

Brussels, January 2019

Joint statement on the European Commission's legislative proposal for a regulation establishing a framework to facilitate sustainable investment

The undersigning associations noticed with great concern that the Commission's [proposal for a regulation establishing a framework to facilitate sustainable investment](#) (also known as "taxonomy"), lists activities like "*avoiding incineration and disposal of waste*" as sustainable (Art. 9.1.i), while activities that "*[lead] to a significant increase in the generation, incineration or disposal of waste*" (Art. 12.d) are considered as harming environmental objectives.

For waste that contains substances of concern and therefore cannot be recycled in an environmentally sound way, incineration is the only sustainable option. It destroys these substances, and avoids that pollutants are spread into the environment.

Sustainable investment should follow the integrated approach and respect the waste hierarchy. As indicated in Article 4 of the Waste Framework Directive, life-cycle thinking should be taken into consideration when applying the waste hierarchy, in order to choose the most environmentally sustainable waste management option.

We need an integrated waste management approach with an appropriate and sustainable interaction of quality recycling, efficient energy recovery and environmentally sound disposal of waste that cannot be recovered. In order to achieve high recycling rates with low landfill rates, the whole waste management system from communication and collection to treatment of the residual fraction must be carefully designed and executed. Only with such a holistic process, can effective waste management which prevents environmental degradation, protects human health and generates recovered raw materials and energy to feed a circular economy succeed.

It is also important to note that the most virtuous countries (in terms of recycling) achieved their results with national policies oriented towards an integrated approach in waste management. This included, apart from efficient landfill diversion, a sound planning of treatment capacity for the residual waste that cannot be recycled. This capacity is still lacking in some Member States.

If we do not have an outlet for residual waste, we risk that the cycle gets contaminated and pollutants end up in products, on uncontrolled landfills or open fires (appearing more frequently since China and other Asian countries restricted their policy on waste import) causing damage to human health and the environment.

The Waste-to-Energy incineration sector deals with mixed materials that are difficult to recycle or materials that are degraded after several rounds of recycling (e.g. EU paper fibres are used 3.6 times on average (highest in the world) while the paper industry calculated that 22% of all paper products are impossible to collect or recycle^[1]). This is how Waste-to-Energy helps recycling by taking care of the degraded materials that cannot be used anymore for quality recycles.

Waste-to-Energy preserves the value of this residual waste in the economy by turning it into electricity and/or heat (mostly in efficient cogeneration) under strictly controlled conditions, preventing resource losses, decreasing the need for fossil fuels, increasing energy security and reducing greenhouse gas emissions. As EU Member States are drafting integrated energy and climate change plans, looking to phase-out inefficient and polluting coal-fired power plants, taking these dimensions into account is key to make the bridge between the circular economy, energy union and climate change objectives.

This is why, in order to ensure that the framework for sustainable investment does not impede on needed residual waste treatment, the undersigning associations suggest the following amendment:
Suggestions:

Compromise amendment	
Article 9.1.i	
Substantial contribution to the circular economy and waste prevention and recycling	
<i>Commission Proposal</i>	<i>Amendment</i>
Article 9.1.i (i) avoiding <i>incineration and disposal of waste</i> ;	Article 9.1.i (i) avoiding disposal <i>operations, including incineration and landfilling, in line with the waste hierarchy</i> ;

Compromise amendment (keep amendment 509)	
Article 12.1.d.	
Significant harm to environmental objectives	
Amendment 509	
Simona Bonafè, Luigi Morgano (S&D, IT)	
<i>Commission Proposal</i>	<i>Amendment</i>
(d) circular economy and waste prevention and recycling, where that activity leads to significant inefficiencies in the use of materials in one or more stages of the life-cycle of products, including in terms of durability, reparability, upgradability, reusability or recyclability of products; or where that activity leads to a significant increase in the generation, <i>incineration or disposal of waste</i> ;	(d) circular economy and waste prevention and recycling, where that activity leads to significant inefficiencies in the use of materials in one or more stages of the life-cycle of products, including in terms of durability, reparability, upgradability, reusability or recyclability of products; or where that activity leads to a significant increase in the generation <i>and disposal of waste, including incineration and landfilling, in contrast with Article 4 of the Directive 2008/98/CE</i>

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 CEWEP is the umbrella association of the owners and operators of European Waste-to-Energy Plants.
www.cewep.eu

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www.cogeneurope.eu

Paul Voss, Managing Director, Euroheat & Power
 Euroheat & Power represents the District Heating sector in Europe.
www.euroheat.org

Patrick Clerens, Secretary General, The European Suppliers of Waste-to- Energy Technology. ESWET is the European Association representing manufacturers in the field of Waste- to-Energy technology.
www.eswet.eu

Vanya Veras, Secretary General, Municipal Waste Europe
 Municipal Waste Europe is the European umbrella association representing public responsibility for waste.
<https://www.municipalwasteurope.eu>

FEAD, the European Federation for Waste Management and Environmental Services, represents the private waste and resource management industry across Europe.
<https://www.fead.be>