Introduction to Solid Waste Management and Legal framework in the European Union

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Scope

• Introduction:
  ➢ What is RTAB?

• EU Legislation:
  ➢ Structure
  ➢ Directives

• National Legislation
Introduction

• Our Brief;
• Preparatory meetings and visits;
• EU legislation – a shared framework;
• National Examples;
• Plenary Discussion
Introduction: RTAB

- RTAB = Resource Technical Advisory Body;
- Technical advisory group with cross-sectoral membership (Business, all levels of local government, 3rd Sector);
- Role prescribed in national guidance:
  - Assemble & monitor regional waste data (published as monitoring reports);
  - Identify best option for meeting future regional waste management requirements;
  - Provide strategic technical advice & guidance to local government, the waste industry and other stakeholders;
  - Share good practice
Climate Change

• In support of the Kyoto agreement, the EU has adopted a series of legislative measures to address climate change;
  ➢ By 2020, reduce emissions by 20% on 1990 levels;
  ➢ By 2020, generate 20% of total energy from renewables;
  ➢ By 2020, increase energy efficiency by 20% from 2007 levels;
  ➢ Endorsement of reductions in emissions by between 80 and 95% on 1990 levels by 2050;
EU Legislation

Needed because:

- **Safe disposal** of all waste streams and in particular hazardous waste has to be regulated by law (responsibilities, recycling quotas and thereby progress in ways of waste treatment, financing, standardised/consistent waste categories etc.)

- **International agreements** are necessary due to globalisation, rising amount of waste, joint responsibility of states to protect climate, resources and environment (e.g. methane emissions have an impact on the world’s climate – and not only on local climate) etc.
EU Legislation

• 1970s and 1980s *national regulations* on waste management in response to environmental awareness in industrial countries;

• *Globalisation, climate change and resource protection* meant that *international* agreements and regulations became necessary:
  - Harmonisation of requirements for waste management
  - Setting international standards for treatment and disposal
  - Implementation of international targets for waste *prevention, recycling, reuse*, carbon reduction/resource protection
  - Prevention from ‘waste tourism’ (cheap disposal)

• Still need national regulations, state and municipal legislation to implement and control national and international targets and standards locally
Benefits of EU guidelines

- Improvement of regulatory control of waste treatment shipments and treatment plants
- Improved control of disposal of hazardous waste
- Definition of environmental standards for waste disposal
- Increase of recycling and reuse of waste

Problems caused by EU guidelines

- Insufficient implementation of legislation and targets in some EU-states:
  - Missing standards for disposal, recycling, reuse
  - Low waste avoidance programmes
- Insufficient control mechanisms
EU Legislation: Structure

Horizontal environmental rules (e.g. Integrated pollution prevention and control)

Horizontal waste management rules (waste framework directive, hazardous waste)

- Technology related rules (e.g. incineration, landfills...)
- Waste stream related rules (e.g. End of life vehicles, packaging, WEEE)
- Rules for supervision (e.g. waste shipments)

Thematic Strategy on the prevention and recycling of waste

Environmental Strategy and Action Programmes

Diagram according to “Best Practice Municipal Waste Management” by Umweltbundesamt and Intecus GmbH
EU Legislation: Structure

• EU legislation by **directives** or **regulations**

• EU directives
  • For **alignment** of legislation by harmonisation
  • Not directly applicable; determined targets of directive have to be implemented into national law within a determined period of time
  • **Obligatory** target, but **individual implementation**

• EU regulations
  • For **standardisation** of legislation
  • Directly applicable in the EU-states (comparable to national legislation)
  • **Obligatory** target and **obligatory implementation**
EU Legislation: Structure

**European waste directives, e.g:**
- Waste framework
  - Batteries
  - Waste electrical and electronic equipment
  - Packaging
- Hazardous waste
  - Waste oil
  - End of life vehicles
  - Landfilling
  - Incineration

**European waste regulations, e.g:**
- Waste shipment (Supervision/control of shipments of waste within, into and out of the EU, Export of non-hazardous waste to non-OECD countries)
EU Legislation

Waste Framework Directive

• Implemented in 1975, last amendment in 2008;
• Sets definitions of waste, recycling, recovery;
• Explains when waste ceases to be waste;
• Establishes basic waste management principles:
  ➢ Avoid endangering human health and harming the environment
  ➢ Avoid causing a nuisance through noise or odours
  ➢ Avoid adversely affecting the countryside or places of special interest
• Establishes waste management hierarchy;
• Establishes "polluter pays principle" and "extended producer responsibility“;
• Establishes recycling and recovery targets to be achieved by 2020;
• The Directive requires that Member States adopt waste management plans and waste prevention programmes.
EU Legislation: Waste Hierarchy

1. Reduce
2. Reuse
3. Recover (Recycling, Composting, Energy from Waste)
4. Dispose
EU Legislation: Landfill Directive

Municipal solid waste treatment in EU (kg/capita)

- Landfilling is still most used waste disposal procedure in many EU-states.

2. European legislation

Municipal waste treated in 2009 by country and treatment category


Marked red: EU states
International agreements
Concerning mainly the control of transboundary movements of waste (Basel Convention, 4th Lomé Convention, Resolutions of OECD-council)

European legislation

National legislation (e.g. Germany)
Waste framework: Closed Cycle Management Act. Lots of ordinances and administrative regulations (Packaging Ordinance, TASi)

State legislation in Germany (e.g. Hamburg, Bavaria)
Concretion/completion (responsibilities) of national legislation. Administrative regulations (e.g. sealing of landfills, construction/operation of composting plants). Preparation of waste management plans.

Municipal regulation authorisation (e.g. Hamburg)
Further guidelines in municipalities (Hamburg Waste Management Act, City Cleaning Act, Official Fee Act)

Picture source: Adpic Bildagentur; www.nationalflaggen.de; www.weltkarte.com