

COMMISSION OF THE EUROPEAN COMMUNITIES

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REPORT FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

ON THE NATIONAL STRATEGIES FOR THE REDUCTION OF BIODEGRADABLE WASTE GOING TO LANDFILLS PURSUANT TO ARTICLE 5(1) OF DIRECTIVE 1999/31/EC ON THE LANDFILL OF WASTE

{SEC(2005) 404}

1. INTRODUCTION

This report intends to inform other Community Institutions, Member States and the interested public pursuant to Article 5(1) of Directive 1999/31/EC on the landfill of waste on the national strategies drawn up by Member States to reduce the amounts of biodegradable waste going to landfills.

The objective of Directive 1999/31/EC on the landfill of waste[1] is to prevent or reduce as far as possible negative effects on the environment, in particular the pollution of surface water, groundwater, soil and air, and on the global environment, including the greenhouse effect, as well as any resulting risk to human health, from landfilling of waste, during the whole life-cycle of the landfill.

Pursuant to Article 5(1) of the Directive Member States must set up a national strategy for the implementation of the reduction of biodegradable waste going to landfills not later than 16 July 2003 and notify the Commission of this strategy. The strategies should include measures to achieve the targets set out in Article 5(2) by means of in particular recycling, composting, biogas production or materials/energy recovery.

Article 5(2) requires the reduction of biodegradable municipal waste going to landfills to

– 75% by 16 July 2006

– 50% by 16 July 2009 and

– 35% by 16 July 2016

calculated on the basis of the total amount of biodegradable municipal produced in 1995 or the latest year before 1995 for which standardised Eurostat data is available.

Member States that landfilled more than 80 % of their municipal waste in 1995 may postpone each of the targets by a maximum of four years.

By January 2004 the Commission had received the national strategies from Austria, Denmark, France, Germany, Italy, Greece, Luxembourg, the Netherlands, Portugal, Sweden as well as regional plans for England, Wales, Scotland, Northern Ireland, Gibraltar, the Flemish Region and the Walloon Region. Ireland and Spain have not submitted their strategies. Finland's strategy was submitted too late to be included in this report. In addition, the ten new Member States had to submit their national strategies after accession. The Commission will continue to liaise with these Member States in order to obtain information covering the whole Community.

This report draws together the strategies submitted. As no format was provided for the strategies, the structure and detail of the strategies submitted vary significantly. This report consists of a description of the current status in Member States and their national strategies as well as general conclusions. This report is accompanied by a Commission staff working paper which contains a more detailed summary of the strategies and the data received from Member States.

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[1] OJ L 182, 16.7.1999, p. 1.

2. OVERVIEW OF NATIONAL STRATEGIES

Austria has already reached the last reduction target of Article 5. Austria has a legal obligation to collect biodegradable waste separately, which is then composted. Packaging waste must also be separately collected and reused or recovered. In larger construction projects the biodegradable waste must be separated. Landfills may only accept waste which has been pretreated by incineration in order to attain a TOC of less than 5% or that has undergone biological mechanical treatment.

Belgium submitted regional strategies for the Walloon Region and the Flemish Region. No strategy was submitted for the Brussels Region.

The ***Flemish Region*** already exceeds the last reduction target set by Article 5. The Flemish Waste Management Plan provides for further reductions by banning the landfilling of some wastes, such as unsorted household waste, waste collected for recovery and the combustible fraction (with a TOC of more than 6%).

The ***Walloon Region*** plans to reach the targets by setting targets for the reduction of the generation of municipal waste, for the overall recovery of waste and for recycling. Separate collection of organic waste is foreseen on a voluntary basis. New installations for biomethanation, composting and energy recovery should be created.

Denmark has already reached the last reduction target by banning the landfilling of all waste suitable for incineration.

France already largely respects the targets for 2006 and 2009. Since 2002 only 'final waste', that means waste that can not be treated anymore under the present technical and economic conditions may be accepted in landfills. Paper recycling will increase due to the new targets for recovery of packaging waste. The development of separate collection of biodegradable waste is included in many regional waste management plans. Several regional waste management plans provide new incineration plants.

Germany will fulfil the last reduction target in 2005, not only for municipal waste but for all biodegradable waste. German law provides a general separate collection obligation. Biodegradable municipal waste is separately collected and composted. Waste wood may not be landfilled. Packaging waste is collected and recovered to a high extent, the recovery quota nearing its limit. By 1 June 2005 landfills may only accept municipal waste that has been incinerated (TOC of 3%) or that has undergone mechanical biological treatment (TOC of 18%).

Italy already fulfils the target for 2006. Through economic measures, including an ecotax, the price of landfilling will increase, which will lead to a reduction of landfilling. An increase in separate collection of organic waste is foreseen in particular in the southern regions. New incineration installations will be constructed. There are landfill bans for high and medium risk animal by-products and organic healthcare waste.

Greece will postpone the attainment of the targets by four years. Greece has set up a system for the separate collection and recovery of packaging waste. Biomechanical treatment plants and/or energy recovery plants will be constructed where economically and technically feasible. The regional plans will have to be updated and include the measures to reach the

reduction targets set in the national plan. Operators of new and existing landfills must select a solution for the pre-treatment of the waste.

Luxembourg has set up different systems for the separate collection of kitchen waste, green waste and paper and wood. The two landfills for municipal waste are equipped with a separate collection station and have installations for the pre-treatment of the waste (shredding, sorting, homogenisation, organic stabilisation).

The Netherlands already fulfil the last reduction target. Most of the municipal waste is incinerated. Home composting is encouraged. Targets are set for the separate collection of organic waste. The landfilling of separately collected biodegradable waste is banned. Incineration of waste outside of installations is prohibited. For the treatment of separately collected biodegradable waste composting and fermentation are the preferred options.

Portugal has set targets for the increase of separate collection of food and garden waste initially only from the main source such as restaurants, canteens, supermarkets and at a later stage also from private households. In future only separately collected biodegradable waste will be composted. Back yard composting will be promoted. The construction of several new biological treatment plants is foreseen. A third incineration plant will be built and the expansion of existing incinerators is under consideration. Objectives for the recycling of paper packaging have been set. The increase of landfill fees and the introduction of phased landfill restrictions are under consideration.

Sweden has banned the landfilling of combustible waste and organic waste. Exemptions can be granted if there is a lack of capacity. The amount of waste for which an exemption is granted is decreasing. Most of the waste is incinerated. Biological treatment is growing.

The **United Kingdom** makes use of the possibility of the Landfill Directive to postpone the attainment of the targets by four years. In order to attain the targets the waste disposal authorities will be allocated allowances for the landfilling of biodegradable waste. Recovery and recycling targets are set for packaging waste. These allowances are tradable. Regional strategies have been developed for England, Scotland, Wales, Northern Ireland and Gibraltar.

3. CONCLUSION

3.1. The strategies

Only twelve Member States have submitted their national strategies pursuant to Article 5(1) of the Landfill Directive. Two of the twelve Member States have submitted these strategies on a regional basis. For the United Kingdom all the regional strategies were submitted. For Belgium no strategy was submitted for the region of Brussels.

The promotion of composting, recycling of paper and energy recovery are elements of all strategies. Most strategies stress the importance of using source segregated organic waste to obtain good quality compost. The level of detail of the strategies and the measures to achieve the targets vary considerably. Some Member States have chosen legally binding measures, while others have chosen voluntary measures and incentives.

Greece and the United Kingdom will postpone the reduction targets by four years.

Austria, Denmark, Germany, the Netherlands and the Flemish Region already fulfil the targets set by the Directive or have already taken the necessary measures to fulfil them. In the case of Germany the question of sufficient treatment capacity does not seem to be completely solved yet.

For Sweden no data is submitted, but the targets could be fulfilled in the next years, if the landfill bans are strictly enforced.

The strategy of the Walloon Region sets general waste reduction and recovery objectives, but no information is provided on measures to ensure achievement of the targets.

France, Greece and Italy have not provided information on the concrete measures taken to achieve the targets in their strategies. It is therefore difficult to say whether the strategies will bring about the necessary changes.

The data submitted by Luxembourg does not seem sufficient to enable an assessment of whether the targets are already achieved. The measures described in the strategy seem adequate to ensure the achievement of the targets.

The strategy of Portugal contains some information on planning of treatment installations and objectives for recycling and composting, but does not give information on the concrete measures taken to achieve these objectives.

The United Kingdom's system of tradable allowances coupled with measures to increase demand for recycled products could lead to good results, but there is a lack of information on planning of installations, which makes it difficult to see whether the objectives can be achieved in practice.

3.2. Outlook

The Landfill Directive sets landfill reduction targets to be achieved by certain dates and leaves the choice of the instruments to the Member States.

The Commission is monitoring the implementation of the Landfill Directive and the progress of Member States towards achieving the reduction targets set by the directive.

In their three-yearly reports about the implementation of the Landfill Directive Member States have to report on the amounts of biodegradable waste going to landfills for each year of the reporting period. These reports will show whether the strategies are successful and the objectives achieved. The first reports covering the years 2001 to 2003 were due in September 2004. The Commission should then present its report in June 2005. However, most Member States are late with the submission of their reports. Conclusions on whether the target of 2006 is achieved will be drawn in the second report covering the years 2004 to 2006.

Having analysed the strategies it is unclear whether the landfill reduction targets will be achieved for those Member States where this is not already the case. It looks like additional efforts will be necessary to achieve the targets. The Commission will pay particular attention to the attainment of the target of 2006 and take all appropriate measures to ensure good implementation of the directive.