaning of minerals
waste gravel and crushed rocks
waste preparation mixture before thermal processing
waste sand and clays
wastes from desanding
wastes not otherwise specified

12.4 Combustion wastes

12.41 Waste from flue gas purification

0 Non-hazardous
calcium based reaction wastes from flue gas desulphurisation in sludge form
calcium based reaction wastes from flue gas desulphurisation in solid form
flue gas dust
other sludges from gas treatment
other solid wastes from gas treatment
sludges from gas treatment
solid wastes from gas treatment

1 Hazardous
aqueous liquid waste from gas treatment and other aqueous liquid wastes
flue gas dust
fly ash and other flue gas treatment wastes
sludges from gas treatment
solid waste from gas treatment

12.42 Slags and ashes from thermal treatment and combustion

0 Non-hazardous
aqueous sludges from boiler cleansing
bottom ash
bottom ash and slag
dross and skimmings (first and second smelting)
furnace dust
furnace slag
other particulates and dust
other particulates and dust (including ball mill dust)
other sludges
peat fly ash
phosphorous slag
pyrolysis wastes
slags (first and second smelting)
solid waste from gas treatment
unprocessed slag
waste from the processing of slag
wastes not otherwise specified

1 Hazardous
   black drosses from secondary smelting
   boiler dust
   calcium arsenate
dross and skimmings (first and second smelting)
   fly ash
   oil fly ash
   other particulates and dust
   primary smelting slags/white drosses
   skimmings
   slags (first and second smelting)

12.5 Various mineral wastes

12.51 Artificial mineral wastes
   0 Non-hazardous
      alumina dust
      aqueous suspensions containing ceramic materials
gypsum from titanium dioxide production
off specification calcium carbonate
other particulates and dust
phosphogypsum
tiles and ceramics
waste from calcination and hydration of lime
waste glass-based fibrous materials
wastes from spirits distillation
wastes not otherwise specified

12.52 Waste refractory materials

0 Non-hazardous
casting cores and moulds containing organic binders which have not undergone pouring
casting cores and moulds containing organic binders which have undergone pouring
furnace dust
spent linings and refractories
used carbon strips and fireproof materials from electrolysis
wastes not otherwise specified

1 Hazardous
   spent pot linings
   spent activated carbon from flue gas treatment
12.6 Contaminated soils and polluted dredging spoils

12.6.1 Polluted soils and rubble

1 Hazardous oil spills

12.6.2 Polluted dredging spoil

13 Solidified, stabilised or vitrified waste

13.1 Solidified or stabilised waste

13.1.1 Solidified or stabilised waste

0 Non-hazardous wastes stabilised/solidified with hydraulic binders
0 wastes stabilised/solidified with organic binders
0 wastes stabilised by biological treatment

13.2 Vitrified wastes

13.2.1 Vitrified wastes

0 Non-hazardous vitrified wastes
STATEMENT OF THE COUNCIL’S REASONS

I. INTRODUCTION


2. The Economic and Social Committee delivered its opinion on 22 September 1999 (2).


II. OBJECTIVES

The aim of this proposal is to establish a framework for the production of Community statistics for monitoring the implementation of waste policy. Within the framework thus defined, Member States will have to submit regular statistics on waste generation, recovery and disposal.

III. ANALYSIS OF THE COMMON POSITION

A. GENERAL COMMENTS

A logical classification system, one which is based on management practice but which is unambiguous (without overlaps, for example), scientifically justified and based on unequivocal common definitions, is essential for the production of statistics. Such preconditions do not yet exist in certain areas, such as waste arising from agriculture and fishing or the import and export of waste. The Common Position recommends that pilot studies should be conducted that assess the relevance and feasibility of obtaining data and evaluate the costs and benefits of collecting the data and the burden on enterprises, in order to decide whether such areas are to be incorporated into the scope of the Regulation.

A proper balance needs to be struck between relevant statistics which help achieve the objective sought and the workload on and cost to undertakings and public administrations. The Common Position favours high-quality statistics produced at regular intervals rather than over-frequent and excessively detailed statistics. However, data must be produced sufficiently frequently to ensure that statistical series are rapidly available. Moreover, synchronisation with other international requirements will help optimise the information system. For these reasons, a two-year period has been chosen in the end in the Common Position for all Community waste statistics.

The comparability of the data submitted by Member States must be guaranteed by establishing minimum quality standards. However, such comparability is not affected by Member States' freedom to choose their statistical methods. Member States must continue to enjoy such freedom in accordance with the subsidiarity principle; it enables methods to be adapted to Member States' different economic structures and technical conditions, thereby ensuring better overall quality at the lowest cost.

(1) OJ C 87, 29.3.1999, p. 22.
(2) OJ C 329, 17.11.1999, p. 17.
The technical characteristics do not fall within the scope of legislative acts; they must be established in accordance with the committee procedure.

B. SPECIFIC COMMENTS


1.1. The Council has incorporated amendments 1, 5 and 25 into its Common Position.

1.2. The Council has taken over the following amendments in principle or in part:

Amendments 2 and 11 (recital 7 and Article 4):

The Council cannot accept the total abolition of the transitional period since Member States must be given time to adapt their national statistical systems to the requirements of the Regulation which is to be adopted. The fact that work on this proposal has been going on for some time cannot justify the abolition of the transitional period, as it is only when the text is adopted, when its content is certain, that Member States will be able with confidence to start making the national changes necessary for its implementation.

Nevertheless, in order to respond to the concerns expressed by the European Parliament, the Council has:

— restricted the scope of the transitional period to those activities in respect of which major changes have to be made,

— underlined the individual nature of a Member State's request for derogation based on problems specific to that State which are to be examined in accordance with the committee procedure.

Amendments 3 and 12 (Articles 1 and 5):

The Council acknowledges that there is a political need for the collection of data on the import and export of waste. However, preparatory work must be carried out in order to resolve certain technical problems (inter alia the development of a methodology and common definitions) before such areas are incorporated into the Regulation.

Nevertheless, the Council has amended paragraphs 4 and 5 of Article 5 in order to give a firmer guarantee that statistics on the import and export of waste will be collected as soon as possible.

Amendment 4 (Article 1(4)):

The Council shares the European Parliament's reasoning. However, it has adopted a different wording, as a legislative text cannot refer to a text which no longer applies (Decision 94/3/EC). The emphasis is placed on the mainly substance-oriented statistical nomenclature. It is also stated that Annex III will have to be adapted in accordance with the committee procedure in order to take account of Commission Decision 2000/532/EC, which replaced Decision 94/3/EC (new paragraph 5 of the Common Position).

This new wording involves the following changes in order to make the text consistent:

— Annex II, Section 2: deletion of paragraphs 1 and 2,

— Annex III:

— change in the title,
— deletion of the codes preceding the headings (as they no longer apply) and purely editorial correction of the headings as a result of the deletion of the codes (some headings appeared several times under different codes; once the codes were deleted, the repetition of the headings no longer made sense).

Amendments 6, 7 and 8 (Article 3(1)):

The Council has incorporated the editorial amendments made by the European Parliament in the first subparagraph.

However, the Council cannot accept a uniform method of collection. Waste management is not organised by the same structures in all Member States. In accordance with the subsidiarity principle, it is for each Member State to adapt its method of collection to its own context. A uniform method of collection is unnecessary, unworkable and would lead to higher costs in return for poorer quality. The collection of data and results must be based on minimum quality standards, but the method used to comply with those standards must be chosen freely by Member States.

Amendment 10 (Article 3(3)):

The Council has accepted the deletion requested by the European Parliament. However, the economic structures and technical conditions existing in a Member State may justify that State being unable to communicate certain data. Nevertheless, the Council considers that the quality of the data provided must not suffer as a result (for example, there cannot be exemptions from the production of overall results), and that this question must be analysed and settled on a case-by-case basis in accordance with the committee procedure. It has therefore transferred the deleted text, with a more restricted wording, to Article 6(c).

Amendment 13 (Article 7(1)):

This amendment cannot be accepted as it stands because the appointment of two or more committees to assist the Commission with a view to the adoption of a single measure contravenes Decision 1999/468/EC. As the text in question is a legislative text relating to statistics, the Commission must be assisted by the Statistical Programme Committee in accordance with Article 19 of Regulation (EC) No 322/97. However, bearing in mind the European Parliament’s wish to encourage cooperation between statisticians and technicians, Article 7(4) has been amended to strengthen the advisory role of the Committee for the adaptation to scientific and technical progress of EC legislation.

Amendment 14 (Article 8(2)):

The Council shares the European Parliament's views that the proposals abolishing overlapping reporting obligations must be submitted as soon as possible. The words 'where appropriate' have been deleted in accordance with the European Parliament's amendment. However, it does not seem realistic to set a deadline before the first reporting year. A review of reporting obligations also forms part of the measures set out in the proposal for a sixth environmental action programme which is currently being examined by the European Parliament and the Council; the revisions planned for that programme and for this proposal must be conducted in parallel. Two years would appear to be a reasonable deadline.

Amendments 15 and 20 (Annex I, Section 1 and Annex I, Section 8, paragraph 1.1):

The Council has accepted the deletion of the exclusion of Division 12 of NACE REV. 1.

With regard to waste arising from agriculture, hunting, forestry and fishing, the Council shares the European Parliament’s opinion that these economic activities are not insignificant sources of waste for which a management policy must be put in place. The Council considers that assessment of the relevance and feasibility of obtaining data and evaluation of the costs and benefits of collecting the data, and the burden on enterprises in these areas should be clarified by pilot studies; to that end, it has added a new paragraph 2 to Annex I, Section 1.
Amendments 16, 22 and 23 (Annex I, Section 2, List of categories, items 31 and 32 (new); Annex II, Section 2, ‘Recovery’ table, items 12 and 13 (new); Annex II, Section 2, ‘Disposal’ table, item 5):

The Council has accepted the spirit of the European Parliament’s amendment, which aims to separate animal wastes from vegetal wastes, with regard to Annex I and the ‘Recovery’ table in Annex II, but has reworded it to take account of the terminology used in Annex III. It cannot accept it for the ‘Disposal’ table in Annex II because it is unworkable in the case of landfill, or would involve excessively high and unjustified costs in that case.

Amendments 18 and 24 (Annex I, Section 5 and Annex II, Section 5):

The Council considers that it is more important to ensure the collection of high-quality data than to increase their frequency. An annual survey in an area in which data change little from one year to the next cannot be justified from the point of view of the additional costs which it would incur for both the community and undertakings. However, in order to take account of the concerns expressed by the European Parliament and to make the text consistent, the Council has reduced to two years the periodicity for the production of statistics in the two Annexes.

Amendment 26 (Annex II, Section 8, ‘Recovery’ table):

The Council has accepted the amendment but has made the table heading clearer (recovery ‘excluding energy recovery’), as the introduction of the word ‘recovery’ without further clarification could lead to confusion given that it also covers incineration with energy recovery (which is already included in the previous heading ‘incineration’). In order to ensure consistency throughout the text, the same change has been made to Annex II, Section 2. The Council has retained the ‘+’ signs to make it clear that the data to be supplied correspond to the total of the data for item 3.

Amendment 27 (Annex II, Section 8, ‘Disposal’ table):

The Council has adopted the wording of the amendment but has retained the breakdown of the disposal operations in items 4 and 5 as they appeared in the Commission proposal. The intention is to bring data on disposal operations carried out in landfill sites (final disposal operations in a fixed permanent site) under the same heading; land treatment (D2) does not form part of this category and must remain under item 5, while surface impoundment (D4) must remain under item 4.

The Council has retained the ‘+’ signs to make it clear that the data to be supplied correspond to the total of the data for item 4 and item 5.

1.3. The Council has not taken over the following amendments:

Amendments 9 (Article 3(2)) and 19 (Annex I, Section 7, paragraph 1):

These amendments relate to technical specifications which do not belong in a legislative text and which are not sufficiently justified with regard to the criteria adopted. Such technical specifications must be established in accordance with the committee procedure following a detailed examination of all the aspects to be taken into account.

Amendment 17 (Annex I, Section 2, List of categories, old item 35 (item 36 in the Common Position)):

As Decision 2000/532/EC amended the European Waste Catalogue (EWC) with regard to this point, the Council considers it reasonable to wait until Annex III has been adapted to the new Decision before deciding whether a specific heading for ‘dredging spoils’ should be inserted into the Regulation.

Amendments 21 (Annex I, Section 8, paragraph 2) and 28 (Annex II, Section 8, paragraph 4):

The Council considers that Member States should be free to choose their statistical method on the basis of the business registers which they have at their disposal, especially since comparable results can be obtained irrespective of whether statistics are collected by local units or kind of activity units.
2. Amended Commission proposal

2.1. The Council's Common Position differs from the amended Commission proposal with regard to:

- amendments 2 and 11 (transitional period);

- amendments 15 and 20 (agriculture, hunting, forestry and fishing);

- amendments 16, 22 and 23 ('animal wastes' item). With regard to amendments 16 and 22, the Council considers that the need to include the item 'animal faeces, urine and manure', as set out in the amended Commission proposal, cannot be established until the pilot studies have been carried out concerning the inclusion of agriculture in the statistics (see point 1.2, amendments 15 and 20). It would still be possible to include it in accordance with the committee procedure;

- amendment 17 (Annex I, List of categories: dredging spoils);

- amendment 24 (frequency of production of data in the context of Annex II);

- amendment 27 (Annex II, Section 8, breakdown of disposal operations in items 4 and 5).

2.2. The Council has accepted the editorial clarifications made by the Commission to Annex II, Section 7(1), and Section 8(1).

Furthermore, the Council has:

- deleted the now superfluous codes in Annex II, Section 3(1), and Section 8(1);

- decided that Annex II, Section 8(1), should refer to all three items in Section 3 and not just to the total quantity of waste treated (item 3).