

Final call to adopt binding requirements for separate collection of bio-waste as a prerequisite for recycling within the EU Circular Economy / Waste Package

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Introduction

In Europe, currently approximately 75% of 118 and 138 million tonnes of generated and collectable bio-waste this is landfilled each year and only 25% is recycled into products such as compost and biofuels (e.g. biogas). This wasted potential of approx. 100 Mt of biowaste could significantly contribute to circular economy objectives, i.e.

1. It **closes biological material cycles**, and reduces the linear economy of landfilling waste;
2. It produces **mainly compost and digestate** which contribute significantly to the substitution of synthetic fertilisers and peat and combats the decline of soil humus and soil loss;
3. It provides a non neglectable **economic value**. For example in Austria the total turnover of biowaste recycling including collection and biological treatment ranges at 177 M€ or 94 €/ton of treated biowaste.

	Composting	AD	Total for Composting & AD		
Quantities collected & processed	Bio-Bin	0.77 Mt	Bio-Bin	0.075 Mt	
	Green waste	0.73 Mt	Commercial food waste	0.41 Mt	
	TOTAL	1.407 Mt	TOTAL	0.49 Mt	1.89 Mt
Turnover for collection, treatment & marketing	Collection	47.4 M€	Collection	34.0 M€	
	Composting	45.0 M€	Digestion	41.2 M€ *	
	Compost market	9.5 M€	* Including "green Energy" revenue of €12,-/t biowaste		
	TOTAL	101.9 M€	TOTAL	75.2 M€	177 M€
		= 72 €/t		= 155 €/t	= 94 €/ton
				= 20 €/Inhab.	

AD ... anaerobic digestion in biogas plants treating biowaste

Figure 1: Quantity of collected and treated biowaste and total and specific turnover of separate collection and recycling (composting & anaerobic digestion) of biowaste in Austria, including revenues from compost marketing and income gained from green energy.

4. **It creates a considerable number of green jobs all over the country.** Nearly 30 years of implementation of decentralised composting and later on also anaerobic digestion based on systematic source separation of bio-waste including also renewable energy from wood chip based biomass incineration created at least 1 800 new green jobs. E.g. 1 300 tons of biowaste create 1 full working place in composting.

	Total WPs	Tons / WP	Relative
Composting	1 019	1 318	56,1 %
AD	752	645	41,4 %
Biomass Inc.	45	2 222	2,5%
TOTAL	1 816 WPs	1 100 Tons/WP	

- In case of waste Incineration ...
 → ... only 10 to 20% of working places would be created for the same amount treated

WP ... full working place
 Biomass Inc. ... Incineration of wood chips from source separated woody bush and tree cuttings

Figure 2: Created working places in separate collection and recycling (composting & anaerobic digestion) of biowaste as well as renewable energy production via biomass incineration of wood chips from bush and tree cuttings in Austria.

Separate collection at the source of origin with the exception of very remote and scarcely populated areas, is the **key pre-requisite** – and this **without any further conditionality** in order to guarantee an environmentally sound, economically viable biowaste recycling that achieves,

- the best possible cost benefit relation;
- a constant highest possible level of compost/digestate quality for an economically sustainable market - fully accepted by professional and private customers;
- the highest possible bio-waste recycling rate in line with the waste hierarchy; and
- a residual waste composition, considerably freed from the source separated organic fraction, which, consequently is the primary condition for gaining high recycling rates even after mechanical separation of residual waste in a cost-effective manner.

Following this notion, we call – as a matter of urgency – upon the members of the negotiations between the Commission, the European Parliament and the European Council to support and implement the following amendments as proposed by the European Parliament (P8_TA-PROV(2017)0070 Waste, adopted on 14 March 2017).

Most important amendments which are indispensable to achieve any progress in bio-waste recycling in Europe

Amendment 90

Article 3 – point 17

Present text

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

Amendment

point 17 is replaced by the following

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

Amendment 91

Article 3 – point -17 a (new)

(ed) the following point is inserted:

"- 17a. "organic recycling" means recycling in the form of an aerobic or an anaerobic treatment, or another treatment of the biodegradable parts of waste, which

Amendment 198

Article 22 – paragraph 1

Text proposed by the Commission

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).

Amendment

1. Member States shall ensure separate collection at source of bio-waste, in accordance with Article 10(2).

Amendment 201

Article 22 – paragraph 2 b (new)

2b. The Commission shall, by 31 December 2018, propose an amendment to Regulation (EC) No 2150/2002 of the European Parliament and of the Council^{1a} to introduce European waste codes for municipal bio-waste that has been separately collected at source.

^{1a} Regulation (EC) No 2150/2002 of the European Parliament and of the Council of 25 November 2002 on waste statistics (OJ L 332, 9.12.2002, p. 1).

Amendment 237**Article 22 – paragraph 1 – subparagraph 2***Text proposed by the Commission*

They shall take measures, as appropriate, and in accordance with Articles 4 and 13, to encourage the following:

Amendment

2. Member States shall take measures, including traceability and input- and output-related quality assurance schemes, in accordance with Articles 4 and 13, to ensure the organic recycling of bio-waste in a way that fulfils a high level of environmental protection and the output of which meets relevant high quality standards.

Further amendments which complete the needed legislative framework and guidance for MSs to implement a successful bio-waste recycling scheme

Amendment 55**Recital 20 b (new)**

(20b) In order to avoid waste treatment which locks in resources at the lower levels of the waste hierarchy, to enable high-quality recycling and to boost the uptake of quality secondary raw materials, Member States should ensure that bio-waste is separately collected and undergoes organic recycling in a way that fulfils a high level of environmental protection and the output of which meets relevant high quality standards.

Amendment 81**Article 3 – point 1 a***Text proposed by the Commission*

“1a. "municipal waste" means

(a) mixed waste and separately collected waste from households including:
– paper and cardboard, glass metals, plastics, bio-waste, wood, textiles, waste electrical and electronic equipment, waste batteries and accumulators;

– bulky waste, including *white goods*, mattresses, furniture;

– garden waste, including leaves, grass clipping;

(b) mixed waste and separately collected waste from *other sources* that is *comparable* to household waste in nature, composition *and quantity*.

(c) market cleansing waste and waste from street cleaning services, including street sweepings, the content of litter containers, waste from park and garden maintenance.

Amendment

“1a. "municipal waste" means

(a) mixed waste and separately collected waste from households including:
– paper and cardboard, glass metals, plastics, bio-waste, wood, textiles, waste electrical and electronic equipment, waste batteries and accumulators;

– bulky waste, including mattresses *and* furniture;

– garden waste, including leaves, grass clipping;

(b) mixed waste and separately collected waste from *small businesses, office buildings and institutions including schools, hospitals, and government buildings* that is *similar* to household waste in nature *and* composition.

(c) market cleansing waste and waste from street cleaning services, including street sweepings, the content of litter containers, waste from park and garden maintenance.

Municipal waste does not include waste from sewage network and treatment, including sewage sludge and construction and demolition waste;'

Municipal waste does not include waste from sewage network and treatment, including sewage sludge and construction and demolition waste.

The definition of municipal waste in this Directive shall apply regardless of the public or private status of the operator managing waste;”;

Amendment 82

Article 3 – point 1 b (new)

(aa) the following point is inserted:

“1b. “Commercial and industrial waste” means mixed waste and separately collected waste from commercial and industrial activities and/or premises.

Commercial and industrial waste does not include municipal waste, construction and demolition waste or waste from sewage network or treatment, including sewage sludge;”;

Amendment 102

Article 4 – paragraph 3 – subparagraph 1

Text proposed by the Commission

3. Member States shall make use of adequate economic instruments to provide incentives for the application of the waste hierarchy.

Amendment

3. Member States shall make use of adequate economic instruments **and take other measures** to provide incentives for the application of the waste hierarchy. **Those instruments and measures may include the instruments and measures indicated in Annex IVa to encourage the implementation of the waste prevention programmes referred to in Article 29 and to support the activities aimed at achieving the preparing for re-use and recycling targets set out in paragraph 2 of Article 11 in order to maximise the uptake of secondary raw materials and to offset the cost disparities with virgin raw materials.**

Amendment 105

Article 4 – paragraph 3 b (new)

(3b) In Article 4, the following paragraph is added:

“3b. Member States shall apply the waste hierarchy in order to enhance the transition towards a circular economy. To this end, in accordance with Regulation (EU) No 1303/2013 of the European Parliament and of the Council^{1a}, Member States shall apply the waste hierarchy when allocating all Union funds and they shall prioritise prevention, re-use, preparation for re-use and recycling in the investments in the waste management infrastructure.

^{1a} Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional

Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).”;

Amendment 166

Article 11 – paragraph 1 – subparagraph 4 a (new)

(ba) In paragraph 1, the following subparagraph is inserted:

“Member States shall take measures to promote sorting systems for commercial and industrial waste for at least the following: metals, plastics, paper and cardboard, bio-waste, glass and wood.”;

Amendment 174

Article 11 – paragraph 4 a (new)

4a. The Commission shall examine the possibility of setting preparing for re-use and recycling targets that apply to commercial waste, non-hazardous industrial waste and other waste streams to be met by 2025 and 2030. To that end, by 31 December 2018, the Commission shall draw up a report, accompanied by a legislative proposal, if appropriate, which shall be sent to the European Parliament and the Council.

Amendment 223

Article 38 – paragraph -1 (new)

- 1. The Commission shall establish a platform for a regular and structured exchange of information and sharing of best practices between the Commission and the Member States, including with regional and municipal authorities, on the practical implementation of the requirements of this Directive with a view to ensuring adequate governance, enforcement, cross-border cooperation and the spread of best practices and innovations in the field of waste management.

In particular, the platform shall be used to:

- exchange information and share best practices with regard to the instruments and incentives used in accordance with Article 4(3) in order to boost the achievement of the objectives laid down in Article 4.
- exchange information and share best practices as regards measures laid down in paragraphs 1 and 2 of Article 8;
- exchange information and share best practices with regard to prevention and the setting up of systems which promote re-use activities and the extension of life span;
- exchange information and share best practices on the implementation of the obligations with regard to separate collection;
- exchange information and share best practices with regard to the instruments and incentives towards achieving the targets laid down in points (c) and (d) of Article 11(2) and in Article 21;
- share best practices for developing measures and systems to trace municipal waste streams from sorting to final recycling process, which is of key importance in controlling quality of waste and measure the losses in waste streams and recycling processes.

The Commission shall make the results of that exchange of information and sharing of best practices publicly available.

Amendment 234**Annex IV a (new)**

The following Annex IVa is inserted:

“Annex IVa

Indicative list of instruments to promote a shift to a circular economy

1. Economic instruments:

1.1 progressive increase of landfill taxes and/or fees for all categories of waste (municipal, inert, others);

1.2 introduction or increase of incineration taxes and/or fees;

1.3 introduction of ‘pay-as-you-throw’ systems;

1.4 measures to improve the cost efficiency of existing and forthcoming producer responsibility schemes;

1.5 extension of the scope of the financial and/or operational producer responsibility to new waste streams;

1.6 economic incentives for local authorities to promote prevention, develop and intensify separate collection schemes;

1.7 measures to support the development of the re-use sector;

1.8 measures to suppress subsidies that are not consistent with the waste hierarchy;

2. Other measures:

2.1 sustainable public procurement to promote sustainable production and consumption;

2.2 technical and fiscal measures to support the development of markets for re-used products and recycled (including composted) materials as well as to improve the quality of recycled materials;

2.3 implement best available techniques for waste treatment aiming at removal of substances of very high concern where this is technically and economically viable;

2.4 measures to increase public awareness of proper waste management and litter reduction, including ad hoc campaigns to ensure waste reduction at source and a high level of participation in the separate collection schemes;

2.5 measures to ensure an appropriate coordination, including by digital means, between all competent public authorities involved in waste management, and to ensure the involvement of other key stakeholders;

2.6 use of the European Structural and Investment Funds in order to finance the development of the waste management infrastructure needed to meet the relevant targets.”.