

INTERNAL UPDATE, edition 19/2015, 4-8 May

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External

News

1. “ Better regulation” direction: EC wants to vet changes to draft EU law

On 30th of April the EC communication on the better regulation ‘Better Regulations for Better Results’ was leaked. This policy paper will be presented by the EC on 19 May and experts are concerned that this European Commission strategy on cutting administrative costs and simplifying regulation could conflict with environmental policy aims, health, safety and consumer standards.

The leaked policy paper indicates that the Commission wants to introduce checks on Member States’ and MEPs’ powers to substantially depart from its policy proposals and calls for “an impact assessment on any substantial amendments the [European] Parliament or Council propose during the legislative process”. Observers say that many environmental laws adopted in recent years have been strengthened during the legislative process. The Commission also “urges” national governments to “avoid unjustified ‘gold-plating’ of EU rules”, which it defines as adding further provisions when transposing EU law into national law. However, there are cases of Member States have implemented environmental laws that go beyond EU requirements.

The Communication also takes a swipe at the trialogues: “deals are found in closed, informal meetings without taking full account of the impact or burden that compromise amendments may impose”, but will make also more consultations and strengthen its Regulatory Fitness and Performance Programme (REFIT). It will involve experts from business and civil society and all 28 member states, and be chaired by Timmermans. A new website feature called “Lighten the Load – Have your say” will be set up so that the public can comment on any EU law at any time. Any stakeholder will be able to give opinions and make suggestions as to how EU laws can be improved, the draft, says. Consultations will now cover “the entire lifecycle of a policy”. At the start of an initiative “Roadmaps” will be open for comment from the public and 12 week public consultations will be held during the impact assessment process and during evaluations of existing laws. After the Commission adopts a bill, the public, and interested organisations, will have an eight week window to give feedback. That will be given to the Parliament and Council before they debate a bill. For the first time, draft delegated acts and implementing acts –

additional non-essential clauses on how to put the law into practice – will be also open to public consultation for four weeks. A news aspect is that a reinforced Regulatory Scrutiny Board will replace the Impact Assessment Board. It will have six full time members and three hired from outside of the EU institutions. Impact assessments will need to be backed by the board, which will also scrutinise existing laws, before the Commission will consider a policy proposal. But critics are concerned that the board would have a veto on a bill before the Parliament and Council can debate it. They also believe that any independent board member is likely to be extremely business friendly.

More information:

<http://www.euractiv.com/sections/science-policymaking/commission-wants-vet-changes-draft-eu-law-314243>

Access to the leaked document:

http://www.euractiv.com/files/better_reg.pdf

2. EC published the Circular Economy Strategy Roadmap

The European Commission has published the Circular Economy Strategy Roadmap. In the document it is explained the direction the EC is going to take regarding the Circular Economy Package and the Waste proposal. The lead of the Circular Economy is taken by DG Env and DG Grow and therefore the final objective of the package is not only a commitment towards sustainable development but also to give a new boost to Jobs, Growth and Investment. It is justified the withdrawal of the initial Package, on one hand because the Circular Economy was exclusive focused on waste management and it should “close the loop” and on the other hand regarding the Waste Proposal because the EC wants to make it more country-specific and achieve a better implementation. For that, according to the document, it is needed to review the existing waste targets and design an effective recycling legislation to provide signals and legal certainty to economic operators for a functioning of a single market and a level-playing field in terms of environmental protection and resource efficiency. For the circular economy, the EC wants to create conditions for its development of new markets and business models aiming in general at decreasing residual waste while increasing the use of secondary raw materials in the EU economy. This

will be encouraged by research and innovation, effective financing and will have an appropriate monitoring progress.

With respect to the final documents that the EC is going to release there are two: i) are a revised proposal on the waste review and ii) a Communication explaining the rationale of the Circular Economy with an action plan including a list of action in each pillar of intervention with precise deadlines to be followed-up by the Commission. Each pillar of intervention will be regulated by a legislative, non-legislative or financial instruments. The information that the EC will use for those documents is mostly already gathered and the document provides a list of all the sources of useful information (on sustainability, food waste, ecodesign, energy, raw materials, competition, waste, markets etc.) but indicate that an appropriate stakeholder consultation will be carried out in the preparation for the new initiative (on the Circular Economy), including an online consultation and a stakeholder meeting.

Download the Roadmap:

http://ec.europa.eu/smart-regulation/impact/planned_ia/docs/2015_env_065_env+_032_circular_economy_en.pdf

3. Opinion of the Committee of the Regions in the Circular Economy

The European Committee of the Regions (CoR), published in the EU Official Journal their opinions and amendments for the document “Towards a circular economy: review of EU waste legislation”. The CoR calls for clear definitions on “municipal waste”, “prepared for reuse and recycled”, “collection” and “separate collection” and affirms the importance of establishing a single method of calculation. The CoR also supports the principle of EPR and propose the introduction of minimum requirements and emphasises the need of a binding target for reducing waste generation in the Waste Framework Directive (WFD) to improve compliance with the waste hierarchy. It sees this as the “most efficient method” to cut the environmental and financial costs of waste management. The overall goal of moving to a zero-waste circular economy will be “extremely hard to achieve in regions where waste management costs are high due to low population densities and long distances to treatment facilities”. New municipal waste recycling targets should be “realistic” and guided by an analysis of why certain

member states and regional authorities have failed to meet the current targets. The CoR also regret that the directive does not give enough attention to the waste-to-energy recovery to improve the chances of member states hitting waste targets. Burning non-recyclable waste to generate energy would also reduce the EU's dependence on imported energy.

Committee of the Regions communication:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2015:140:FULL&from=EN>

4. Key MEPs released a Common Press Statement on the Circular Economy

The European Parliament's five biggest groups are increasing pressure on the European Commission to ensure that the revised Circular Economy Package is indeed more ambitious than the previous one. Italian rapporteur on the review of the waste targets, Simona Bonafé from the Socialists & Democrats (S&D) Group and shadow rapporteurs (for the European People's Party (EPP) group, Karl-Heinz Florenz, Belgian Mark Demesmaeker for the European Conservatives and Reformists (ECR), Dutch Gerben-Jan Gerbrandy for the Liberals (ALDE) and Croat Davor Škrlec for the Greens/European Free Alliance) signed an "statement on the Circular Economy" calling on the need to focus "on those areas where the EU has a clear added value". "We support EU action to improve resource efficiency and to minimise the environmental impact of waste as we stimulate the transition towards a circular economy," say the five MEPs, insisting that European businesses need "a clear policy in order to channel future investment". "A paradigm shift is needed that goes beyond the question of waste; and the waste policy should ensure that waste can be used as a valuable resource" they state. The MEPs call for a mandatory separate collection for both biowaste and construction and demolition waste to be introduced by 2020. The Commission should also look into the possibility of separate collection for textiles. Energy recovery should be limited to non-recyclable materials and a landfill ban on all recyclable and biodegradable waste should be introduced, and would be followed by a "landfill ban for recoverable waste that has to be seen in conjunction with recycling and preparation for reuse rates in order to avoid an increase of incineration" and added a list of 11 points which they argue should be included if the new proposal is to be more ambitious.

Read the full statement:

http://docs.dpaq.de/8934-circular_economy.pdf

5. CECEP released a position paper on the Circular Economy

The European Committee of Domestic Equipment Manufacturers (CECED) is a trade association that provides a consensual voice for the household appliance industry in Europe. It promotes the industry's mission to increase product innovation while reducing the environmental impact of appliances. CECED members produce large appliances such as refrigerators, freezers, ovens, dishwashers, washing machines and dryers; small appliances such as vacuum cleaners, irons, toasters and toothbrushes as well as heating, ventilation and air conditioning appliances. The association published their view on the Circular Economy Package highlighting the achievements of the industry in designing and manufacturing innovative products that cut resource use and that competition fosters improved material efficiency. They also consider that repair, refurbishment and reuse should not jeopardise consumer safety or worsen energy poverty, and remark the need to capture valuable waste and that the material loops should be open and interconnected across sectors, borders and applications in order to achieve the highest degree of resource efficiency.

Download the position paper:

<http://www.ceced.eu/site-ceced/news/2015/04/Circular-Economy-Package--The-view-of-home-appliance-manufacturers.html>

6. Poland and Slovenia face fines over WEEE and Romania in Packaging waste

The European Commission will ask the EU court to fine Poland and Slovenia for their failure to update national laws on e-waste in line with strengthened EU provisions. The two countries should have transposed the revised Waste Electrical and Electronic Equipment (WEEE) Directive by February 2014. The penalties are based on the seriousness and duration of the infringements, the Commission said. The revised WEEE directive introduces a 45% collection target for next year, with further targets set for 2019. The Commission has also threatened Slovakia with legal action for failing to transpose it.

Romania is also referred to the EU Court of Justice over its failure to enact revised EU legislation on packaging waste into domestic law. The revised Packaging Directive updates rules on packaging and packaging waste, reviewing and amending the list of illustrative examples of what constitutes packaging to ensure legal certainty and harmonise the interpretation of the definition of 'packaging'.

More information on Roland and Slovakia:

http://europa.eu/rapid/press-release_IP-15-4875_en.htm

More information on Romania:

http://europa.eu/rapid/press-release_IP-15-4874_en.htm

7. Spain plans to increase waste incineration

A Spanish draft national waste plan for 2015-20 proposes increase the amount of waste it incinerates, 10% in 2013 by 5 percentage points to 15%. The draft also includes proposals for a nationwide tax on waste incineration, which would be enforced across the country's autonomous regions. Spain's Friends of the Earth said EfW "must be placed at the tail end of the system" and called for more investment in recycling instead. The draft plan also says Spain landfilled around 5.6 million tonnes of biodegradable waste in 2012. This figure must fall to 4Mt by next year, according to the draft. However, it also concedes the end of support methods for most energy-from-waste projects has made anaerobic digestion economically unsustainable. It instead calls for more composting to take place. The Catalan waste agency's director Josep Maria Tost and director of ACR+, said the plan was ambitious but needed more detail if its implementation was to be effective. He said other regional governments need to follow the example of Catalonia, which has invested €1bn since 1993 "to bring waste management up to European standard".

More information:

<http://www.endswasteandbioenergy.com/article/1345390/spain-plans-increase-waste-incineration>

8. E-cigarette waste poses potential environmental risks

Disposable components of Electronic Nicotine Delivery Systems (ENDS), such as e-cigarettes and e-pens, could pose a potential environmental risk unless properly regulated, suggests new research. The study examined the levels of potentially toxic chemicals in disposable battery, and 'cartomiser' ENDS components. Both components, used and unused contain a great amount of oxidants (free radicals), that can damage DNA and are capable of causing harm to living organisms. Overall, the cartomisers, LIBs and vapour released showed oxidant reactivity similar to conventional cigarette filters and may pose a risk to the environment. They do note that they did not test a wide range of different ENDS, and results are likely to vary between manufacturers, and depend on the specific vapour liquid flavouring used. However, the findings do raise concerns about the unregulated or improper disposal, storage and recycling of reusable and non-reusable ENDS components. Within the European Union, the Directive 2006/66/EC on the management of waste batteries and accumulators obliges Member States to ensure that in 2016, the level of collection of portable batteries is 45%. Likewise, the Directive 2012/19/EU requires Member States to adopt appropriate measures to minimise the disposal of waste electric and electronic equipment in the form of unsorted municipal waste and to achieve a level of collection of 45% in 2016. Both Directives contribute to diminishing, although not avoiding, the risks for the environment entailed by the use of e-cigarettes.

More information:

http://ec.europa.eu/environment/integration/research/newsalert/pdf/e-cigarette_waste_poses_potential_environmental_risks_413na1_en.pdf

Eco-design

9. Study shows eco-design potential for resource efficiency

The Joint Research Centre published a report on the potential of eco-design to promote resource-efficiency. The study analysed two end-of-life scenarios for a 12-place setting dishwasher: shredding, and combined treatment involving preliminary dismantling followed by shredding. The report found that resource efficiency would be enhanced also if certain components are extracted manually before

shredding. In particular, the JRC proposed limiting the time for extraction of printed circuit boards larger than 10cm², LCD screens and pumps to no more than 300 seconds in order to be economically viable. Improved extractability will increase the yearly recovery rates of copper by 1.031 tonnes, silver by 247kg, gold by 50kg and palladium by 27kg, and provide a potential economic benefit of €6.3 million to €6.6 million. It would also prevent the dispersion of several potential hazardous substances that PCBs and LCD screens contain, such as cadmium, mercury and other heavy metals. Other factors, including setting a minimum two-year warranty period for parts such as pumps, electronics, heating systems and door panels, would also add to improved life-cycle impacts, the report said. The JRC said its proposals could be implemented in the context of the Ecodesign Directive when appropriate standards are developed.

Technology and business

10. 'First of its kind' waste-to-biofuel facility planned to produce jet fuel

Spanish renewables company Abengoa has been awarded a €178m contract to build a waste-to-biofuel facility in the US. The contract was awarded by Fulcrum BioEnergy on 5 May for what it claims will be the first biorefinery to use gasification technology to convert municipal solid waste into syncrude. The syncrude will later be upgraded into jet fuel, according to Abengoa. The full scope of the contract includes engineering, design and construction as well as participating in the development of the project, which is still being fleshed out. The plant is designed to produce more than 10 million gallons of biofuels per year, although waste processing volumes have not yet been revealed. The biorefinery will be located in the Tahoe-Reno Industrial Center in Nevada.

Conferences, seminars and meetings

External

11. CEEP, Public Services Summit, 20 and 21 May 2015, Brussels

The event will bring together European leaders of public services and decision-makers around the topic 'Re-investing in Europe: Investing in Public Services'

More information:

<http://www.ceep.eu/pss/>

Registration:

<http://www.eventbrite.fr/e/public-services-summit-2015-tickets-16377385200>

12. FEAD Biennial Conference: “Dynamic potential of a Circular Economy”, 23 June, London

FEAD, the European Federation of Waste Management and Environmental Services, together with the ESA, Environmental Services Association, organise an overarching conference that will bring together some great speakers from across Europe, and from every part of the circular economy.

More information and registration:

<http://www.eventbrite.co.uk/e/fead-biennial-conference-dynamic-potential-of-a-circular-economy-tickets-16430042700>

Organised by MWE members

13. Collection and recycling(Collecte et déchèterie), 20 -21 May 2015, Paris

The conference organised by Amorce and Ademe aims to provide a broad overview of innovative developments related to the collection, based mainly on experience feedback from communities and private operators. The conference is in French.

More information and registration

<http://www.amorce.asso.fr/fr/informations-pratiques/agenda/collecte-et-decheterie/>

Internal

Past:

- Meeting with the responsables of the Tridea recycling project: 4 May, Brussels
- Meeting with the representative of SYNECOM Ltd: 4 May, Brussels
- SG Vanya Veras gave a presentation for the representatives of the municipality of Tierp (Sweden): 6 May, Brussels
- SG Vanya Veras speaking and chairperson at the seminar: “Collecting Recyclable Waste”: 7-8 May, European Academy for Taxes, Economics and Law, Berlin
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Upcoming:

- Waste Treatment BREF Expert Group meeting: 13 May, online
- PC meeting and General Assembly: 26 May in Brussels
- PC meeting: 7 September
- PC meeting: 23 November in Brussels
- Seminar: 24 November in Brussels