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►**B**

COMMISSION DECISION

of 24 October 1994

concerning questionnaires for Member States reports on the implementation of certain Directives in the waste sector (implementation of Council Directive 91/692/EEC)

(94/741/EC)

(OJ L 296, 17.11.1994, p. 42)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Decision 2007/151/EC of 6 March 2007	L 67	7	7.3.2007
►**M2**	Commission Implementing Decision (EU) 2021/2252 of 16 December 2021	L 454	4	17.12.2021

▼B

COMMISSION DECISION

of 24 October 1994

concerning questionnaires for Member States reports on the implementation of certain Directives in the waste sector (implementation of Council Directive 91/692/EEC)

(94/741/EC)

Article 1

The questionnaires attached to this Decision, which relate to Council Directives 75/439/EEC, 75/442/EEC and 86/278/EEC are hereby adopted.

Article 2

The Member States will use these questionnaires as a basis for the drawing up of the sectorial reports they are required to submit to the Commission pursuant to Article 5 of Directive 91/692/EEC.

Article 3

This Decision is addressed to the Member States.

▼B

ANNEX

LIST OF QUESTIONNAIRES

1. Questionnaire relating to Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils [1], as last amended by Directive 91/692/EEC [2].

2. Questionnaire relating to Council Directive 75/442/EEC of 15 July 1975 on waste [3], as last amended by Directive 91/692/EEC.

3. Questionnaire relating to Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular the soil, when sewage sludge is used in agriculture [4], as amended by Directive 91/692/EEC.

[1] OJ No L 194, 25.7.1975, p. 23.
[2] OJ No L 377, 31.12.1991, p. 48.
[3] OJ No L 194, 25.7.1975, p. 47.
[4] OJ No L 181, 4.7.1986, p. 6.

▼B

Application of Directive 91/692/EEC on harmonizing and rationalizing reports on the implementation of certain Directives relating to the environment

QUESTIONNAIRE

for the report of the Member States on the transposition and implementation of Directive 75/439/EEC on the disposal of waste oils as last amended by Directive 91/692/EEC ([1])

There is no need to repeat information which has already been provided

I. INCORPORATION INTO NATIONAL LAW

1. (a) Has the Commission been provided with details of the current laws and regulations in force to incorporate the Directive as amended into national law?

(Yes/No)

(b) If the answer to (a) above is 'No', please state the reasons why.

2. (a) Have measures been taken pursuant to Article 7?

(Yes/No)

(b) If the answer to (a) above is 'Yes', has the Commission been provided with details of these measures?

(Yes/No)

(c) If the answer to (b) above is 'No', please state the reasons why.

3. (a) Have more stringent measures been adopted pursuant to Article 16?

(Yes/No)

(b) If the answer to (a) above is 'Yes', has the Commission been provided with details of these measures ?

(Yes/No)

(c) If the answer to (b) above is 'No', please state the reasons why.

II. IMPLEMENTATION OF THE DIRECTIVE

1. (a) Pursuant to Article 2 and 3, have the necessary measures been taken to ensure that waste oils are collected and disposed of without causing any avoidable damage to man and the environment ?

(b) If the answer to (a) above is 'No', please state the reasons why.

(c) If the answer to (a) above is 'Yes', please complete the following tables, as far as possible, stating whether any of the information given is an estimate.

(i)

	Year 1	Year 2	Year 3
Total oil marketed/sold where available			

(ii)

	Year 1	Year 2	Year 3
Total waste oils generated, of which :			
Quantity collected			
Quantity regenerated			

([1]) OJ No L 377, 31.12.1991, p. 48.

▼B

	Year 1	Year 2	Year 3
Quantity combusted			
Quantity tipped (including permanent storage)			

2. (a) Have any technical, economic and organizational constraints referred to in Article 3 (1) prevented the Member State from giving priority to the processing of waste oils by regeneration ?

(Yes/No)

(b) If the answer to (a) above is 'Yes', please provide details.

(c) Have any technical, economic and organizational constraints referred to in Article 3 (2) affected the feasibility of the combustion of waste oils ?

(Yes/No)

(d) If the answer to (c) above is 'Yes', please provide details.

(e) If the abovementioned constraints prevented the regeneration or combustion of waste oils, have any measures been taken in accordance with Article 3 (3) ?

(Yes/No)

(f) If the answer to (e) above is 'Yes', please provide details.

3. (a) Have any public information and promotional campaigns, pursuant to Article 5 (1), been carried out ?

(b) If the answer to (a) above is 'Yes', please provide details of national campaigns and where possible give examples of other campaigns, indicating among others the authority which launched the campaign, the nature of the campaign, the media (TV, radio, newspapers, etc.), the target groups, and any assessment of the effeciveness of the campaign if this has been carried out (it can be expressed in terms of any increase of waste oil collection for treatment or regeneration).

4. Please complete the following table, relating to undertakings collecting waste oils (state whether any of the information given is an estimate).

NUTS (*) level of supervising authority (Article 5 (4))	Number of authorities	Permitting system established (Yes/No)	Total number of undertakings registered/permitted		Comments (use a separate sheet if necessary)
			Waste oils only	Waste oils and other waste	

(*) NUTS : Nomenclature of territorial units for statistics (Eurostat).

▼B

5. (a) Has it been decided to allocate the waste oils to any of the types of processing set out in Article 3, as provided for in Article 5 (3) ?

(Yes/No)

(b) If the answer to (a) above is 'Yes', please state the nature of the allocation.

(c) If the answer to (a) above is 'Yes', please state whether appropriate checks have been instituted and, if so, briefly describe them.

6. (a) Please complete the following table, relating to undertakings which dispose of waste oils, stating whether any of the information given is an estimate.

Table A

NUTS level of authority (Article 6 (1))	Number of authorities	Number of permits (*) Waste oils only			Additional comments
		Regeneration	Combustion	Tipping (including permanent storage)	

(*) Establishments/undertakings.

Table B

NUTS level of authority (Article 6 (1))	Number of authorities	Number of permits (*) Waste oils only			Additional comments
		Regeneration	Combustion	Tipping (including permanent storage)	

(*) Establishments/undertakings.

(b) Indicate how the competent authority satisfied itself that all appropriate environmental and health protection measures (as provided for under Article 6 (2)) have been taken.

7. (a) Please complete the following table with the limit values set for the substances listed in the Annex of the Directive (Article 8 (1) (a)) and for any other parameters or substances.

Pollutant	Limit value in the Annex of the Directive		National limit value		Comments (use separate sheet if necessary)
	mg/Nm^3		Value	Unit	
Cd	0,5				
Ni	1				
	either	or			
Cr					
Cu	1,5	5			
V					
Pb	5				
CI	100				

▼B

Pollutant	Limit value in the Annex of the Directive	National limit value		Comments (use separate sheet if necessary)
	mg/Nm^3	Value	Unit	
F	5			
SO_2	—			
Dust, total	—			

(b) Please give details of the controls that apply to plants with a thermal input of less than 3 MW (Article 8 (1) (b)), indicating any national limit values that have been set by completing the following table.

Pollutant	National limit value		Comments (use separate sheet necessary)
	Value	Unit	
Cd			
Ni			
Cr			
Cu			
V			
Pb			
Cl			
F			
SO_2			
Dust, total			

(c) Please complete the following table, relating to the combustion of waste oils in plants, stating whether any of the information given is an estimate.

NUTS level of supervising authority (Article 8 (1))		Number of authorities	Additional comments
≥ 3 MW			
≤ 3 MW			

▼B

8. Pursuant to Article 11, please complete the following table with respect to the minimum quantities of waste oil as specified by Member States.

	Minimum quantity	Additional comments
Production		
Collection		
Disposal		

9. (a) Are indemnities, as provided for under Article 14, granted to undertakings which collect waste oils ?

(Yes/No)

(b) If the answer to (a) above is 'Yes', please give the average amount of these indemnities, describe the basis on which they are calculated and describe the method(s) of financing.

10. (a) Are indemnities, as provided for under Article 14, granted to undertakings which dispose of waste oils ?

(Yes/No)

(b) If the answer to (a) above is 'Yes', please give the average amount of these indemnities, describe the basis on which they are calculated and describe the method(s) of financing.

▼B

Application of Directive 91/692/EEC on harmonizing and rationalizing reports on the implementation of certain Directives relating to the environment

▼M1

QUESTIONNAIRE

for the report of the Member States on the transposition and implementation of Directive 2006/12/EC

▼B

There is not need to repeat information which has already been provided.

I. INCORPORATION INTO NATIONAL LAW

1. (a) Has the Commission been provided with details of the current laws and regulations in force to incorporate the Directive as amended into national law ?

(Yes/No)

(b) If the answer to (a) above is 'No', please state the reasons why

2. Please indicate in the table below the (estimated) number of competent authorities in each of the NUTS levels designated pursuant to Article 6 and indicate the competence by ticking the relevant boxes.

Type of authority							
	Number of authorities or institutions	Waste management plans (Article 7 (1))	Permits for disposal operations (Article 9 (1)) (*)	Permits for recovery operations (Article 10) (*)	Registration of exemptions from requirements of Articles 9 and 10 (Article 11)	Registration of establishments or undertakings pursuant to (Article 12)	Comments (use a separate sheet if necessary)
NUTS 0 (**)							
NUTS 1							
NUTS 2							
NUTS 3							
NUTS 4							
NUTS 5							

(*) Establishments / undertakings.
(**) NUTS: Nomenclature of territorial units for statistics (Eurostat).

II. IMPLEMENTATION OF THE DIRECTIVE

1. (a) Have waste management plans been drawn up in order to attain the objectives referred to in Articles 3, 4 and 5 ?

(Yes/No)

(b) If the answer to (a) above is 'No', please state the reasons why.

▼B

(c) For each waste management plan which has been drawn up, please provide details as follows (use a separate sheet if necessary)

Authority	Date of			Categories of waste covered			
	Adoption/ publication	Start of application or last update	End of application (*)	Domestic waste (yes/no)	Hazardous waste (yes/no)	Others (please specify)	Area covered

(*) In the case of an on-going plan, please state 'on-going'.

(d) (i) Has any collaboration, as referred to in Article 7 (2), taken place with other Member States or with the Commission ?

(Yes/No)

(ii) If the answer to (i) above is 'Yes', please give details of the extent and form of any such collaboration.

(e) (i) Has the Commission been provided with details of any general measures taken pursuant to Article 7 (3) ?

(Yes/No)

(ii) If the answer to (i) above is 'No', please state the reasons why.

2. (a) Has the Commission been provided with details of any measures intended to be taken pursuant to Article 3 (1) ?

(Yes/No)

(b) If the answer to (a) above is 'No', please state the reasons why.

3. (a) Have measures been taken in fulfilment of the obligation in Article 5 (1) to establish an integrated and adequate network of disposal installations ?

(Yes/No)

(b) If the answer to (a) above is 'Yes', please give details.

(c) Please give details of the extend and form of any collaboration which may have taken place with other Member States in fulfilling the obligation in Article 5 (1).

(d) What degree of self-sufficiency in waste disposal has been attained in the Member State ? Please illustrate this answer with actual or estimated figures for the waste produced and disposed of within the Member State, out of the total waste produced in the Member State requiring disposal.

▼M1

4. Pursuant to Article 7(1), please give the following details, where available, indicating whether any of the figures given is an estimate:

	Household and similar waste (tonnes/year)
Total waste produced (*) of which:	
recycled (*)	
incinerated (*)	
incinerated with energy recovery (*)	

▼**M1**

	Household and similar waste (tonnes/year)
landfilled (*)	
others, please specify (*)	

(*) Within the Member State

▼**B**

5. (a) Have general rules been adopted to provide exemptions pursuant to Article 11 ?

(Yes/No)

(b) If the answer to (a) above is ‘Yes’ but the Commission has not been informed of the general rules adopted, please state the reasons why.

6. (a) Are any of the types of establishments or undertakings referred to in Articles 9 and 10 required to keep records, pursuant to Article 14, in standard form ?

(Yes/No)

If yes, please give details.

(b) Are producers required to comply with Article 14 ?

(Yes/No)

If yes, please give details.

▼B

Application of Directive 91/692/EEC on harmonizing and rationalizing reports on the implementation of certain-Directives relating to the environment

▼M2

QUESTIONNAIRE

for the report of the Member States on the transposition and implementation of Council Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture [1], as amended by Council Directive 91/692/EEC [2] and Regulation (EU) 2019/1010 of the European Parliament and of the Council [3]

▼B

There is no need to repeat information which has already been provided.

I. INCORPORATION INTO NATIONAL LAW

1. (a) Has the Commission been provided with details of the current laws and regulations in force to incorporate the Directive as amended into national law ?

(Yes/No)

(b) If the answer to (a) above is 'No', please state the reasons why.

2. (a) If national measures have been adopted pursuant to Article 5 to ensure that sewage sludge may not be used in soils with concentra- tions of one or more heavy metals that exceed the agreed limit values, has the Commission been notified of these measures ?

(Yes/No)

(b) If the answer to (a) above is 'No', please state the reasons why.

(c) If national measures have been adopted that are stricter than those provided for in the Directive, has the Commission been notified of these measures pursuant to Article 12 ?

(Yes/No)

(d) If die answer to (c) above is 'No', please state the reasons why.

II. IMPLEMENTATION OF THE DIRECTIVE

1. Please quote any specific conditions which have been deemed necessary for the protection of human health and the environment in accordance with the first indent of Article 3 (2), when using sludge residues from septic tanks and other similar installations for the treatment of waste water for agricultural purposes.

2. (a) With regard to Article 5, please complete the following table, stating whether any of the information given is an estimate:

[1] (OJ L 181, 4.7.1986, p. 6).

[2] Council Directive 91/692/EEC of 23 December 1991 standardizing and rationalizing reports on the implementation of certain Directives relating to the environment, (OJ L 377, 31.12.1991, p. 48).

[3] Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC (OJ L 170, 25.6.2019, p. 115).

▼B

Metal	Article 5 (1)		Article 5 (2) (a)		Article 5 (2) (b)	
	Concentration in soils		Concentration in sludges		Application in agriculture	
	Directive Annex I A	National limit values	Directive Annex I B	National limit values	Directive Annex I C	National limit values
	mg/kg dry matter	mg/kg dry matter	mg/kg dry matter	mg/kg dry matter	kg/ha/yr	kg/ha/yr
Cadmium	1 to 3		20 to 40		0,15	
Copper	50 to 140		1 000 to 1 750		12	
Nickel	30 to 75		300 to 400		3	
Lead	50 to 300		750 to 1 200		15	
Zinc	150 to 300		2 500 to 4 000		30	
Mercury	1 to 1,5		16 to 25		0,1	
Chromium	—		—		—	

(b) If the option proposed under Article 5 (2) (a) has been chosen, please indicate the maximum quantity of sludge that may be applied to the soil per surface unit per annum (in tonnes of dry matter per hectare per annum).

(c) If any less stringent limit values for heavy-metal concentrations in soils have been permitted in accordance with Annex I A, footnote 1, please complete the following table, stating whether any of the informations given is an estimate.

Metal	Number of sites (*)	Surface area covered (ha)	Soil type (including hydrological characteristics)	pH	New limit value (mg/kg dry matter)	Comments and/or reasons for the derogation (use a separate sheet if necessary)
Cadmium						
Copper						
Nickel						

▼B

Metal	Number of sites (*)	Surface area covered (ha)	Soil type (including hydrological characteristics)	pH	New limit value (mg/kg dry matter)	Comments and/or reasons for the derogation (use a separate sheet if necessary)
Lead						
Zinc						
Mercury						
Chromium						

(*) Or number of waste water treatment plants covered by the derogation.

(d) If any less stringent limit values for heavy-metal concentrations in soils have been permitted in accordance with Annex I A, footnote 2, please complete the following table (the first three columns are not obligatory):

Metal	Number of sites (*)	Maximum quantity of sludge authorized (tonnes dry matter)	Soil type (including hydrological characteristics)	PH	New limit value (mg/kg dry matter)	Comments and/or reasons for the derogation (use a separate sheet if necessary)
Copper						
Nickel						

▼B

Metal	Number of sites (*)	Maximum quantity of sludge authorized (tonnes dry matter)	Soil type (including hydrological characteristics)	PH	New limit value (mg/kg dry matter)	Comments and/or reasons for the derogation (use a separate sheet if necessary)
Zinc						

(*) Or number of waste water treatment plants covered by the derogation.

(e) If any less stringent limit values for heavy-metal concentrations in soils have been permitted in accordance with Annex I C, footnote 1, please complete the following table, stating whether any of the information given is an estimate.

Metal	Number of sites	Surface area covered (ha)	Soil type (including hydrological characteristics)	pH	New limit value (kg/ha/yr)	Comments and/or reasons for the derogation (use a separate sheet if necessary)
Cadmium						
Copper						
Nickel						
Lead						
Zinc						

▼B

Metal	Number of sites	Surface area covered (ha)	Soil type (including hydrological characteristics)	pH	New limit value (kg/ha/yr)	Comments and/or reasons for the derogation (use a separate sheet if necessary)
Mercury						
Chromium						

3. (a) With regard to Article 6, please briefly describe the technologies employed for treating sludge.

   (b) Have rules been drawn up to ensure that analyses are carried out at more frequent intervals than those provided for in Annex II A (1)?

   (Yes/No)

   (c) If the answer to (b) above is ‘Yes’, please give further details.

   (d) Have conditions been laid down for authorizing the injection or working into the soil of untreated sludge (Article 6 (a)) ?

   (Yes/No)

   (e) If the answer to (d) above is ‘Yes’, please give further details.

4. With regard to Article 7, please indicate, where appropriate, the length of the period during which it is forbidden to use sludge on grassland before it is grazed, and on forage crops before harvest.

5. (a) Have any reduced limit values or, where appropriate, any other measures, been authorized at national level where the pH of the soil is below 6, as provided for in Article 8 ?

   (Yes/No)

   (b) If the answer to (a) above is ‘Yes’, please complete the following table.

	Cadmium	Copper	Nickel	Lead	Zinc	Mercury	Chromium
Reduced limit value (mg/kg dry matter)							
Other measures							

▼B

6. (a) If appropriate, indicate which types of analysis are carried out, pursuant to Article 9, on soil parameters in accordance with Annex II B (1), other than those mentioned in Annex II B (3) (pH and heavy metals).

   (b) State the minimum frequency of soil analysis (Annex II B (2)).

7. On the basis of the data contained in the records referred to in Article 10, complete the following tables, stating whether the informa tion given is an estimate.

	Dry matter (tonnes/year)			Surface covered (optional)		
	1995	1996	1997			
Sludge produced by the waste water treatment plants						
				1995	1996	1997
Sludge used in agriculture						

SLUDGE USED IN AGRICULTURE

Average content (mg/kg dry matter)

Parameters	1995	1996	1997
METALS			
Cadmium			
Copper			
Nickel			
Lead			
Zinc			
Mercury			
Chromium			
ELEMENTS			
Nitrogen (total N)			
Phosphorus (total P)			

▼M2

Geographic location or geometry identifying the places where the sludge is to be used	
Data type *(Only one of the data types is to be used for any given geographical location or geometry.)*	**Geographic coordinates of a location or geometry** *(Location is to be represented by a point. Geometry may be a polygon or a donut polygon (polygon with a hole).)*
Agricultural parcel (*) geometry	
Cadastral parcel geometry	
Other geometry identifying the agricultural land area where sewage sludge is to be used	
Geographical coordinates of a point on an agricultural land area where sewage sludge is to be used.	

(*) As defined in Article 67(4), point (a) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549).

▼B

8. State the number of cases in which exemptions under Article 11 have been granted.

▼M2

9. National websites for dissemination of the consolidated records in accordance with Article 10(2)

   Provide links to national websites where records referred to in Article 10(1) are made available and easily accessible to the public in a consolidated format.