

EUROPEAN COMPOST NETWORK

ECN Position Paper on the EU Circular Economy Package

Focus: closing the loop - a waste policy revision

The European Compost Network ECN welcomes the proposal of the 'Circular Economy Package', released by the EU Commission on 2 December 2015, by guiding Europe towards more resource efficiency and circular economy.

With regard to the biowaste sector in Europe, we would like focus your attention on the waste policy revision legislative proposals:

- **2008/98/EC Waste Framework Directive (WFD) – amending document COM(2015)595;**
- **1999/31/EC Landfill Directive (LD) – amending document COM(2015)594.**

ECN generally agrees with the ambitions set out in the proposal. In particular, we welcome Article 22, which emphasizes the need for separate collection and recycling of biowaste. Biowaste comprises of up to 50% of municipal solid waste (MSW) produced in Member States: separate collection and recycling of biowaste is crucial to meet the overall MSW recycling rates specified in Article 11(2).

Besides, recycling of biowaste contributes significantly to circular economy objectives at large:

1. It closes biological material cycles, and reduces the linear economy of landfilling and incineration waste;
2. It contributes to long-term soil fertility, by production of 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 biowaste recycling infrastructure, additional recycling of 100 Mtonnes would lead to at least 20,000 jobs. In addition, it contributes to improving farmers' incomes and to distributed jobs in rural regions;
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.
6. Separating the bio-waste from the residual waste also enables increased recycling rates of the dry recyclables (corresponding to the recital 20).

We believe that strict requirements are needed to ensure separate collection of biowaste, which has to be implemented by the Member States across Europe. 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. This is not necessary, as experience across Europe shows that **separate collection of biowaste is feasible in both urban and rural areas, under various geographic and climatic conditions.**

The importance of biowaste in the context of overall MSW recycling targets may be further enhanced by setting a separate target for recycling of biowaste. We suggest to set a **recycling target for biowaste**

from MSW at 65% for 2025, combined with a residual waste minimization target and the set up of appropriate incentive schemes.

To further harvest the potential which biowaste has for circular economy objectives, we suggest to consider a **separate collection target for biowaste from industries**. This biowaste is not covered under the MSW definition, but provides a significant resource for soil improvers, biogas and other biobased applications.

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

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 biowaste, 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.

Specific remarks on the legislative proposals COM (2015)595 and COM(2015)594

In addition to the general points outlined above, we suggest the following amendments to some of the proposed changes and amendments.

2008/98/EC Waste Framework Directive (WFD) – amending document COM(2015)595:

Article 3 Definitions

In Article 3, 1a. (b) – ‘municipal waste’

Delete ‘and quantity’, and add ‘and material properties’

The definition then reads as follows:

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 clippings;*

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

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

Justification: How could a ‘quantity’ be quantified in comparison of households and commercial/industrial sources? Kg per person / per household / per multi storey neighbourhood (?) that is collection per week relative to a commercial or industrial premise? The quantitative criterion is

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

not relevant and hardly to be assessed properly in a traceable way. It is rather the composition and material properties which are key criteria for collection scheme and further treatment under the municipal waste management scheme.

In Article 3, 4 – ‘bio-waste’

Replace the word ‘biodegradability’ by ‘material’ and delete ‘and quantity’

The definition then reads as follows:

*Bio-waste means biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises, comparable waste from food processing plants and other waste with similar **material** properties that is comparable in nature and composition.*

In Article 3, 17a. – ‘final recycling process’

We agree with this definition. Our understanding is that biological treatment plants for separately collected biowaste fall under the definition of final recycling process. This is because biological treatment plants are plants in which separation of impurities is integrated within the biological treatment process (mechanical pre-treatment of biowaste and mechanical post-treatment of compost).

ECN remark: In relation to the definitions and the calculation of recycling targets, we ask the Commission to **provide further guidance**, especially for the calculation of recycling targets for municipal biowaste. In addition, we ask for setting an ambitious recycling target for industrial biowaste.

Article 11 Re-use and Recycling

In Article 11 (1), second sub-paragraph:

Delete ‘where technically, environmentally and economically practicable and appropriate’

Member States shall take measures to promote high quality recycling and, to this end, shall set up separate collection of waste ~~where technically, environmentally and economically practicable and appropriate~~ and to meet the necessary quality standards for the relevant recycling sectors and to attain the targets set out in paragraph 2”

Justification: Separate collection shall be implemented as principle as a means for establishing a high quality recycling market with highest possible recycling quota. By maintaining, the wording ‘technically, environmentally and economically practicable’ will open the doors for exemptions to not implement separate collection.

In Article 11 (2) (a) replacement of waste streams by the wording ‘municipal waste’

We propose to change Article 11(2) (a) as follows:

‘by 2020, the preparing for re-use and the recycling of municipal waste ~~waste materials such as at least paper, metal, plastic and glass from households and possibly from other origins as far as these waste~~

streams are similar to waste from households, shall be increased to a minimum of overall 50 % by weight;

Article 22 Bio-waste

- Delete 'where technically, environmentally and economically practicable and appropriate'

Add 'digestate' rephrase the the first sub-paragraph

The first sub-paragraph of Article 22 reads then:

Member States shall set up systems for separate collection and recycling of bio-waste to ensure the relevant quality standards for compost and digestate and to attain the targets set out in Article 11(2)(a), (c) and (d) and 11(3).

We ask also to introduce the following measures to strengthen the importance of separate collection of biowaste with the aim to achieve high recycling results also in terms of quality of the input material and of the final compost:

- Targets:

We ask to set up a recycling target of 65 % for biowaste from municipal waste by 2025. It has been previously assessed by the EC³, as a possible 2020 target (actually 66%), resulting from a combination of 90% collection target on garden waste and 60% on food waste. Now we can say that it's no more an "advanced" scenario whereas a feasible one. It's important to address food waste specifically as it has the higher impact on MSW recycling; otherwise many MS may try to collect mostly garden waste. It has to be clear that this target is on municipal biowaste (as it contributes to municipal waste recycling targets of art. 11) from source separation.

Moreover, a target on the **minimization of residual waste** should be set in order to boost recycling in general but also address municipal waste prevention initiative and to avoid over-assimilation of industrial waste to municipal. We propose **130 kg/capita and year by 2030**. A target in terms of maximum biowaste content inside residual waste (e.g. 25%) may also be set. Setting a target for biowaste in the residual waste, combined with a residual waste minimization target is an effective measure to promote **waste prevention** besides collection and recycling.

- Incentives:

As biowaste is not covered by any kind of effective incentive scheme, in order to achieve high recycling results we propose that every Member State **shall introduce mandatorily an incentive scheme dedicated to biowaste**, in other words recalling recital 7 and putting it into article 22.

We propose the following to be added in art. 22:

As biowaste is key for reaching the overall recycling targets of art. 11, by 2025 each Member States shall put in place adequate incentives for the implementation of biowaste collection and treatment, penalizing its disposal and rewarding high quality collection and treatment. Traceability and Quality Assurance Schemes aimed at restoring carbon content of soils shall be also implemented and shall be part of these incentive schemes.

³ EU Commission 2010: Accompanying the Communication from the Commission On future steps in bio-waste management in the European Union. [COM\(2010\) 235 final](#)

The EC will have to publish guidelines on how to implement effective incentive schemes and MS will have to periodically report on their implementation.

- Industrial biowaste:

We ask for the addition of a recital, stressing the need and obliging Member States to collect industrial biowaste, possibly through the use of a collection target.

- Food wastage

Add a specific encouragement to adopt food wastage reduction plans, duly considering the link with biowaste industry potential.

1999/31/EC Landfill Directive (LD) – amending document COM(2015)594.

Article 5 Waste and treatment not acceptable in landfills

In Article 5 (5) add the word ‘non-recyclable’.

The sub-paragraph reads then:

Member States shall take the necessary measures to ensure that by 2030 the amount of non-recyclable municipal waste landfilled is reduced to 10% of the total amount of municipal waste generated.

Justification: It is important that disposal is the least option that in should be opted only for the residual waste fraction, which could be send for re-use or recycling by means of separation collection, dismantling or separation techniques. Therefore, it is obviously that only non-recyclable residual waste should be sent for disposal!

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 (compost and digestate quality assurance organisations) from 14 European Countries and two from abroad, 23 companies producing bio-based products (organic fertilisers, soil improvers, growing media and, biodegradable plastics), 10 non-governmental organisation of environmental protection organisations, 10 academic (research) institutes in environmental, agricultural and natural sciences and 3 environmental agencies.

Via the member organisations, ECN represents more than 3000 experts and plant operators with more than 30 million tonnes of biological waste treatment capacity.
biological waste treatment capacity above 30 million tonnes.