

EU waste legislation proposals in the Circular Economy Package:
A unique opportunity to use the untapped potential of bio-waste

The European Compost Network (ECN) welcomes the legislative proposals presented in the 'Circular Economy Package', released by the European Commission on 2 December 2015, as a key milestone for resource efficiency and the achievement of a truly circular economy in Europe.

The proposals for amendments to the Waste Framework and the Landfill Directives will in our view contribute to better sorting and recycling of bio-waste. However, the following aspects should be considered carefully by co-legislators in order to reap the full benefits of bio-waste recycling:

- The limitations introduced in the provisions on the separate collection and recycling of bio-waste should be removed, to ensure that the separate collection and recycling remains the rule.
- A specific recycling target of 65% by 2025 should be introduced for bio-waste, along with a residual waste minimization target and appropriate incentives.
- A separate recycling target should be introduced for non-municipal /industrial bio-waste.
- Waste codes should be introduced for bio-waste.

Separately collecting and recycling bio-waste

ECN welcomes the ambitions set out in the European Commission's proposals and communication presented in the Circular Economy Package on 2 December 2015. Our sector is pleased with the political emphasis placed on bio-based products and the very supportive approach as regards **investments and research funding** in the processing of bio-waste. In particular, we welcome the proposed changes to Article 22 of the Waste Framework Directive (WFD), which emphasize the need for **separate collection and recycling of bio-waste**. Bio-waste comprises up to 50% of the municipal solid waste (MSW) produced in Member States: separate collection and recycling of bio-waste is crucial to meet the overall MSW recycling rates specified in Article 11(2) of the WFD.

The recycling of bio-waste contributes significantly to **circular economy objectives** at large:

1. It closes biological material cycles and **reduces the linear economy** of landfilling and waste incineration;
2. It contributes to **long-term soil fertility** through quality soil improvers and organic fertilisers;
3. It **produces bio-based products** which can replace fossil-based products such as mineral fertilisers, peat and fossil fuels;
4. It creates a **local economy with sustained jobs**. Based on experience in countries with established bio-waste recycling infrastructure, additional recycling of 100 M tonnes would lead to approximately 20,000 jobs. In addition, it contributes to improving farmers' incomes and to job creation in rural areas;
5. It contributes to climate change mitigation, by replacement of fossil energy and fuel, peat and mineral fertilisers, sequestration of carbon in soil and by avoided landfill gas emissions; and
6. **Separating bio-waste from residual waste** also enables increased recycling rates of the dry recyclables, as indicated in the recital 20 of the WFD proposal.

Making these provisions enforceable

However, we believe that **strict and enforceable requirements** are needed to ensure the separate collection of bio-waste requested from Member States. In this context, the formulation in Article 22 that "*Member States shall ensure separate collection where technically, environmentally and economically practicable and appropriate*" leaves **too much room for interpretation**. Offering too much flexibility on this point is not necessary, as experience across Europe shows that the separate collection of bio-waste is feasible in both urban and rural areas, under various geographic and climatic conditions. Therefore, ECN calls upon co-legislators to **remove the conditionalities** for the separate collection of bio-waste or at least to define precisely in which exceptional cases these exemptions could be applied.

We therefore strongly **support** the wording of amendments **23, 109, 110, 137, 138, 141, 321, 962, 989, 1209, 1211, 1212, 1214 & 1218**, on the WFD.

Introducing a recycling target

The 65% target for the preparing for re-use and recycling of municipal waste by 2030 is an important step forward. However, the importance of bio-waste in this context may be further enhanced by setting a **separate target for the recycling of bio-waste**. We suggest setting a recycling target for bio-waste from municipal solid waste at **65% by 2025**, combined with the setup of appropriate incentive schemes.

We therefore strongly **support** the wording of amendments **136, 1206, 1207** on the WFD.

Incentives for bio-waste

As bio-waste is not covered by any kind of effective incentive scheme, in order to achieve high recycling results, we propose that every Member State shall mandatorily introduce an incentive scheme dedicated to bio-waste.

We therefore strongly **support** the wording of amendments **59, 111, 140, 524, 525, 526, 527, 1234** on the WFD.

Quality of input into bio-waste recycling

High quality recycling of bio-waste is necessary, not only to protect the environment but also to guarantee a quality output for the costumers of the products coming out of this recycling. At organic recycling plants there are no sorting operations per se. Therefore, there needs to be a maximum (10%) limit on the non-biodegradable materials entering the final recycling process of separately collected bio-waste.

We therefore strongly **support** the wording of amendments **1096 & 1098** on the WFD.

Covering bio-waste generated by industries

To further harvest the potential of bio-waste for circular economy objectives, we suggest considering a **separate recycling target for non-municipal / industrial bio-waste**. This bio-waste is not covered under the definition of municipal solid waste but provides a significant resource for soil improvers, biogas and other bio-based applications.

We therefore strongly **support** the wording of amendments **3, 42, 321, 417, 1009, 1229 & 1231** on the WFD.



Accounting for bio-waste sorting and recycling

Finally, the introduction of **European waste codes for source separated municipal bio-waste** would be helpful to account for the sorting and recycling of bio-waste, as already expressed in an Ökopol study¹ in 2008. ECN would call upon the co-legislators to support the introduction of such codes.

We therefore strongly **support** the wording of amendments 1232 & 1233 on the WFD.

ECN believes that the circular economy and waste legislation proposed by the European Commission represents a unique opportunity that should not be missed to use the *“untapped potential for significant environmental and economic benefits”* offered by bio-waste, 15 years after the first Commission’s initiative on this subject. We encourage the European Parliament, the Council and the Commission to take our recommendations into account throughout the legislative process.

About ECN

The **European Compost Network (ECN)** is the leading European membership organisation promoting sustainable recycling practices by composting and anaerobic digestion of organic resources and guarding over the quality and safe use of the recovered organic fertilisers/soil improvers.

The European Compost Network is a membership organisation with 72 members from 27 European countries. Members include all European bio-waste organisations and their operating plants, research, policy making, consultants and authorities. ECN represents 22 bio-waste organisations from 14 European countries and two from outside Europe, 23 companies producing bio-based products, 10 environmental NGOs, 10 academic (research) institutes in environmental, agricultural and natural sciences and three environmental agencies.

Through its member organisations, ECN represents more than 3,000 experts and plant operators with a biological waste treatment capacity above 30 million tonnes.

¹ Ökopol: Review of the European List of Waste, November 2008: http://ec.europa.eu/environment/waste/pdf/low_review_oekopol.pdf

² European Commission: Communication on future steps in bio-waste management in the European Union, [COM\(2010\)235](COM(2010)235), 18 May 2010.