

A review on the first year of the EU Green Deal

FEAD's contribution to the success of the European Green Deal

Full report

11 December 2020

FEAD, the European Federation for Waste Management and Environmental Services, represents the private waste and resource management industry across Europe. FEAD's members are national waste management associations covering 19 Member States and Norway. FEAD's members represent over:

- ✓ 3,000 companies with activities in all forms of waste management;
- ✓ 60% share in the household waste market;
- ✓ Handle more than 75% of industrial and commercial waste in Europe;
- ✓ Combined annual turnover of approximately € 75 billion;
- ✓ Employment of 320,000 people who operate around 2,400 recycling and sorting centres, 1,100 composting sites, 260 waste-to-energy plants, and 900 controlled landfills.

They enable the transition to a circular economy by producing resources that can be reinjected in the economy and by supplying energy. Our companies add value through innovative and cost-efficient collection, sorting, and recycling of secondary raw materials. As a result, they play a crucial role in achieving the best economic and environmental outcomes.

● 11th December 2019 – 11th December 2020

From welcoming the European Green Deal to advocating its growth – *an Editorial by the President of FEAD, Peter Kurth*

On 11 December 2019, our Federation **welcomed** the European Green Deal (EGD) as Europe's new growth strategy. Since that day, we have worked hard to make the EGD grow stronger every day. And what a journey that has been!

Ambitions were kept high, despite the Covid-19 pandemic. **FEAD, the European Waste Management Association**, representing the private waste and resource management industry across Europe, **embraced** Europe's commitment to the green transformation to achieve a circular economy, reduce CO₂ emissions and the use of raw material resources, to combat biodiversity loss, and to create new jobs and green growth.

To mark the occasion, FEAD prepared this report highlighting **our contribution towards the implementation and success of the European Green Deal**. It contains all our relevant positions and messages that were issued on numerous public consultations. The report also serves as a **memoir** for us and our members by putting together all our key views in a transparent and concise way. But the report is not merely a record of our work, it is an **acknowledgement** of the first year of the EU Green Deal.

The one-year anniversary of the EU Green Deal is of particular importance to me personally as it coincides with my first year as the President of FEAD. I am proud of FEAD being an active partner in the discussions taking place at EU level, and, together with the companies we represent, a determined actor, of the EU Green Deal.

This report should serve as a **guidance** for what is to come, and we must build on these positive experiences to plan the next steps in 2021.

We hope you enjoy reading through our positions as much as we enjoyed working on them.

Yours sincerely,



Peter Kurth, President of FEAD



Table of most frequent abbreviations

ADR	Accord Dangereux Routier - European Agreement of 30 September 1957 concerning the International Carriage of Dangerous Goods by Road
B-to-B	Business-to-Business
CBAM	Carbon Border Adjustment Mechanism
CEAP	Circular Economy Action Plan
CO ₂	Carbon dioxide
Council	Council of the European Union <i>or</i> Council of Ministers
EC	European Commission <i>or</i> Commission
EED	Energy Efficiency Directive
EEE	Electrical and Electronic Equipment
EGD	European Green Deal <i>or</i> EU Green Deal
ELVs	End-of-life vehicles
EoW <i>or</i> E-o-W	End-of-Waste
EP	European Parliament
EPR	Extended Producer Responsibility
E-PRTR	European Pollutant Release and Transfer Register
ESR	Effort Sharing Regulation
ETD	Energy Taxation Directive
EU	European Union
EU ETS	European Union Emissions Trading System
GHG(s)	Greenhouse Gas(es)
GPP	Green Public Procurement
IED	Industrial Emissions Directive
JRC	Joint Research Center
MS	member states
OECD	Organisation for Economic Co-operation and Development
POPs	Persistent Organic Pollutants
PPWD	Packaging and Packaging Waste Directive
R1 Criterion	Annex II of the WFD defines R1 as a recovery operation which is understood as "Use principally as a fuel or other means to generate energy"
RDF	Refuse Derived Fuel
RED	Renewable Energy Directive
R&D codes	Recovery and Disposal Codes
SRM(s)	Secondary Raw Material(s)
SVHCs	Substances of Very High Concern
SSD	Sewage Sludge Directive
SRF	Solid Recovered Fuel
WEEE	Waste Electrical and Electronic Equipment
WFD	Waste Framework Directive
WSR	Waste Shipment Regulation
WtE <i>or</i> W-t-E	Waste-to-Energy

Overview of the European Green Deal



The European Green Deal (EGD) was launched on 11 December 2019 and constitutes the European Commission's commitment and response to tackling climate and environmental-related challenges of our generation.¹

"It is a new growth strategy that aims to transform the EU into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are **no net emissions of greenhouse gases in 2050** and where economic growth is decoupled from resource use. It also aims to protect, conserve, and enhance the EU's natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. At the same time, this transition must be just and inclusive. It must put people first, and pay attention to the regions, industries and workers who will face the greatest challenges. Since it will bring substantial change, active public participation and confidence in the transition is paramount if policies are to work and be accepted. A new pact is needed to bring together citizens in all their diversity, with national, regional, local authorities, civil society and industry working closely with the EU's institutions and consultative bodies."

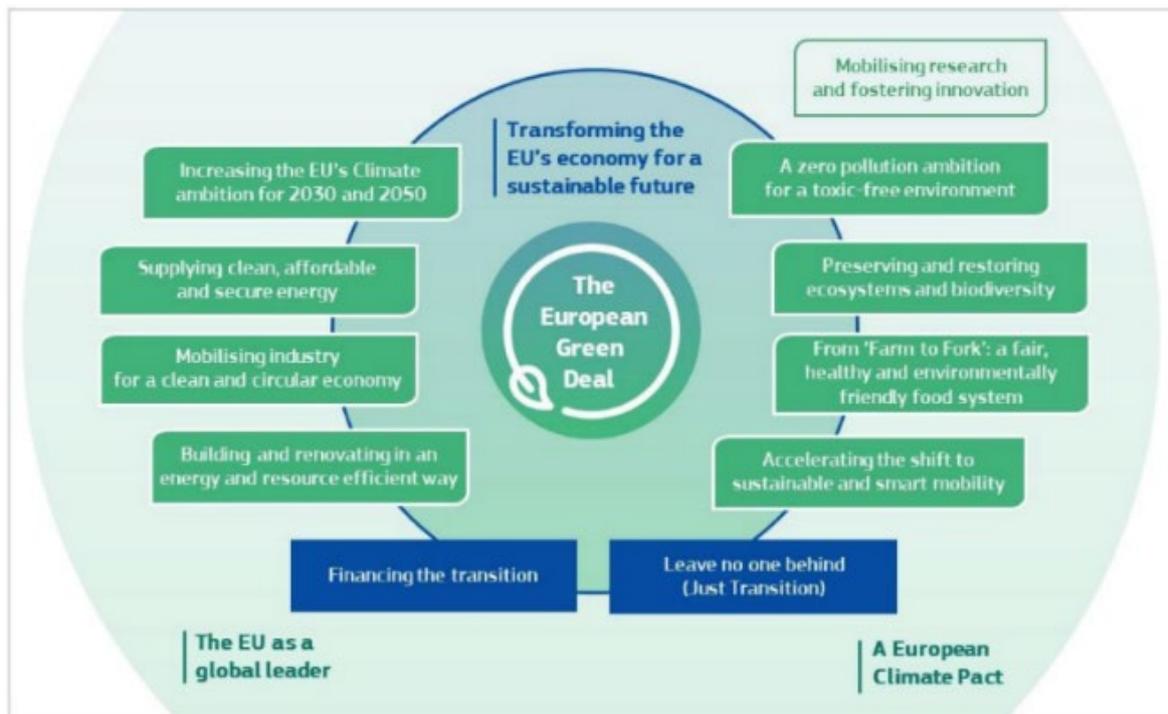
[Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee, and the Committee of the Regions - The European Green Deal, Brussels, 11.12.2019]

Ever since **FEAD** manifested a warm welcome to the European Green Deal², it has been answering the call for active public participation and has proven to be a key ally in the European Green Deal so far. A year after the EGD came into existence, our association has largely contributed to its development and its undisputed success.

¹ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee, and the Committee of the Regions - The European Green Deal, Brussels, 11.12.2019, COM(2019) 640 final, available at: https://ec.europa.eu/info/sites/info/files/european-green-deal-communication_en.pdf

² <https://fead.be/position/fead-welcomes-the-european-green-deal-2/>

The European Green Deal provides an action plan to boost the efficient use of resources by moving to a clean, circular economy, and to restore biodiversity and cut pollution. The plan outlines the required investments and the available financing tools. It explains how to ensure a just and inclusive transition, how the EU aims to be climate neutral in 2050, and a goal that will be achieved through the legally binding European Climate Law. Reaching the targets of the EGD requires action by all sectors of our economy.



Source: European Commission (2019).³

EGD actions include investing in environmentally friendly technologies, supporting industry to innovate, rolling out cleaner, cheaper and healthier forms of private and public transport, decarbonising the energy sector, ensuring buildings are more energy efficient, and working with international partners to improve global environmental standards. Waste related issues must be tackled nearly in each economic sector, by **“mobilising the industry for a clean and circular economy”**. The EU will also provide financial support and technical assistance to help those that are most affected by the move towards the green economy through the Just Transition Mechanism.⁴

³ European Commission, 2019. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal. COM/2019/640 final. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1576150542719&uri=COM%3A2019%3A640%3AFIN> . Last accessed on 11/12/2020.

⁴ https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en

Since the launch of the EGD, the European Commission and the other European Institutions have been taking actions to bring the EGD to life in all the areas mentioned above.

FEAD fully endorses the European Green Deal as the European Union's growth strategy and considers it as the best tool to attain both an economic recovery and environmental and climate targets. These targets are on the right way to address climate emergency, risks linked to resource scarcity, and the threat to biodiversity.

However, a prerequisite for achieving any targets is the valuation of natural resources, based on the valuation of their non-recoverability and the damage, caused by their exploitation. In that sense, the need for increased efficiency of materials and recirculation of high-quality materials is vital, thereby making the **circular economy's** role in the reduction of GHG emissions from raw material extraction, from products' manufacture and use, and from other economic activities, and in minimising resource consumption crucial.

The European Green Deal and the waste management sector

Waste management activities are at a crossroads with several challenges that the European Green Deal must respond to. The following objectives are core discussion points for waste management and the EGD:

- Making the best use of all resources, by optimising the **material recovery** of recyclable/recoverable waste as well as the **energy recovery** of non-recyclable waste;
- Boosting **recycling markets** with an important shock on **recyclates' demand**;
- Facilitating recycling, or even making it feasible, through binding rules on **eco-design**, including phasing out of Substances of Very High Concern (SVHCs);
- Acknowledging the positive role recycling and material recovery activities play in avoiding CO₂ emissions from the manufacturing sector, and recognising that **the entire waste management chain avoids less CO₂ than it emits**;
- Granting a **competitive advantage to recycled/recovered materials**, with higher taxation of the CO₂ and the energy content of fossil fuels.

To achieve these objectives, the following instruments need to be deployed:

- Regulatory tools ensuring **mandatory recycled content** for some priority products and flows, such as packaging, automotive, construction products, paper, Electrical and Electronic Equipment (EEE), and textiles. Mandatory recycled content rules for products are essential for the creation of a stable and competitive market for recycled materials, while they ensure the strategic availability of critical raw materials in Europe;
- A hierarchy for raw materials, giving priority to secondary raw materials;
- Stronger **implementation** and enforcement of the existing rules and targets;
- Appropriate and legally binding **eco-labelling** rules to facilitate consumers' choice, and to reflect the recyclability of products and the presence of recycled content;
- **Mandatory green public procurement rules**, on some priority sectors;

- Creation of a market for secondary raw materials coming from the recycling of textiles and Waste Electrical and Electronic Equipment (WEEE);
- **Recycling targets** for industrial and commercial waste;
- **Improvement of collection rates** in member states and putting in place appropriate schemes (door-to door collection, civic amenities, deposit and return schemes, etc.) at local and national level (i.e. for e-waste in order to boost recycling rates);
- Recognising and promoting the role of **open markets**: household waste to remain accessible to private waste management, also industrial and commercial waste to stay within a fully open market. Extended Producer Responsibility (EPR) schemes have to remain a tool for improving collection and recycling of some more difficult flows, such as household waste, but EPR should not substitute or be detrimental to performant Business-to-Business (B2B) contracts;
- Duly taking into consideration the need for resources to promote there-use industry and fully support the “right to repair, refurb, durability, and the second life of products”;
- Existing and forthcoming measures for recycling, to implement and strengthen the Waste Hierarchy, should go hand in hand with:
 - recognising the essential role of **Waste-to-Energy (R1) solutions** for non-recyclable waste, as an indispensable complement to more recycling/quality recycling. R1 installations save more CO₂ than they emit, because of the substitution of fossil fuels for heating/cooling and electricity production, and
 - **combatting large scale landfilling** with clear measures ensuring the deviation of recyclable and recoverable waste from landfilling. Environmentally sound disposal solutions should only be used for non-recyclable and non-recoverable waste;
- A **balanced policy for chemicals** by encouraging clear rules that give legal certainty to waste operators, and allow an appropriate balance between high recycling rates, and quality recycling;
- Phasing out all substances of concern, particularly in EEE;
- A **Taxonomy** that takes into consideration the role of both material and energy recovery from waste. Recovering energy from non-recyclable municipal and commercial and industrial waste in R1 installations would save approximately 119 Mt eq CO₂ emissions by 2030;

- **A revised Energy Taxation Directive (ETD)**, that considers fossil fuels' CO₂ content. Resources deriving from higher taxation could be used to support projects fostering a more circular economy. In any case, the ETD should avoid double taxation of any solutions that may be covered also by the EU Emissions Trading System (EU ETS) or other tools;
- **Revised EU waste export rules** ensuring the safe export of waste, guaranteeing environmental protection, combined with enhanced enforcement to fight illegal activities;
- Financial or **fiscal incentives** (e.g. reduced VAT): reduced price of products incorporating recycled content;
- Significant **EU funds** for investments and infrastructure in selective collection and recycling. A stronger push will be needed especially in those member states affected by a severe recession, while experiencing insufficient recycling performances and large scale landfilling;
- Strong **public support** through EU funds, especially for the green recovery from the Covid-19 pandemic and its consequences;
- **Policy coherence** among all relevant pieces of legislation;
- Recognising the role of the waste management sector in climate mitigation; and
- Incentivising cuts in CO₂ emissions from the waste management chain, by **incorporating environmental costs** into the economy and setting up an **independent calculator for avoided emissions**.

FEAD's participation in EU Green Deal initiatives

For the past year, FEAD has been actively participating in almost all initiatives, consultations, surveys, and legislative procedures that the core European institutions have introduced under the umbrella of the European Green Deal.

It is worth saying that, for us, the **circular economy** encompasses all the other initiatives.

Our work structure is based around the European Commission's Communication on the EGD, as well as other initiatives, to the extent that we have identified the following categories for our input:



Indicative list of initiatives to which FEAD has provided feedback⁵:

Circular Economy

New Circular Economy Action Plan (CEAP)

Climate Ambition

2030 Climate Target Plan (as part of the EU Climate Law)
Climate pact

Zero Pollution - Emissions

Zero Pollution Ambition for Healthier Planet & Healthier People
Carbon Border Adjustment Mechanism
EU Emissions Trading System
Effort Sharing Regulation
Methane Strategy
Sewage Sludge Directive
Industrial Emissions Directive
E-PRTR Regulation

Energy

Energy Taxation Directive
Smart Sector Integration Strategy
Renewable Energy Directive
Resource Efficiency Directive

Financing the Transition

Sustainable Investment and Taxonomy

Waste Streams & related Issues

Waste Shipments
End-of-Waste Criteria
Packaging and Packaging Waste
End-of-Life Vehicles
Batteries
Recovery and Disposal codes

Buildings

Renovation Wave
Construction Products

Consumers and Products

Consumers and Green Transition
Environmental performance of products & businesses – substantiating claims
Sustainable Products

Chemicals

Chemicals Strategy for Sustainability
Persistent Organic Pollutants (POPs)
ECHA – SCIP Database

⁵ I.e. indicative list of initiatives under the European Green Deal to which FEAD has provided feedback until the publication of this report.

FEAD’s main positions

This section presents FEAD’s main positions and key messages in response to EU initiatives.



The Circular Economy

In our view, the **circular economy** encompasses all other categories of initiatives, and all the other categories are - by definition - an integral part of the circular economy.



As illustrated in the picture above, the circular economy itself is embedded in waste management activities. The waste management sector and the circular economy’s contribution to the “green transition” go hand in hand. This is because greenhouse gas (GHG) emissions from raw material extraction and from manufacturing must be reduced while resource consumption minimised. Proper waste management of re-incorporated recycled materials in products can bring a significant reduction of CO₂ emissions in a products’ footprint and improve overall material efficiency.

However, to fully achieve the sustainability of products and services, ambitious and environmentally sound waste management practices must be fostered.

Currently, half of greenhouse emissions result from resource extraction and processing⁶. Strong recycling policies leading to significant savings in resources and energy, while avoiding CO₂ emissions, can make a significant difference along the product value chain. Favouring recycled materials over raw materials is only one way to do this. As a matter of fact, the carbon footprint of recycled PET is 90% less than the virgin counterpart, for textiles it is 98%, for steel up to 85%, aluminium 92%, paper 18%⁷.

Estimations from recent **studies** indicate that “a more circular economy can make deep cuts to emissions from heavy industry: in an ambitious scenario, as much as 296 million tonnes CO₂ per year in the EU by 2050, out of 530 in total – and some 3.6 billion tonnes per year globally.”⁸ Another study finds that “to launch a new economic and low-CO₂ agenda for EU heavy industry, major policy innovation and entrepreneurship will be required. The EU ETS provides a fundamental framework, but many stakeholders see limits to the credible commitments to future CO₂ prices that it can provide, not least given international competition. On its own, carbon pricing also does not provide sufficient incentives for innovation, nor does it address market failures that hold back many circular economy solutions.”⁹ The same study continues to highlight that “it is possible to achieve net-zero emissions from industry – if one considers a much wider solution set than is typically envisioned. Carbon capture still plays a role, but many other solutions also hold significant potential. A large part of the answer lies in a more circular economy and new business models, both to improve materials efficiency and to enable the recirculation of end-of-life plastic and steel as feedstock for new production. Innovations in industrial processes, digitisation, and renewable energy technology likewise help enable deeper reductions over time.”¹⁰

⁶ European Commission (2019). “Communication on the European Green Deal”, p.22.

⁷ According to the Bureau of International Recycling (BIR).

⁸ Material Economics. (2018). The Circular Economy - a Powerful Force for Climate Mitigation: Transformative innovation for prosperous and low-carbon industry. p. 8. Available at: [https://materialeconomics.com/publications/the-circular-economy-a-powerful-force-for-climate-mitigation-](https://materialeconomics.com/publications/the-circular-economy-a-powerful-force-for-climate-mitigation-1#:~:text=This%20report%20investigates%20how%20a,contribute%20to%20cutting%20CO2%20emissions.&text=Making%20better%20use%20of%20the,halway%20towards%20net%2Dzero%20emissions.)

[1#:~:text=This%20report%20investigates%20how%20a,contribute%20to%20cutting%20CO2%20emissions.&text=Making%20better%20use%20of%20the,halway%20towards%20net%2Dzero%20emissions.](https://materialeconomics.com/publications/the-circular-economy-a-powerful-force-for-climate-mitigation-1#:~:text=This%20report%20investigates%20how%20a,contribute%20to%20cutting%20CO2%20emissions.&text=Making%20better%20use%20of%20the,halway%20towards%20net%2Dzero%20emissions.)

⁹ Material Economics. (2019). Industrial Transformation 2050: Pathways to Net-Zero Emissions from EU Heavy Industry. p. 13. Available at: <https://materialeconomics.com/latest-updates/industrial-transformation-2050>.

¹⁰ Material Economics. (2019). Industrial Transformation 2050: Pathways to Net-Zero Emissions from EU Heavy Industry. p. 15. Available at: <https://materialeconomics.com/latest-updates/industrial-transformation-2050>.

The new Circular Economy Action Plan (new CEAP)



Brief overview

Under the European Green Deal, the **European Commission** announced on 11 March 2020 the adoption of a **new circular economy action plan (new CEAP)**, building on the actions implemented since 2015 (when the first Circular Economy Action Plan was introduced). The plan includes measures such as setting minimum requirements to prevent environmentally harmful products from being placed on the EU market; introducing an electronic product passport with information on composition, repair and dismantling possibilities; proposing further legislation and guidance on green public purchasing; new legislation, including targets and measures for tackling over-packaging and waste generation; considering legal requirements to boost the market of secondary raw materials with mandatory recycled content (for packaging, vehicles, construction materials and batteries); proposing an EU model for separate waste collection; revisiting rules on waste shipments and illegal exports.¹¹

The **European Parliament** is currently preparing an own-initiative report on the new CEAP. The Committee on Environment, Public Health and Food Safety (ENVI) is responsible for the file, with the Committees on Industry, Research and Energy (ITRE) and on Internal Market and Consumer Protection (IMCO) as Committees providing their opinion to ENVI. The **Council** will also move in the same direction, providing its own report on the new CEAP.



FEAD actions:

- ✓ Issued a [Press Release](#) (11 March 2020) welcoming the Commission's proposal for a new CEAP.
- ✓ Provided feedback (May 2020) to the Committee of the Regions - Environment Committee's draft report on the new CEAP.
- ✓ Analysed and prepared amendments and compromise amendments to the European Parliament ENVI Committee's draft report and amendments on the new CEAP. Held meetings with MEPs to discuss our positions.
- ✓ Analysed the EP IMCO and ITRE Committees' draft opinions on the new CEAP and held meetings with MEPs to discuss our positions.
- ✓ Analysed and prepared amendments to the Council's draft report on the new CEAP.

¹¹<https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-new-circular-economy-action-plan>



FEAD position:

- **Priority issues for FEAD include the following:**
 - **Establishing a hierarchy on materials:**
 - A hierarchy on materials whereby recycled materials are ranked higher than virgin materials would be an effective tool for a more resource efficient economy. This would stimulate recycling activities in the same way as the waste treatment hierarchy did years ago for the waste management routes. Pursuant to this hierarchy, any activities and use of materials with low-energy content (in particular secondary raw materials) should be positively treated in the EU market compared to those manufactured products with a much higher energy content.
 - **Secondary Raw Materials (SRMs):**
 - The tonnages produced by waste recycling activities show an **abundance of quality secondary raw materials**. Yet, there is **not enough market demand for secondary raw materials produced from waste, and the recycling market is struggling**. This lack of demand is due to the very low price of virgin raw materials compared to the price of recycled materials and needs to be strongly stimulated by regulatory means.
 - The EP ENVI Committee should call for further **regulatory instruments** (e.g. **mandatory recycled content** which would make it possible to decouple the price of recycled materials from that of virgin materials, open borders in Europe for recyclable waste), and **fiscal** (e.g. **a reduced VAT** on products with recycled content and on products that can be easily recycled, an EU own resource on non-recyclable plastic, taxes on materials where secondary materials would be taxed less than primary materials, etc.) instruments that will enable the full realisation of the circular economy in the Union. **Mandatory recycled content is a tool to intensify the use of recyclates**. That is what the experience of introducing mandatory recycling content in the Single-Use Plastics (SUP) Directive showed. The SUP Directive requires 30% mandatory recycled content in all beverage bottles by 2030, with an intermediary target of 25% in 2025 for PET bottles. This percentage will be calculated as an average for each member state. This is an essential component to ensure the success of the 90% collection target to be achieved in 2029, as well as a huge step towards stimulating the demand for secondary raw materials, and for driving the necessary investment in collection, sorting and recycling. Another example of rules towards binding recycled content are the targets already set in the Packaging and Packaging Waste Directive.
 - **Mandatory green public procurement (GPP) rules** are strong tools to boost market demand for SRMs. Public authorities at all levels will have to provide incentives for promoting the use of recycled materials via GPP. This can be done through a mandatory sectorial approach as already laid down in Directive 2009/33/EC. GPP should become the default choice with a “comply or explain”

clause, allowing for exemptions only on objective and justified grounds.

- **Selective collection schemes (single and co-mingled collection) should be broadly imposed and enforced as they lead to better quality recyclates.** Such schemes exist in a few member states but not in all. On the other hand, the support that is given in the draft ENVI report to Extended Producer Responsibility (EPR) schemes without specific conditions is problematic, since such schemes should not be considered as the only way forward. EPR schemes are a useful tool for certain streams of household waste (e.g. WEEE, batteries, tires, packaging, etc.), because it is a waste flow that is difficult to capture and recycle. But they are not ideal for industrial and commercial waste, even though all packaging waste will be under EPR schemes as from 2024 (as per Packaging and Packaging Waste Directive 94/62/EC). **Where B-to-B contracts exist**, they should be preferred to EPR schemes, as **they can be more economically efficient and environmentally performant**, offering sound collection, management, and recycling for competitive and quality results.

- **Waste exports:**
 - The role of exports is crucial. Without exports, significant selectively collected waste has no outlets, and this will lead to decreased recycling. Ensuring a predictable, stable, and safe framework for exports within and outside of the EU is key. The EU massively imports products and packaging from all over the world, but it cannot be a dead-end for related material with no back shipment under the form of (prepared & safe) waste. Additionally, the EU must intensify the efforts against waste crime and illegal exports.

- **Moreover, FEAD welcomes the inclusion in the draft report of:**
 - the EU target for a reduction in the use of primary raw materials,
 - mandatory minimum green public procurement criteria,
 - the aim of moving away from landfilling, in line with the waste hierarchy.

- **Issues that we find problematic:**
 - a cap on residual waste is not needed as long as recycling targets are set up. Residual waste has no legal definition, and a general cap is not feasible in practice.

- **Gaps in the report that should be complemented by the following:**
 - take a sectoral approach, as already elaborated by the Commission, in order to focus on the main sectors emitting GHG emissions, such as packaging, construction materials, textiles and end-of-life vehicles;
 - promote the introduction of a **European recycling label**, including for green public procurement, relating to recyclability and integration of recycled content to enable consumers and buyers to make the best-informed choices through transparent and reliable information.

Climate ambition

1) 2030 Climate target plan



Brief overview

As part of the European Green Deal, the European Commission's proposal to cut greenhouse gas emissions by at least 55% by 2030 compared to the 1990 levels, sets Europe on a responsible path to become climate neutral by 2050. This is also in line with the Paris Agreement objective to keep the global temperature increase to well below 2°C and pursue efforts to 1.5°C.



The EC's impact assessment shows how all sectors of the economy and society can contribute to the decarbonisation of the European economy and sets out the policy actions required to achieve this goal. The proposal also includes an amendment to the recently proposed European Climate Law. The EC is currently in the process of preparing detailed legislative proposals on how to achieve the 2030 target. The EC will review, and where necessary propose to revise, by June 2021, all relevant policy instruments to achieve the additional emission reductions.¹²



FEAD actions:

- ✓ Provided [feedback](#) (April 2020) to the EC Roadmap on the 2030 Climate Target Plan.
- ✓ Provided [feedback](#) (June 2020) to the EC public consultation on the 2030 Climate Target Plan.



FEAD position:

- **FEAD supports the 2030 Climate Target Plan and welcomes the targets of reducing CO₂ emissions by 55% by 2030.** FEAD sees this as a positive way to address the climate emergency, the risks linked to resource scarcity and the threat on biodiversity. Following the proposal for a European Climate Law that sets the EU-wide legally binding objective for a carbon-neutral Europe by 2050, the 2030 climate targets will require each economic sector to do its part by reducing their share of CO₂ emissions. We find it necessary to ensure the implementation of the new targets will be made economically sustainable, notably with massive EU funds dedicated to green recovery, while the

¹² https://ec.europa.eu/clima/policies/eu-climate-action/2030_ctp_en

European economy recovers following the Covid-19 crisis.

- The private waste management sector represented by FEAD stresses the **importance of the circular economy as an essential instrument to reach these ambitious climate objectives**. A prerequisite for achieving any targets is the valuation of natural resources, based on the valuation of their non-recoverability and the damage, caused by their exploitation. We believe that intermediary climate targets represent an initial tool to encourage the “green recovery” of the European economy, where the Green Deal, together with the Circular Economy Action Plan, are at the forefront of EU policies needed to fight the economic consequences of COVID-19. **We now expect the EU to set up the needed conditions allowing the waste management industry to act as their key ally in the ambitious climate objectives for 2030 and 2050.**

2) Climate Pact



Brief overview

In order to tackle climate change, and to make the European economy sustainable, cleaner, safer and healthier, it is vital to engage the public as a whole – to instill a new culture of awareness and trigger tangible joint action. The vehicle for promoting this broad social mobilisation – bringing together people, industry, civil society, and public authorities at all levels – will be the “Climate Pact”,¹³ to be launched in December 2020.



FEAD actions:

- ✓ Provided feedback (June 2020) to the EC Public Consultation on the Climate Pact.

¹³<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12219-European-Climate-Pact>



Financing the Transition – Sustainable Investment and Taxonomy Regulations



Brief overview

In its transition to a low-carbon economy, the EU is setting up sustainability criteria allowing economic activities to be classified as “green”. Entered into force in July 2020, the EU Sustainable Investment Regulation (also known as the Taxonomy Regulation), sets out general criteria determining the sustainability of activities, as a basis for a detailed description of the green activities and the creation of a unified classification system – the so-called “taxonomy”. The latter will determine which economic activities can be considered as substantially contributing to climate mitigation, adaptation and circular economy’s objectives.



As of the Regulation, the European Commission is projected to draft two delegated acts:

- a first delegated act laying down technical screening criteria for activities significantly contributing to climate adaptation and mitigation objectives, foreseen by 31 December 2020;
- a second delegated act laying down technical screening criteria for activities significantly contributing to circular economy objectives, foreseen by 31 December 2021.

To support the drafting, in September 2020, the Commission has formed the Platform for Sustainable Finance, to consult stakeholders on these objectives. FEAD works in direct contact with the platform to provide expertise on selected topics in waste management.



FEAD actions:

- ✓ Provided [feedback](#) (April 2020) to the EC Roadmap on Sustainable Finance – EU classification system for green investments.
- ✓ Conducted numerous meetings with Commission and Parliament’s representative to stress the importance of certain issues missing in the initial drafting (with a specific focus on waste-to-energy activities).
- ✓ Will provide feedback (December 2020) to the EC draft delegated act on climate adaptation and mitigation objectives.



FEAD's position:

- **FEAD focuses its work on and the role of waste-to-energy activities in the Taxonomy, which are yet to be included in the list of activities “significantly contributing to climate adaptation, mitigation and/or circular economy objectives”. In particular:**
 - waste-to-energy activities (under R1 criterion) represent a crucial environmental option for closing the loop in the circular economy, as far as non-recyclable, residual waste is concerned. It also avoids the use of fossil fuels in the production of heat and electricity.
 - thus, it is crucial that waste-to-energy activities are considered sustainable activities under the Taxonomy.



Zero Pollution – eliminating emissions & decarbonisation

1) Zero Pollution Ambition for a Healthier Planet & Healthier People



Brief overview

Under the European Green Deal, the European Union must secure clean air, water and soil, healthy ecosystems, and a healthy living environment for Europeans. In order to achieve this objective, the EU needs to better prevent, remedy, monitor, and report on pollution, integrate the zero pollution ambition into all its policy developments and decouple economic growth from the increase of pollution, in line with United Nations’ driven efforts.¹⁴



FEAD actions:

- ✓ Provided [feedback](#) (October 2020) to the EC initiative on a EU Action Plan Towards a Zero Pollution Ambition for air, water and soil.



FEAD’s position:

- To secure a safer environment, the following requirements of the waste management sector should be pointed out:
 - provide more and better information for waste operators
 - offer appropriate guidance per waste stream
 - phase out Substances of Very High Concern
 - establish mandatory eco-design rules
 - enhance implementation and enforcement of EU legislation
 - set up a methodology to deal with legacy substances
 - provide incentives for specific decontamination in view of recycling. Public support

¹⁴<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12588-EU-Action-Plan-Towards-a-Zero-Pollution-Ambition-for-air-water-and-soil>

should be considered to foster new investments related to separation and decontamination, allowing for more recycling

- foster consumer information and awareness
- new pieces of legislation for products could lead to:
 - better knowledge of products' contents
 - better separation between uncontaminated parts and contaminated parts
 - the production of risk-free recyclates and a strong European secondary raw material market
 - increase of the contaminated plastic waste fractions to be disposed of and therefore a decrease in recycling rates
 - increase in recyclates prices.
- To improve the protection of human health and the environment from the risks that can be posed by pollution, the European Commission needs to strike the right balance between the economic and environmental sustainability of products and activities.

2) The EU Emissions Trading System (ETS) & the Effort Sharing Regulation (ESR)



Brief overview

In line with the EGD's objective to achieve climate neutrality by 2050, the European Commission is reviewing all relevant EU policies against this target, including the EU Emissions Trading System (ETS) and the Effort Sharing Regulation (ESR). The latter sets binding annual GHG emission reduction targets for each EU member state from 2021 to 2030. Concerning the ETS, the EC will propose extending the ETS to new sectors of the economy, and it will also review the ETS "market stability reserve" for handling unused emissions allowances after 3 years of its operation.



FEAD actions:

- ✓ Provided [feedback](#) (November 2020) to the EC Roadmap on updating the EU Emissions Trading System (ETS) (Directive 2003/87/EC).
- ✓ Provided [feedback](#) (November 2020) to the EC Roadmap on EC Roadmap on National emissions reduction targets (Effort Sharing Regulation).



FEAD's position:

- Waste management activities avoid significant CO₂ emissions by producing secondary raw materials used in manufacturing. This helps to minimise fossil-fuel consumption because the energy content of residual, non-recyclable waste is used to produce heat/electricity. Therefore, it is evident that waste-to-energy processes avoid the use of fossil fuels, and thus avoid significant CO₂ emissions.
- **As far as CO₂ emissions are concerned, it is crucial to address the waste management sector as a whole** and privilege the most efficient regulatory instruments to address its untapped potential. Consequently, the EU legislator should consider the following:
 - the waste management sector is a relatively “small” emitter, accounting for less than 3.5% of the economy;
 - competition nor level playing field currently exists with any competitor covered by the ETS;
 - the ETS should prioritise large emissions caused by the material and energy content of products/energy processes.

The waste management sector should strive to reach the proposed climate targets, through the Effort Sharing Regulation (ESR), along with strengthening activities to reduce CO₂ and methane emissions.

- Concerning **waste-to-energy** in relation to the ETS, FEAD considers the following:
 - **Waste-to-energy activities (under R1) must not be encompassed by the EU ETS** and should remain under the Effort Sharing Regulation (ESR). National regulatory or fiscal measures are already scaling up waste treatments (up the hierarchy) this means there is more selective collection and incentives for recycling and more national taxation policies on activities such as incineration and landfills based on waste prevention and waste management plans.
 - **Waste-to-energy (under R1) installations offer a safe environmental solution for non-recyclable, non-recoverable residual waste, while at the same time recovering their energy content.** Measures for boosting recycling markets and measures to ensure an environmentally sound treatment of residual waste after recycling go hand in hand.
 - Placing waste-to-energy activities under the scope of the ETS will have no effect on the direct emissions of those installations. Only upstream actions on the CO₂ content of products (and on resulting waste) will influence emissions from waste-to-energy activities. A “double taxation” on the same driver (tonnages) in case W-to-E is also subject to the revised Energy Taxation Directive, would only result in making W-to-E

more expensive.

- **We need strong eco-design policies.** They are an effective instrument for waste prevention and recycling. Yet, strengthened eco-design rules will not significantly reduce tonnages of non-recyclable residual waste. **An improved quality of recyclates will mean more non-recyclable residues in the coming years.**
- Placing waste-to-energy activities under the ETS will have no **impact on the carbon price**, as the sector does not account for significant CO₂ emissions.
- Several EU member states do not have integrated waste management approaches in place and are likely to miss the ambitious targets set at the European level.

For the accounting of its emissions, the whole waste management sector should be addressed in a single piece of legislation, namely the ESR. Waste-to-energy activities should not be separately covered by the EU ETS.

- The Effort Sharing Regulation (ESR), which currently covers the entire waste management sector, will require a further reduction of CO₂ emissions. This can be achieved by a set of relevant national measures incentivising waste treatments high up the waste hierarchy: regulations, taxation, and public support for investment in selective collection, recycling facilities, and recovery of residual waste.
- Achieving goals set by the ESR for our sector requires all member states to take every measure to fully implement the waste hierarchy, with measures aimed at ensuring landfilling will no longer be the route for recyclable and recoverable waste. This is crucial for countries where landfilling is by far the most important waste treatment route, even for waste that should be recycled or recovered.
- Consistent national policies must address the sector as a whole. Therefore, the waste management sector should remain as a whole under the ESR.

3) Carbon Border Adjustment Mechanism (CBAM)



Brief overview:



The rationale behind the Carbon Border Adjustment Mechanism (CBAM) considers that Europe's efforts towards climate neutrality by 2050 could be weakened by the lack of ambition by international partners, which could result in a risk of carbon leakage and in global emissions not being reduced. This is the case when companies transfer production to countries that are less strict about emissions.

A new mechanism would counteract this risk, by putting a carbon price on imports of certain goods from outside the EU.¹⁵ On 16 September 2020, the European Commission President Ursula von der Leyen announced a legislative proposal on the CBAM. In its 2021 work programme, the Commission has expressed its intention to table proposals for a CBAM and a CBAM as an EU own resource in the second quarter of 2021.



FEAD actions:

- ✓ Provided [feedback](#) (April 2020) to the EC Roadmap on a Carbon Border Adjustment Mechanism.
- ✓ Provided feedback (October 2020) to the EC Public Consultation on a Carbon Border Adjustment Mechanism.



FEAD position:

- In principle, EU regulations aimed at making the economy more circular constitute increased costs along the whole product life cycle. The whole production chain is more costly when based on recycling, than when using virgin materials.
- The CBAM should help address the price gap between products containing recycled materials and those based on virgin materials. A CBAM should support regulatory measures aimed at incorporating recyclates into products, and, more generally, the waste recycling chain.
- A CBAM mechanism should take into consideration the **energy content** of imported products and put them on an equal footing with manufactured goods produced by industries subject to ETS. It would consequently cover imported products based on glass, cement, ceramic, paper, steel, aluminium, insofar as the “carbon leakage” mechanism does not fully compensate the CO₂ costs for all sectors covered by the ETS. Previously established benchmarks under the ETS can offer the needed methodologies for calculating the energy related CO₂ content of imported products, as the basis of the CO₂ cost to be reflected by the CBAM.
- The CBAM should also take into consideration the **material content** of imported products and **aim to put the same level of competitiveness on products that incorporate recyclates and products that originate from virgin materials.**
- A CO₂ compensation mechanism at the borders should work together with **EU policies based on mandatory recycled contents.** The Circular Economy Action Plan (CEAP) adopted on the 11th of March 2020 clearly aims to extend mandatory recycled content to other products, such as packaging, construction products, and vehicles.

¹⁵<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12228-EU-Green-Deal-carbon-border-adjustment-mechanism->

- The CBAM is an essential tool against eco-dumping, and a necessary complement to mandatory recycled content policies. It should also aim to strengthen European recycling markets, by consolidating the internal EU demand for recyclates. This will result in increased investments in recycling, and in a more competitive supply of recyclates.
- In addition, a CBAM should also facilitate **closing the loop within the EU economy** by sourcing more waste as a material resource in industrial production. EU manufacturing industries would benefit from an improved competitiveness on products containing recyclates, compared to imported products based on virgin materials.
- Furthermore, a CBAM would allow EU industries to **compete on an equal footing** with competitors from developing countries which do not regulate their industries' carbon emissions, nor regulate the whole material product life cycle by requesting the incorporation of recyclates in manufactured goods.
- Regarding “green” manufacturing as part of the **eco-labelling** scheme foreseen by the Circular Economy Action Plan, the EC should envisage a **carbon label** on products that are manufactured or sold within the Union. It would reflect the CO₂ intensity in products, while showing the performance of products using recycled materials versus products that are made only with virgin resources.
- Undoubtedly, the implementation of a CBAM would face numerous practical, economic and legal challenges, under International Trade Law and especially with ensuring the mechanism is WTO-compatible. The mechanism must be applied to developing countries and trade partners without prejudice to the non-discrimination principle. The key is to structure any accompanying measure as a straightforward extension of the domestic climate policy to imports. The CBAM should be deployed gradually, starting with pilot sectors, where carbon content of product is easy to evaluate and establish, both for domestic and for imported products.
- To design a functioning and successful CBAM, FEAD believes that further cost-benefit analyses and impact assessments are needed, by comparing the carbon footprint of products with recycled content and products with virgin materials. Such an assessment would show the importance of mandatory recycling content in the EU industries and how that should be linked with the CBAM.

4) EU Methane Strategy and Sewage Sludge Directive



Brief overview:

Under the EGD, the Commission launched an initiative to evaluate Directive 86/278 on Sewage Sludge and another initiative for an EU Methane Strategy. The aim of the former is to ensure that the use of sewage sludge in farming does not harm the environment, animals and humans.

On 14 October 2020, the Commission adopted a new EU Methane Strategy, as part of the European Green Deal and the Zero-Pollution ambition.



FEAD actions:

- ✓ Provided [feedback](#) (August 2020) to the EC Roadmap on the EU Methane Strategy.
- ✓ Provided [feedback](#) (August 2020) to the EC Roadmap on the Evaluation of the Directive on Sewage sludge use in farming.
- ✓ Issued a [Press Release](#) (October 2020) expressing support to the adopted EU Methane Strategy.



FEAD position:

○ **Regarding the evaluation of the Sewage Sludge Directive (SSD):**

- First and foremost, we must ensure that no health or environmental risks are posed.
- Sludges are rich in nutrients (e.g., nitrogen and phosphorous) and contain valuable organic matter, which is useful when soils are depleted or subject to erosion and can limit or avoid the use of chemical fertilisers.
- Treated sludge as per Directive 86/278/EEC is defined as “sludges which have undergone biological, chemical or heat treatment, long-term storage or any other appropriate process so as to significantly reduce its fermentability and the health hazards resulting from its use is defined as having undergone”.
- Sludge originates from the process of treatment of wastewater which should provide a characterisation of the sludge in terms of heavy metals, pollutants, and potential presence of pathogenic organisms.
- To avoid sanitary/pathogenic issues, precautionary measures need to be put in place: e.g., the distribution of sludge for the growth of fruits and vegetables must occur 10 months prior to harvesting, same limitation should be observed for 5 weeks prior to grazing. These measures (already implemented in some EU countries), can ensure the absence of issues related to the distribution of sludge.
- However, the revised Directive should set a **hierarchy of desired uses for sludge** that encourage preferential use in soil restoration rather than food/feed producing land.

- Strict limits should be envisaged as sludge in agriculture affects human health; so, testing should include, besides excluding the presence of pathogens and heavy metals, radioelements (in case sludges come from healthcare facilities), microplastics and POPs. These elements were not taken into consideration in the previous directive.
- It is also essential to carry out nutrients' assessments, in order to properly make use of sludges, so if they do not improve the quality of soil, energy recovery should be foreseen.
- If the above-mentioned conditions of soil/health and groundwater protection are not met, **waste-to-energy solution with phosphorous recovery** should be the only way to dispose of sewage sludge.
- **Regarding the EU Methane Strategy, the EU legislator should:**
 - ensure **better data collection** to accurately identify the main targets for methane reduction;
 - strengthen **synergies among** sectors which reduce methane emissions from manure and **valorise waste streams** able to decarbonise the energy system through biogas production;
 - guarantee the **implementation of existing rules on landfilling and separate collection of biowaste**, rendering it fully effective by 2023 in all EU member states;
 - introduce **high composting targets** to boost resource efficiency and biowaste recovery;
 - propose **further ambitious measures** to significantly reduce methane emissions from landfilling, treatment/use of sewage sludge, and treatment of waste water;
 - highlight the importance of recycling, waste recovery, and diverting waste from landfilling, including organic waste that contributes to methane emissions, through appropriate and binding legislation boosting recycling and recovery;
 - examine and assess the **effectiveness** of existing legislative measures relating to landfilling, and implement much stronger measures to divert recyclable/recoverable waste from landfilling; and
 - **assess the impact** of an **EU-wide ban on landfilling** of recyclable and recoverable waste.

5) The Industrial Emissions Directive (IED) & the European Pollutant Release and Transfer Register (E-PRTR)



Brief overview:

Pursuant to the Zero-Pollution ambition under the European Green Deal, as well as in line with the EU's policies on energy, climate and the circular economy, the European Commission (EC) published an initiative with the aim of updating EU rules on industrial emissions (Directive 2010/75/EU - Industrial Emissions Directive, IED) to ensure that the industry keeps innovating, by introducing techniques that create a more sustainable EU economy.

The EC has also launched another initiative to potentially revise Regulation (EC) 166/2006 (E-PRTR Regulation) on the establishment of a European Pollutant Release and Transfer Register. The E-PRTR is a publicly accessible electronic database. It contains information on releases of certain pollutants to air, land and water and releases of pollutants from diffuse sources. Once the EC decides on the possible revisions of the IED and the E-PRTR Regulation, it will also decide on the revision of the Guidance Document on the implementation of the E-PRTR.

On 23 September 2020, the EC published its Staff Working Document¹⁶ (SWD) on the evaluation of the IED. The SWD finds that the IED fulfils its role in reducing pollutant emissions to air, although its impacts on resource efficiency and circular economy are deemed as uncertain. Yet, the overall environmental impacts of IED sectors remain significant and are, therefore, pertinent to the EGD.



FEAD actions:

- ✓ Provided [feedback](#) (April 2020) to the EC Roadmap on industrial emissions – EU rules updated.
- ✓ Provided [feedback](#) (May 2020) to the European Commission on the next BREF review cycle
- ✓ Provided [feedback](#) (October 2020) to the EC Roadmap on industrial pollution – European Pollutant Release and Transfer Register (updated rules).



FEAD position:

- FEAD's member companies operate installations covered by the IED and by different BREFs. These are, for instance, waste incineration plants, biological waste treatment plants, physio-chemical waste treatment plants.

¹⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020SC0181&rid=2>

- FEAD believes a revision of the IED is currently not needed and considers that climate ambitions, as well as circular economy benefits should be addressed in other pieces of legislation. The IED's philosophy relies on site-specific permits, and it is not well-suited for an overarching approach. Transforming the IED as a regulation to address climate and circularity goals would lead to inefficiencies and additional regulatory complexity.
- FEAD acknowledges the environmental benefits resulting from the modernisation of the former Integrated Pollution Prevention and Control Directive (IPPC), and the progress made in setting up BAT conclusions and BREFs that cover the most significant environmental impacts. However, we expressed a more nuanced opinion on the process leading to the choice of BATs, and on whether the BREFs properly took into consideration the compliance and operational costs. We expressed major concerns on the fact that the uncertainties in existing measurement protocols (available Standard Reference Methods) do not allow for monitoring very low levels emissions. European standards for measurement methods at emission levels requested by some BREFs should be set up and referred to in the BREFs.
- FEAD recalls that the IED should not be the instrument to reduce CO₂ emissions in the industry. BREFs already cover energy efficiency in most industrial sectors, and, as far as waste management is concerned, there is no leeway for reducing CO₂ emissions since the latter directly depend on the carbon content of waste.
- FEAD calls for a renewed attention to the issue of costs for the industry, in the context of the post-Covid-19 crisis, and the economic recession resulting from it. The decarbonisation of the industry should take into account the need for a transition period. Waste treatment activities comply with the highest environment requirements compared to other industries. Waste-to-energy processes, in particular, must remain a competitive source of heat/electricity production, with regard to non-industrial heat sources that are neither covered by the IED, nor by the EU ETS.
- Regarding the revision of the E-PRTR Regulation, we consider that in general the overall structure of the E-PRTR appears to function well. However, concerning the aspects which have been identified as requiring support by policy options, FEAD highlights the following:
 - **inclusion of additional sectors:** some important sectors are currently not strongly regulated. Although there is room for improvement, it will be a challenge to tackle the majority of the diffuse emissions from these sectors and bring them in a balanced way with the channelled emissions from most industries.
 - **inclusion of additional pollutants:** additional pollutants can be taken into account but only previous assessments showing evidence of relevance of these pollutants (avoid "nice to have" substances).

Waste Streams & related issues

1) Waste shipments



Brief overview:

Regulation (EC) No 1013/2006 on shipments of waste¹⁷, notably known as **the Waste Shipment Regulation (WSR)**, lays down procedures for the transboundary movement of waste within the EU. The latter transposes provisions deriving from international law on the matter: the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their disposals¹⁸, as well as the related OECD Decision.

Pursuant to the European Green Deal, the European Commission (EC) is currently reviewing EU rules on waste shipments, allowing for simplification of certain procedures, in order to guarantee the smooth functioning of recycling markets.

Following a difficulty in agreeing on a common interpretation of non-hazardous plastic entries (introduced by new Basel amendments) at OECD level, the EC is working on the future delegated act transposing the Norwegian amendment to the Basel Convention into the WSR. The EU Waste Correspondents' meeting is also working on correspondents' guidelines, aiming at providing a common interpretation of the new plastics entries within the EU. The new regime will be in force as of 1 January 2021.



FEAD actions:

- ✓ Provided [feedback](#) (April 2020) to the EC Roadmap on waste shipments – revision of EU rules.
- ✓ Provided feedback (May 2020) to the informal consultation on a draft delegated act to implement recent changes to the Basel Convention on the control of shipments of plastic waste.
- ✓ Provided feedback (May 2020) to a stakeholder consultation conducted by the EC appointed consultant (Trinomic and Woods).
- ✓ Conducted continuous discussions with representatives from the European Commission (June 2020, online).
- ✓ Provided [feedback](#) (July 2020) to the EC Draft Delegated Act on EU rules on transboundary waste shipments – update concerning plastic wastes.

¹⁷https://eur-lex.europa.eu/search.html?DTN=1013&DTA=2006&qid=1518700525706&DTS_DOM=EU_LAW&type=advanced&lang=en&SUBDOM_INIT=CONSLEG&DTS_SUBDOM=CONSLEG

¹⁸ <http://www.basel.int/TheConvention/Overview/tabid/1271/Default.aspx>

- ✓ Provided feedback (July 2020) to the EC Public Consultation on waste shipments – revision of EU rules.
- ✓ Provided feedback (December 2020) to the informal consultation by the EC draft Correspondents' Guidelines on new plastic waste entries.



FEAD position:

○ **Safe shipments of waste: a crucial role for the circular economy**

- In the context of the ongoing review of the Waste Shipment Regulation, FEAD stresses that **the safe and environmentally sound management of waste shipments within and outside the EU are critical for well-functioning EU and global recycling and recovery markets**, and allow a successful transition towards a more circular economy.
- To fully achieve these objectives, **substantial administrative burdens for waste operators**, currently causing delays and additional costs, should be eased through amendments to the Regulation. This includes, for instance, the introduction of electronic procedures for notification, which have the potential to significantly reduce delays in shipments.
- FEAD stresses that the current WSR review process should focus on improving current procedures, which limit the effectiveness and efficiency of the current system. Yet, the review should not aim to restrict, in any way, the possibility of shipping safe waste destined for purposes other than recycling and recovery.



2) End-of-waste criteria



Brief overview:

In October 2020, the European Commission (DG ENV) initiated a survey regarding end-of-waste (EoW) and by-products under the Circular Economy Action Plan (CEAP) - Section 4, "Creating a well-functioning EU market for secondary raw materials". Their aim is to collect data to fully understand the potential behind the shortlisted waste streams and

materials/substances as candidates for future EU-wide criteria for EoW and by-products respectively.¹⁹



FEAD actions:

- ✓ Responded to the survey conducted by DG ENV (December 2020).



FEAD position:

○ Pros of end-of-waste criteria:

- End-of-waste criteria are needed to support the development and marketing of secondary raw materials to a standard that facilitates their use in replacing virgin materials. It also opens up more opportunities for secondary raw materials to be used in new or novel settings, as the need for waste authorisations is removed. This supports the circular economy and, in particular, innovation in the context of good environmental projects whereby virgin materials are replaced by recycled materials.
- Many manufacturers are currently discouraged from using secondary raw materials that are classified as waste because they must comply with waste regulations. This is often an expensive and intimidating prospect, which in reality is unnecessary if the standard of the secondary raw material is good enough to alleviate fears of negative environmental impacts.
- EU-wide end-of-waste criteria support the international trade of those secondary raw materials. Imposing consistent end-of-waste criteria with harmonised procedures also has the advantage of easing shipments and commercial agreements.

○ Substances of Very High Concern:

- In the recently launched survey, the questions related to the presence of Substances of Very High Concern in waste streams were not directly relevant to the waste sector but more to the manufacturing sector. For this reason, the waste management industry calls for enhanced recyclability of products, larger information from producers as well as more detectability and dismantlability of polluted parts and the phasing out, when not absolutely necessary, of the presence of Substances of Concern in products. Nevertheless, it is essential to ensure high-quality recycling in order to guarantee non-toxic production cycles. So, end-of-waste criteria must be based on very high-quality waste streams.

¹⁹ The shortlist of candidates followed from the analysis of the responses received during stakeholders and open public consultations on the Communication from the Commission on options to address the interface between chemical, product and waste legislation (2018), carried out in 2017 and 2018, respectively and from the results of the Commission's study to assess member states' practices on by-products and end-of-waste.

- From our perspective, it is not essential for end-of-waste materials to have standards equivalent to the virgin materials they replace. The standard of end-of-waste materials must be adequate, high, but not necessarily equivalent. For example, recycled paper has shorter fibres than wood pulp; yet it is environmentally critical that we use recycled fibres, even if the quality of those fibres is not equivalent to its virgin counterpart.
 - The same can be said for recycled aggregates, as they do not meet the same standard of virgin stone aggregates, due to the mixture of materials involved in the recycled material. However, the latter meet the standard required for certain applications, such as hardstanding, granular fill and other non-structural engineering applications. The use virgin stone aggregates in those applications is not necessary and it is very wasteful if a recycled aggregate alternative is available.
- **Recyclates' market:**
- End-of-waste criteria cannot be considered the “silver bullet” for stimulating the market of recyclates; although, in some cases, they can provide benefits in administrative processes, for instance by reducing delays or burdensome shipment documentation. Yet, the real problem is the relatively low demand for recyclates. The latter can be fostered by certain regulatory tools, such as the introduction of mandatory recycled content rules. As long as primary raw materials are cheap and producers are not obliged to reincorporate secondary raw materials in their products, the virgin materials will be preferred for their purity and for their comparatively lower price. Current primary raw materials' prices do not internalise all “hidden” environmental and social costs associated to their extraction, including higher energy use and associated GHG emissions, pollution, and biodiversity loss.

3) Packaging and packaging waste



Brief overview:

The European Commission has launched an initiative to review the requirements on packaging and packaging waste in the EU. This will include assessing how to improve packaging design to promote the idea of reuse and recycle, increase recycled content in packaging, tackle excessive packaging, and reduce packaging waste.



FEAD actions:

- ✓ Provided [feedback](#) (August 2020) to the EC Roadmap on the Review of the Requirements for Packaging and Other Measures to Prevent Packaging Waste.



FEAD position:

- FEAD welcomes the EC initiative on the review of the requirements for packaging and on other measures to prevent packaging waste and considers it of the utmost importance in achieving a fully circular economy in the EU.



- FEAD key messages include:**

- 1. Improvement of design for re-use and recycling**

- Need for global eco-design guidelines**

- A recyclable packaging should be designed to be cost-effectively collected, sorted, and recycled, with the available state-of-the-art technology. Well-constructed global eco-design guidelines requiring specific designs which reflect recycling standards will increase homogeneity of waste streams, in turn promoting high quality recycling. Therefore, partnerships between producers and waste management organisations must be established to facilitate recyclability of products as well as financial incentives for products designed in accordance with eco-design guidelines.

- Hereunder are reported some examples of packaging or of packaging's properties which make them difficult to recycle:

- Composite layer packaging**

- Complex multilayer packaging contributes to a high amount of non-recyclable waste. Particularly when composed of different materials, composite layers of packaging increase the physical and chemical complexity of products. This complexity causes difficulties in recycling facilities (e.g. multilayer packaging present in recyclates can cause colouring of plastic products and change their chemical, physical and mechanical properties). The issue of packaging with composite layers is a key concern and must be addressed in the forthcoming study.

- Lightweight packaging**

- Lightweight packaging is problematic for recycling facilities, particularly when waste is sorted by weight. Small plastic components of products could technically be recycled, but it is expensive and impractical to do so. As an example, coffee pods are currently rejected by waste treatment facilities as contaminants for the afore-mentioned reasons. It is therefore essential to conceive packaging in such a way as to facilitate its recyclability.

- **Additive/colours and other features in packaging**

- Certain additives in polymers could present challenges for recycling. For instance, basic molecules could be incapable of being broken down where certain additives are present, or a collection of various additive-containing packaging could hamper recycling of plastic packaging. In addition, it is problematic to sort coloured packaging (e.g. black, red) as it is often not recognised by optical systems. Additionally, it is impossible to produce plastic recyclates with a given pure colour from coloured polymers. Also features such as labels, printing, colours, glues, staples, covers, caps and content residues on a package make them difficult to recycle. Reduce their use is crucial and can increase the possibility of recycling and the value of the plastic. A balance must be struck between recyclability of the packaging and innovation, marketing and functionality.

- **Chemicals in packaging**

- As long as hazardous substances can be placed on the market legally by manufacturers of virgin raw materials' products, recycling companies will at some point in time have to deal with the "legacy substances". The long-term policy goal should be to achieve toxic/risk free material cycles, but this should start at the initial design stage where products enter the material cycle for the first time. While ambitious targets push for more recycling in terms of quantity, a qualitative approach is also needed, as recyclers are investing in downstream parts of the value chain. The waste management sector calls for more information on packaging and products composition.

- **Biodegradable, oxo-degradable and bio-based packaging²⁰**

- It is important to make a clear distinction, on the one hand, between bio-based and biodegradable plastics and on the other hand, between biodegradability and compostability. Here below some concerns from the waste management sector on recyclability/compostability of these kinds of plastics:
- Today, some bio-based plastics do not biodegrade in bio-waste treatment plants and none degrade completely in the natural environment (including waterways). Compostable plastics do not degrade in anaerobic conditions unless followed by an aerobic process. Given the difficulty to distinguish between compostable plastics and conventional plastics, even if they are correctly disposed of by the householders, they are likely to be sorted out at the composting plant and sent for recovery.
- Biodegradable plastics are also problematic when they are mixed with recyclable plastics as they do not have the same material properties and may impact the quality of the recyclates.

²⁰ For a more extensive analysis regarding (i) the impacts of bio-based and biodegradable plastics on waste and (ii) how bioplastics can help achieve sustainability objectives, see FEAD's relevant position paper available here: <https://fead.be/position/biodegradable-and-bio-based-plastics/>

- Biodegradable plastics also have a negative impact on littering.
 - **2. Strong pull measures for recycling**
 - **Mandatory recycled content**
 - Certain recycled plastics from packages can be recycled, but there is limited demand for secondary raw materials (e.g. PS, mixed PET and film plastics other than LDPE). Therefore, mandatory recycled content for packaging is one of the solutions to create a market allowing investments, by increasing the flow of plastic packaging into the recycling sector.
 - Mandatory recycled content would not only contribute to pull the demand for recycled plastics but will also contribute to reward plastics recycling environmental benefits in terms of CO₂ and energy savings that the market currently fails to internalize. A strong demand for recycled plastics will only result from concrete binding rules, accompanied by economic measures to bridge the price gap detrimental to plastics from recyclates.
 - **Green Public Procurement rules and economic incentives**
 - Additional instruments could help to boost the market as well, for example better measures to encourage green public procurement and reduced VAT on products for which the packaging may be easily recycled.
 - **Food contact Requirements**
 - The current legislation about the use of recycled materials in food contact packaging is of such nature that more or less only recycled PET can be used in food packaging. It should be investigated how, and under which circumstances, the legislation can be changed to ensure a safe and growing share of recycled material in food contact packaging.
 - **Labelling**
 - The development of a common label showing the percentage of recyclates in plastic packaging would build trust between consumers and producers, eventually leading to an increase in consumer demand for products for which the packaging contains high levels of recycled content.
 - **Import Issue**
 - Products using plastic packaging imported into the EU should follow EU rules on the content of such packaging, which is not necessarily the case at present.
 - **3. Measures to prevent packaging waste:** measures to prevent packaging waste go together with the overall enhancement of recycling and waste prevention.

4) End-of-life vehicles (ELVs)



Brief overview:



In October 2020, the European Commission published a Roadmap on the Revision of Directive 2000/53/EC on end-of-life vehicles (ELV Directive). Pursuant to Article 10(a) of that Directive, the EC is expected to present a report reviewing the directive by end 2020. Among others, the roadmap underlines the need to ensure consistency between the ELV Directive and the objectives of the EGD and the Circular Economy Action Plan, mainly in the areas of: (i) waste prevention and the use of recycling and reuse tools, (ii)

better enforcement of provisions through increased cooperation between and within the member states, (iii) and role played by producers in the financing of ELV management.



FEAD actions:

- ✓ Provided [feedback](#) (November 2020) to the EC Roadmap on the Revision of Directive 2000/53/EC on end-of-life vehicles.



FEAD position:

- ELVs are one of the most interesting waste flows in terms of yearly generated volumes, growth rates, embedded valuable raw materials, environmental issues, and illegal markets. The shift towards lighter materials in vehicle composition, ensure that vehicles consume fewer fossil fuels and consequently produce pollution. With the inadequate processes used to recover Automotive Shredder Residue (ASR), combined with the export of second-hand vehicles to third world countries, a negative impact on the worlds health and environment arises due to completely inappropriate disposal methods. Clearly, we need to ensure that the production of materials for vehicles remain within the EU, and with the provision for appropriate market-based instruments.
- To environmentally improve the recycling of ELVs, FEAD has outlined the following requirements of the waste management sector:
 - **Establish harmonised rules on de-registration:** the collection of ELVs can be improved through a harmonised European legal framework characterised by the following measures:

- incentives to deliver a vehicle to authorised treatment facilities issuing a Certificate of Destruction,
- a harmonised and easy vehicle registration and de-registration system, through the establishment of a common European vehicle register, with minimum requirements,
- a clear distinction between used cars and ELVs,
- enforcement of legislation to avoid illegal online and sales of valuable spare parts from ELVs, such as catalytic converters, engines, and electric batteries,
- definition of specific requirements for online and retail sellers of the above-mentioned spare parts, and,
- increased inspections of ATF (Authorised Testing Facilities).
- **Enhance eco-design of vehicles:**
 - reduce the number of different polymers present in a vehicle,
 - restrict the presence of resins, additives, and fillers such as glass fibre, carbon fibre, and glass beads, as they make plastics difficult, if not impossible, to recycle. These should be used sparingly for safety purposes only, but should otherwise be substituted with recyclable materials (alternative options to be explored),
 - favour easy dismantling of automotive parts to increase reuse and recycling,
 - favour recovery of plastics and other materials from ASR,
 - provide incentives, such as mandatory recycled content rules, to encourage an increased demand of recycled plastics in the automotive sector, with differentiated specifications according to the respective materials. The most ideal recipient for the uptake of recycled plastics from ELVs should be new cars.
- **Improve extended producer responsibility for vehicles. Moving forward,** solutions to increase recycling rates and improve dismantling processes should acknowledge to:
 - clarify that car manufacturers bear the sole responsibility and the costs for the end of life in the car's life cycle (i.e., the waste stage),
 - provide incentives on proper dismantling and depollution through EPR schemes,
 - provide a list of available components in ELVs (engines, electric car batteries and catalysts) at the time of their de-registration from the appropriate registers (according to local laws),
 - boost the market of secondary raw materials, through mandatory recycled content

measures in the automotive sector. **The demand for recycled material must be increased to drive up value and make the activity more economically viable.**

- **Invest in innovative technologies** by optimising and supporting post-shredding technologies (PSTs).
- **Improve information flow**
 - the vehicle produced must assure, at least, the following goals: low energy consumption, easy dismantling, suitable recycling, less toxic metals. To fulfil these goals, all the involved stakeholders must cooperate and exchange relevant information.
 - From the producers' side, they should provide the dismantling information and the presence of Substances of Concern for each new type of new vehicle put on the market.
- **Substances of Concern:** Considering that the average lifespan of a car in use is roughly between 12 and 15 years, legacy substances will also be a main issue. An update is needed by the producers as a new substance becomes of concern.
 - **In principle**, the limited use of SVHCs in products will cause less problems, while reducing down-cycling when the product becomes waste.

5) Batteries



Brief overview:

In line with the Green Deal, the European Commission launched an initiative to update EU rules on batteries to minimise their harmful effects on the environment. The rules cover their full life cycle, from design and production to reuse and recycling. The EC presented on 9 December 2020 a proposal for a regulation concerning batteries and waste batteries repealing the existing batteries and accumulators' Directive and amending the existing Regulation on market surveillance and compliance of products.



FEAD actions:

- ✓ Provided [feedback](#) (July 2020) to the EC Roadmap on Batteries – modernising EU rules.



FEAD position:

- FEAD welcomes the EU initiative to modernise EU rules on batteries and waste batteries.
- From a waste management perspective, we would like to stress the following requirements:
 - **an update and harmonisation of definitions**
 - regarding the definitions of batteries, an actualisation is necessary to integrate new types of batteries (for instance those for e-bikes). The current differentiation according to industrial or portable batteries is not practicable and a distinction between the different chemical-types of batteries would be more accurate.
 - The new amending Regulation should therefore distinguish between lithium and other types of batteries. Regarding the former, a further sub-distinction could be made between li-Ion batteries and li- primary batteries.
 - There is also a need to align the definitions among the Waste Framework Directive's list of waste, Batteries-specific legislation, and the Waste Shipment Regulation.
 - **Boost the European batteries' industry**
 - FEAD recognises the need to boost the batteries' industry within the EU, to guarantee sustainability and self-sufficiency.
 - A stable and competitive market for recycled materials in Europe is crucial. This can be best achieved with the introduction of mandatory recycled content rules for batteries, as well as sustainable eco-design measures and labelling requirements for better return flows of materials.
 - **Mandatory recycled content measures**
 - Such measures will boost the recycling market for batteries, foster investments in innovative recycling technologies, while decreasing batteries' environmental footprint. To guarantee a level-playing field, minimal recycled content should also be mandatory for imported batteries.
 - **Eco-design**
 - Electrical and electronic equipment (EEE) that can be operated wholly or partly on batteries or accumulators must be designed in such a way that waste batteries and accumulators can be removed easily, discharged without prior pack-disassembly, and when necessary an access hole for a firehose.
 - Uniform marking of devices containing high-energy accumulators by producers

should be made compulsory. Consumers should also be instructed on the correct handling of the devices and accumulators during the purchase and informed about correct disposal. Each producer should be obliged to label EEEs containing a battery or accumulator in such a way that information is provided on the type of battery and on its chemical content.

- In addition, information must be included to inform the end user about their safe removal, the dangers of improper handling of the battery or accumulator and the consumer's obligation to dispose in a proper and ecologically sound manner.
 - Moreover, there are acknowledged hazardous substances in batteries that must be phased out and should not be recycled as, for instance, cadmium. **This should be critically considered when setting up recycling targets and eco-design measures.**
 - Li-ion batteries are currently not covered by the Eco-design Directive. The latter, together with any other relevant pieces of legislation should support the design for safe recycling.
- **Increased collection**
 - Due to the rapidly increasing number of batteries put on the markets, lithium-ion waste batteries have led to an increase in dangerous fires in waste processing plants mainly caused by mis-disposal. It is thus necessary to considerably improve the return flow of batteries into the systems.
 - To achieve higher collection rates, FEAD requests an increase of the current European collection targets from 45% to 80% for all types of batteries, excluding automotive batteries for which European collection targets of 100% should apply.
 - To guarantee a higher return flow of batteries, FEAD also calls for the introduction of a harmonised deposit and refund system on batteries.
- **EPR schemes**
 - FEAD calls for the extension of Extended Producer Responsibility (EPR) beyond the current scope of portable batteries to all different types of batteries. At the same time, FEAD stresses the necessity to duly take into consideration the existing and successful B2B schemes/contracts that provide for collection, sorting, treatment, and recycling.
- **Enforcing the control of illegal movements of battery waste**
 - The EU should set up an effective control mechanism for the exports of used batteries to avoid illegal shipments and to ensure proper environmentally sound recycling/recovery processes outside the EU.

- **Increase the recycling targets for batteries**

- The current general target recycling rate of 50% is considered too low for industrial Li-ion batteries and in the new European Commission's proposal for a Regulation was correctly updated to 65%. In the first place, it is necessary to establish a more transparent and harmonised data gathering system, which includes the quality of recycling to create a level-playing field among recyclers. Low carbon footprint recovery processes should be supported.

6) Recovery and Disposal codes



Brief overview:

The European Commission issued a proposal for a Council decision to amend Annex IV of the Basel Convention (including R&D codes) in view of the next Conference of the Parties meeting to the Basel Convention scheduled for 19-30 July 2021.



FEAD actions:

- ✓ Provided [feedback](#) to the European Commission proposal through a letter.
- ✓ Provided [comments](#) on the recommendations by the expert working group on the review of Annexes for possible amendment proposals to Annex IV at Basel Convention.
- ✓ Provided [comments](#) on the JRC study on disposal operations.



FEAD position:

- FEAD agrees with the EU proposal, which introduces a distinction between interim and final treatment operations. Yet, FEAD believes further clarifications are needed on certain issues related to our work, as follows:
- **Interim and final operations**
 - There is a need for a clear distinction between interim and final operations in the text proposed by the European Commission.
 - To this regard, the proposed definition of some recovery and disposal codes could lead to misleading interpretations according to which mechanical recycling could be considered exclusively as an interim operation, while can also be final.

- To avoid this potentially detrimental misinterpretation, FEAD asks to clearly mention the word *interim*, while describing the list of interim operations as mechanical operations such as dismantling, sorting, compacting and shredding, could be also final ones, as they lead to products as final outputs.
 - The above-mentioned clarification is of paramount importance to avoid misinterpretation and misleading implementations, mainly by member states or local authorities during the authorisation and/or enforcement processes.
- **Thermal treatment with the principal purpose to generate energy**
 - Regarding the definition, proposed by the European Commission, of the recovery code for thermal treatment, FEAD actually prefers the current definition proposed at Basel Convention level which reads “use as a fuel or other means to generate energy (or to reduce energy requirements)”, rather than “thermal treatment with the principal purpose of generating energy” in order to avoid unclarities in the definition of the “principal purpose”.
- **Call for better clarification of processes**
 - There are plenty of recycling/recovery/disposal processes which can lead to misunderstanding. There is, thus, a paramount need for clarification.
 - We fully and clearly support the development of explanatory notices or guidance to further clarify the content of the recovery and disposal operations with the provision of clear examples. There is a need to cover as much as possible all cases and possibilities in the examples, including explanations on when a recovery or disposal operation is considered final and not interim, to help authorities and avoid misunderstandings during its implementation.

7) Other topics related to waste streams

FEAD has positions on most of waste streams and the related topics, including paper, plastics, Extended Producer Responsibility (EPR), calculation methods. However, given that the aim of this report is to present the European Green Deal files that have been taking place, as well as our association’s reaction to them, we are not discussing the entirety of our positions on all waste streams. In the coming months, under the EGD action plan, FEAD will be dealing with, in particular, the following files of waste streams: WEEE, textiles, etc.



Energy

1) Renewable energy sources



Brief overview:



As part of the European Green Deal, the European Commission came forward with an impact assessment plan to raise the 2030 emission reduction target to at least 55% compared to 1990 levels. In the context of this increase, the EC published an inception impact assessment (Roadmap) to revise the Renewable Energy Directive (REDII). The latter should reflect the actions put forward by various aspects of the EGD, including its strategy on energy system integration

and the EU hydrogen Strategy, as well as any gap in achieving the EU's collective 2030 renewable energy target of 32%.



FEAD actions:

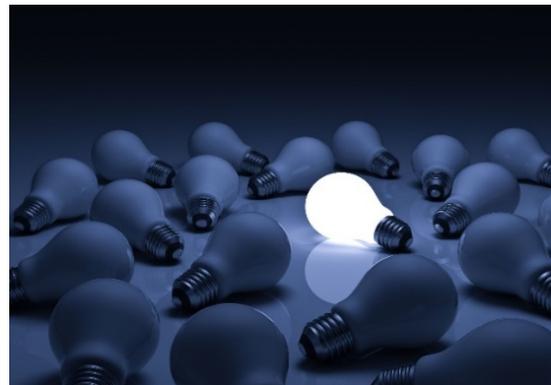
- ✓ Provided [feedback](#) (September 2020) to the EC Roadmap on the Revision of Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources (REDII).



FEAD position:

- FEAD agrees with the proposed idea of a combination of non-regulatory measures, higher ambition levels and (climate) targets, and amendment of REDII to translate into legal measures the actions proposed in other EGD energy strategies.
- FEAD considers that such a holistic review of REDII will combine and optimise different energy systems (e.g. electricity, gas, liquid fuels, and heat) and energy-related sectors (transport, heating and cooling in industry and buildings) across Europe. Waste management activities are critical in this regard even if there are still challenges to be overcome. The proposed initiative can eliminate market barriers for the use of alternative fuels, including energy deriving from waste, in a way that gradually limits fossil fuel exploitation.

- The reviewed REDII should encompass a full chapter on “closing the loop”, explaining how the energy sector can become more circular, by incorporating the recovery of **energy from waste**. The latter is in fact a renewable source of energy with a low carbon footprint. Low-carbon fuels resulting from waste should be positively treated in the EU energy market compared to fossil fuels, as they avoid the consumption of fuels with a higher carbon footprint. This requires that the proposed initiative should include waste-based fuels, and its scope should consider the following:
 - **Solid Recovered Fuel (SRF) or Refuse Derived Fuel (RDF):**
 - Waste that cannot be recycled (residues of non-recyclable, non-hazardous municipal or industrial and commercial waste, such as paper, cardboard, wood, textiles, plastic, construction waste, shredding of vehicles, tires, etc.) can be used to produce high-quality, standardised alternative fuels, while reducing the amount of landfilled waste. It is made up of dry, non-hazardous waste which can be recovered through waste to energy plants or on high-capacity industrial plants (cement plants). **SRF represents a virtuous use of residues** that would otherwise be lost, if incinerated without energy recovery.
 - **Waste-to-energy installations:**
 - R1 waste-to-energy installations allow to recover the energy content of non-recyclable waste. **It is important to note that the whole recycling process following selective collection procedures, results in non-recyclable residues that account for 25% to 30% in average** (residues from sorting and residues after sorting). Stronger eco-design rules and waste prevention schemes will not significantly reduce the amount of residual waste in the upcoming years. Reduced landfilling (municipal and industrial and commercial waste) will inevitably be accompanied by an increase of waste sent to waste-to-energy. Heat from waste-to-energy installations account for approximately 50% as renewable (with slightly different percentages in each member state), due to the organic fraction in municipal waste that ends up in R1 installations. This share is consequently considered renewable energy (biomass) under the Directive on Renewable Energy (2018/2001). A revised REDII should, similarly to SRF, result in acknowledging the positive role of waste-to-energy in avoiding the use of fossil fuels when producing heat or electricity. R1 waste-to energy installations are also an important component to efficient district heating and cooling networks.



- **The European Commission has recognised the potential and the need for energy recovery from waste.** ²¹
- Waste-to-energy activities are complementary to recycling and they produce clean, safe, and local energy, while making use of bottom ashes.
- **Recovery of waste heat:**
 - Waste heat, also known as “excess heat”, is defined in the Renewable Energy Directive 2018/2001²² and can take the form of vapor, hot water, oil or hot air. While it is originally created as an undesired by-product of the operation of industrial installations, waste heat can become subject to another process to provide clean energy, or it can be used by other economic operators in their commercial or industrial activities, or even to cover domestic electricity demand by end-users.
- **Biomass and waste:**
 - Biomass is defined in the Renewable Energy Directive 2018/2001 as “*the biodegradable fraction of products, waste and residues from agriculture (including vegetal and animal substances), forestry and related industries, as well as the biodegradable fraction of industrial and municipal waste*”. Biogas contributes to the reduction of GHG emissions not just in the energy sector, but also in the sectors of agriculture, transport, industry, and waste management. FEAD proposes that biomass originating from waste should be strengthened in the revised REDII and calls for policy coherence on the matter among REDII and other pieces of legislation, including the Waste Framework Directive. Technology neutrality, waste hierarchy and life-cycle impacts should be key criteria under consideration.

2) Energy Efficiency & Smart Sector Integration Strategy



Brief overview:

As previously mentioned, the European Commission came forward with an impact assessment plan to raise the 2030 emissions reduction target to at least 55% compared with 1990 levels, pursuant to the EGD. In the context of this increase, the EC published an Inception Impact Assessment (Roadmap) to revise the Energy Efficiency Directive (EED), in line with the Strategy on Energy System Integration. The EC adopted the Smart Sector Integration Strategy²³ on 8 July 2020.

²¹ <https://ec.europa.eu/environment/waste/waste-to-energy.pdf>

²² As “unavoidable heat or cold which is generated as by-product in industrial installations, which would be dissipated unused in air or water without access to a district heating or cooling system”.

²³ https://ec.europa.eu/energy/sites/ener/files/energy_system_integration_strategy_.pdf



FEAD actions:

- ✓ Provided [feedback](#) (September 2020) to the EC Roadmap on the Review of the Directive 2012/27/EU on energy efficiency.
- ✓ Provided [feedback](#) (June 2020) to the EC Roadmap for an EU Smart Sector Integration Strategy.



FEAD position:

- FEAD supports the adoption and implementation of an EU Smart Sector Integration Strategy, allowing the combination and optimisation of different energy systems (electricity systems and other forms of energy).
- FEAD considers that the revised EED should include higher binding energy efficiency targets for member states, in order to enhance energy efficiency in the EU, achieve decarbonisation of the energy sector, provide secure and affordable energy, promote synergies between sectors, enable new investments, and create economic growth and jobs, in line with the EGD and the new Circular Economy Action Plan (CEAP).
- The EED as such does not directly tackle waste management and resources issues. A revised and more ambitious EED should work together with other legislative tools to increase the energy efficiency, while boosting the circular economy. There is a real necessity to improve circularity and, in so doing, energy efficiency would also increase. Energy efficiency is embedded in the circular economy: this is why waste management activities are crucial.
- Recovering the energy content of waste is also an essential complement of material recovery and the circular economy. It is, thus, important to allow energy (electricity, heat and fuels) derived from waste to be placed in the market at competitive prices, while recognising it as a virtuous and alternative to fossil fuels.
- A harmonised implementation across the EU should be ensured, in order to avoid market-handling variations among member states.

3) Energy Taxation Directive (ETD)



Brief overview:

Even before the Green Deal, the European Commission (EC) had long initiated the revision of the Energy Taxation Directive. This was done to align it with current policy objectives in the energy, environment, climate and transport sectors, to make energy taxation as less

distortive as possible, to complement the price signal outside the EU Emission Trading System) to align the minimum tax rates to the EU's climate and energy policies, and to encourage the use of new energy products that are taxed in the same way as traditional products.



FEAD actions:

- ✓ Provided [feedback](#) (April 2020) to the EC Roadmap on the Revision of the Energy Taxation Directive.



FEAD position:

- Taxation should be harmonised across the EU to avoid energy taxation variations among member states and the numerous existing sectoral derogations.
- Renewable energy from waste should not be taxed more than non-renewable sources., As a consequence, double taxation of such energy solutions (also under the EU ETS) should be clearly avoided.
- **Recyclates:**
 - Pursuant to the ETD, any activity and use of materials with low-energy content should be positively recognised, in comparison to those with a much higher energy content. That would be the case with a revised ETD resulting in a higher taxation of the CO₂ content of primary energy. Glass, metal, plastic, and paper recyclates would gain competitiveness in the market, creating a higher demand for them.
- **Solid Recovered Fuel (SRF) and Refuse Derived Fuel (RDF):**
 - First, the fossil part of the SRF should be subject to a low taxation rate on its CO₂ content (or to a zero taxation when used in ETS-subject combustion installations). This would signal that SRFs represent a virtuous use of residues, otherwise lost if incinerated without energy recovery or landfilled. SRFs avoid the use of fossil fuels and CO₂ emissions; this should be reflected in the rate applicable to SRFs. Second, biomass-based SRF components should not be taxed at all. The resulting competitive advantage would compensate for SRFs' costs that render such fuels more expensive than oil-based fuels. Avoiding double taxation of SRF solutions (under the ETS) should be ensured. SRFs constitute a crucial link of the recycling chain, by giving economic value to residues. Recovering the energy content of waste is an essential complement of material recovery and the circular economy.

◦ **Waste-to-energy:**

- A revised ETD should, similarly to SRF, result in acknowledging the renewable energy status of biowaste as a fuel, and the positive role of waste-to-energy activities in avoiding the use of fossil fuels when producing heat or electricity. Avoiding double taxation of waste-to-energy solutions (also under the ETS) should be ensured.

◦ **Waste heat recovery:**

- New taxation rules on fossil fuels should promote the recovery of waste heat. As heat is initially produced by CO₂ and taxed as a primary energy source (unless renewable), taxing it a second time as recovered waste heat does not align with the principle of avoiding double taxation (as is the case for the fossil part of waste in waste-to-energy and SRFs).

◦ **Biomass and waste:**

- Article 16 of the ETD (version currently in force, which allows member states not to charge fuel tax duties to the fraction produced from biomass) should not be reduced, in particular as regards biomass as defined in the Renewable Energy Directive 2018/2001²⁴. Landfill biogas recovery allows to capture methane emissions from landfilling and produce heat or electricity. This should remain under the taxation rates of renewable energy.

²⁴ As “the biodegradable fraction of products, waste and residues from agriculture (including vegetal and animal substances), forestry and related industries, as well as the biodegradable fraction of industrial and municipal waste”.

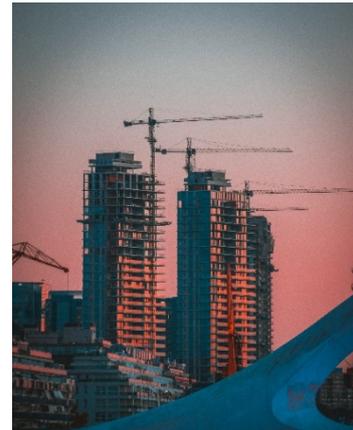
Buildings

Buildings: construction products & the “renovation wave”



Brief overview:

One of the objectives set by the European Green Deal is to construct and renovate buildings in an energy and resource efficient way. In this context, actors are encouraged to engage in a “renovation wave” of public and private buildings to address the double challenge of energy efficiency and affordability. The EC will strictly enforce the relevant legislation on the energy performance of buildings, and it will also review the Construction Products Regulation.



FEAD actions:

- ✓ Provided [feedback](#) (June 2020) to the EC Roadmap on A Renovation Wave initiative for public and private buildings.
- ✓ Provided [feedback](#) (August 2020) to the EC Roadmap on the Review of the Construction Products Regulation.



FEAD position:

- The reviewed Construction Products Regulation should encompass a full chapter on “closing the loop” and make the construction/renovation/demolition sector more circular, by enhancing the re-incorporation of recycled construction products with the lowest carbon footprint.
- Construction works and products require significant amounts of energy and raw materials, such as sand, gravel, cement, wood, glass, metals, gypsum and plastic. For this reason, strong measures to increase the efficiency in the use of these resources are necessary. This can be done by improving the following factors:
 - **Strengthening the construction – demolition - renovation waste management:**
 - Construction products must be designed, manufactured, and used in a way that reinforces recycling and/or the reuse of materials, while taking into consideration the need to enhance sustainability performance of construction products. This chain is interlinked with waste management activities.
 - As there is a great drive to reduce the impact that the construction sector has on GHG emissions caused by an over reliance on raw materials for the manufacture

of their tools and resources, the waste management sector can help alleviate this strain. This can be done through proper waste disposal channels and by reinjecting recycled materials back into this sector. An inventory should be made on priority construction products, taking into consideration the avoided CO₂ emissions, the amount of the materials, and the recycling process for each material, to select the products/waste of most concern.

- It is essential to strengthen selective collection schemes.
- **Promote the re-incorporation of recyclates:**
 - Striking the right balance between the sustainable use of natural raw materials and recycled materials, the construction sector must ensure the **recyclability** and **durability** of their work and final product. **Mandatory recycled content** is a tool to increase the use of recyclates in construction products, in particular for plastic pipes and inert materials.
- **Better information on materials:**
 - to build up **trust on the quality of recyclates**, better information on the composition of materials used in construction products is required, combined with the standardisation of secondary raw materials. For **hazardous substances** found in construction products, workers should be given a very high level of protection that prioritises their health and safety. **In order to ensure that the waste management sector is appropriately informed on the composition of construction materials, the onus of responsibility to provide such information should lie with the building contractor.**
- **Setting up integrated waste management strategies:**
 - the use of recyclates in construction products in a more **systematic** and **closed-loop** way should be promoted.²⁵ Circularity requires keeping materials in the economy as long as possible, maintaining their intrinsic value/quality, while reducing hazardous substances in products and waste²⁶.
- **Overcoming uncompetitive pricing for recyclates:**
 - any activities and use of materials with low-energy content, in particular secondary raw materials, should be positively acknowledged in comparison with other products that have a much higher energy content.

²⁵ Industrial Transformation 2050 - Pathways to Net-Zero Emissions from EU Heavy Industry. (2019). Material Economics. Page 7. Available at: <https://materialeconomics.com/latest-updates/industrial-transformation-2050>.

²⁶ Construction and demolition waste: challenges and opportunities in a circular economy. (2020). EEA (Briefing). Available at: <https://www.eea.europa.eu/themes/waste/waste-management/construction-and-demolition-waste-challenges>.

- **Levies:**
 - member states or local authorities should consider price incentives for the use of recycled materials in construction products if they bring a positive environmental outcome.

- **Green public procurement:**
 - authorities at all levels can provide incentives to promote the use of recycled materials for construction products used in public buildings. The application of Rating Systems that promote and recognise green purchasing strategies, based on the logic of the circular economy, should be used.

- **Isolation and filling material affecting the plastic waste stream:**
 - to respond to the higher insulation and energy efficiency standards currently imposed on the construction sector, many manufacturers inject materials, such as wood or Polyurethane, into roller shutters and profiles. The use of these **insulation** materials was mentioned by FEAD-member companies active in recycling, as an important barrier to recycling. This material cannot be removed or sorted and has a **disruptive effect on the final high-quality recycling of the plastic (PVC) raw material**. Filling materials used during the installation of corners/joints constitutes another barrier to recycling. When assembling these areas, if a joint or corner does not fit perfectly, filling material is used (usually polyurethane or silicone). This is purposefully done to meet appropriate insulation standards. These fillers can only be separated during the recycling process if the presence in the PVC's waste stream remains limited. However, if there is an excess of these materials they end up in incineration or landfilling sites. These occurrences are expected to increase, because of stricter insulation standards imposed on the construction sector. Thus, **eco-design principles** should not come at the expense of the energy/insulation requirements placed on construction products.

- **Energy-efficiency:**
 - an important focus on the energy efficiency of construction products is provided through a scheme for minimum energy performance standards.

- There is a real necessity to improve circularity of the construction sector, as it represents a significant waste flow within the EU.



Brief overview:

Under the European Green Deal and the new Circular Economy Action Plan (2020), the European Commission (EC) has established a series of interrelated initiatives to create a strong and coherent product policy framework. The goal consists to make sustainable products, services and business models the norm, and not the exception, as well as in transforming consumption patterns to limit waste generation in the first place.



In June 2020, the EC published the initiative on “consumer policy – strengthening the role of consumers in the green transition”. The aim is to ensure that consumers obtain reliable and useful information on products, prevent overstated environmental information (‘greenwashing’) and sale of products with a covertly shortened lifespan, and set minimum requirements for sustainability logos & labels.²⁷ This initiative, together with a set of other targets on consumer policy, led to the launch of the New Consumer Agenda²⁸ (13 November 2020).

In July 2020, the EC published the initiative on “environmental performance of products & businesses – substantiating claims”, which will require companies to substantiate claims they make about the environmental footprint of their products/services by using standardised methods for quantifying them. The aim is to make the claims reliable, comparable, and verifiable across the EU – and reduce ‘greenwashing’ (companies giving a false impression of their environmental impact).²⁹

In September 2020, the EC launched a new initiative on sustainable products, to revise the Eco-design Directive and propose additional legislative measures as appropriate.



FEAD actions:

- ✓ Provided [feedback](#) (August 2020) to the EC Roadmap on consumer policy – strengthening the role of consumers in the green transition.
- ✓ Provided [feedback](#) (August 2020) to the EC Roadmap on environmental performance of

²⁷<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12467-Empowering-the-consumer-for-the-green-transition>

²⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0696>

²⁹<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12511-Environmental-performance-of-products-businesses-substantiating-claims>

products & businesses – substantiating claims.

- ✓ Provided [feedback](#) (October 2020) to the EC Roadmap on sustainable products.



FEAD position:

- FEAD considers that the EC initiatives on **sustainable products**, on **empowering consumers for the green transition**, and on the **substantiation of environmental claims using product and organisational environmental footprint methods** go in the right direction towards accomplishing climate neutrality and resource efficiency, and to realising the circular economy in the European Union.
- The following key elements must be taken into consideration when designing the new framework for sustainable products:
 - **Better information flows on materials:**
 - increased trust in recyclates' requires better information on the composition of materials used in products. With regards to hazardous substances in products, workers should be given a very high level of protection that prioritises their health and safety and given full disclosure of the presence of these substances.
 - Consumers and businesses along the value chain should be provided with valid information on how products are designed, manufactured, and how they can be reused or dismantled, how they ensure the sustainable use of natural resources and their recyclability characteristics.
 - **Eco-labelling:**
 - a label or product digital passport should inform consumers about both (i) to which extent a product can be recycled (i.e., design for recycling), and (ii) the percentage of recycled material in a product. This has the potential to foster changes in consumer choices. Consumers should be provided with the tools to shift towards "green products". Thus, **an inventory of avoided CO₂ emissions for frequently used products should be created** and it should also consider the amount of raw materials used, as well as their end-of-life.
 - The development of a common label showing the percentage of recyclates used in products and packaging would build trust between consumers and producers. This could eventually lead to an increase in consumer demand for products which contain high percentages of recyclates. The EC should introduce a European recycling label, also useful for Green Public Procurement. This would signal the recyclability and integration of recycled content to consumers, by allowing them to make informed choices. A proper eco-label should reflect the avoided CO₂ emissions at the manufacturing stage, and more generally, CO₂ performances during use. Concerning information sharing among stakeholders, we deem that the EC should consider potential communication requirements in business-to-consumer and business-to-business settings, including a minimum information

content, or a common EU format (e.g. an EU label/ logo). We believe that a trustworthy EU recycling label can deliver reliable and accurate information.

○ **Mandatory eco-design rules:**

- all products need to be **designed, manufactured and used** in a way that ensures the **sustainable use of natural resources** and reinforces the recycling and/or reuse of parts or materials. Eco-design should strive for true **dismantlability** and **recyclability** of products through targets and use of mandatory standards for products, reducing or phasing out harmful chemical substances, while preventing waste generation. Well-constructed global eco-design guidelines which reflect recycling processes will increase homogeneity of waste streams, promoting high quality recycling. Therefore, partnerships between producers and waste management companies must be established to facilitate recyclability/dismantlability of products. In addition, **FEAD believes that the scope of the Eco-design Directive needs to be widened beyond energy related products.**

- eco-design also concerns **chemicals**: as long as substances of concern can be legally placed on the market by manufacturers of virgin raw materials, recycling companies will at some point in time have to deal with those “legacy substances”. The long-term policy goal should be to achieve toxic/risk free material cycles. This should start at the initial design stage where products enter the material cycle for the first time.

○ **Mandatory recycled content in the products:**

- this is a measure that should primarily concern packaging, the automotive and construction sectors, paper, WEEE and textile sectors. Mandatory recycled content measures are an instrument that will enable the full realisation of the circular economy in the Union and a tool that will intensify the use of recyclates, by shifting the market demand towards secondary raw materials.

○ **Mandatory green public procurement (GPP) rules:**

- GPP rules should include mandatory minimum sustainability requirements, including for eco-labelled recyclable products and/or products re-incorporating recycled content.
- public authorities at all levels will have to provide incentives for promoting the use of recycled materials via GPP.

○ **A hierarchy for raw materials:**

- a hierarchy on materials, where recycled materials would be ranked higher in the hierarchy than virgin materials, would be an effective and visual tool for a more resource efficient economy. This would stimulate recycling activities, in the same way the waste treatment hierarchy did years ago for waste management routes.

- **Financial or fiscal tools** (e.g., reduced VAT or “CO₂ bonus”):
 - reduced levies for sustainable products incorporating recycled content, reflecting savings of CO₂ emissions.
- **Development of valid “green claims”:**
 - green claims should only be used when specific scientific ecological criteria (e.g., specific amount of recycled content in a product) are not met to avoid misleading green washing.
- **Energy efficiency:**
 - a real necessity to improve the circular economy exists and by doing so, the energy efficiency and the decarbonisation of the Union would also increase. Recovering the energy content of waste is an essential complement of material recovery and the circular economy.
- **Incorporating environmental costs into the economy.**
- **Stricter rules for product failures, products with short lifespan and greenwashing.**
- **Better enforcement of the relevant legislation.**

Chemicals

Chemicals



Brief overview:

Chemicals are an important part of our everyday lives. They ensure that we have heat, electricity, goods, clothing and access to telecommunications, social-media, and music wherever we are. Chemicals are also a significant contributor to our economies. Many things we observe in the natural world around us are caused by chemical reactions.

Yet, chemicals also present hazardous properties. For this reason, it is important to minimise any potential harmful impact from exposure. Proper and sound management/disposal of waste containing chemicals is mandatory and needed, in order to protect people and the environment.

Under the European Green Deal, the European Commission is developing a Zero-Pollution Strategy and has already adopted the EU [Chemicals Strategy for Sustainability](#) towards a toxic-free environment (14 October 2020).



FEAD actions in the field of chemicals include:

- ✓ Providing [feedback](#) (June 2020) to the EC Roadmap on the Chemicals Strategy for Sustainability.
- ✓ Providing [feedback](#) (August 2020) to the EC Roadmap on the update of concentration limit values of Persistent Organic Pollutants (POPs) in waste.
- ✓ Issuing a [Press Release](#) (October 2020) on the adoption by the Commission of the Chemicals Strategy for Sustainability.
- ✓ Providing [feedback](#) in the survey commissioned by the DG ENV to a consortium of consultants comprising RPA Europe, Risk & Policy Analysts (RPA), INERIS, and Bio Innovation Service
- ✓ Participation to the European Commission Experts Group on Fertilising Products
- ✓ Participation to the European Commission Experts Group on CARACAL.



FEAD position:

- To improve the circular economy which involves more and more ambitious targets in terms of quantity and quality, the following requirements related to chemicals and waste should be pointed out:

- **Need for more information and guidance:**

- when treating waste, the operators may face a lack of information on the composition of the waste received. This is particularly critical for hazardous waste. Such information is essential for several reasons: compliance with the acceptance criteria in the facilities and, where applicable, the compliance with legislative requirements such as POP Regulation or Seveso requirements on site, verification of the chemical compatibility to prevent any risk of accident and protection of employees in terms of health and safety.
- **FEAD calls also for the creation of a realistic set of guidelines concerning chemicals that can be found in the different waste streams** and how to treat them in a safe and environmentally responsible manner.

- **Decrease of the use of Substances of Very High Concern (SVHCs):**

- to improve the quality of recyclates as well as the safety of people and the environment, SVHCs should be phased out. If substitutes are unavailable, more product information is needed on how to safely remove and treat those substances in an environmentally sound manner.

- **Mandatory eco-design rules:**

- FEAD calls for the true **dismantlability** and **recyclability** of products through mandatory standards at the design stage. This requires reducing or phasing out substances of very high concern. A robust eco-design policy is also a key tool to prevent waste generation.



- **Enforcement and implementation of EU legislation:**

- while ambitious targets push for more recycling in terms of quantity, a qualitative approach is also needed, as recyclers are investing in downstream parts of the value chain. This investment will only be made possible by the proper implementation and enforcement of the existing international and European legislation (REACH, RoHS, POPs) at all stages and by all actors, with a specific attention on imported goods.

- **Legacy substances:**

- legacy substances are a barrier to recycling. Thus, a specific methodology to support decision-making on the recyclability of waste containing substances of concern is needed.

- To improve the protection of human health and the environment from the risks that can be posed by chemicals, the EC needs to strike the right balance between recycling/recovery policy as proposed by the new Circular Economy Action Plan and the aims of chemicals/products legislation.

FEAD own initiatives

Apart from directly contributing to the European institutions' work, FEAD has taken on several of own initiatives pertaining to the framework of the European Green Deal.

- **Waste-to-energy legal study**

As mentioned earlier in this report, energy recovery from waste is a vital possibility of making the best use of resources from waste, in particular non-recyclable, residual waste. It plays an important role in the circular economy, as an essential step in the waste management chain. However, the role of waste-to-energy in the context of the provisions of the EU Sustainable Investment Regulation (best known as the Taxonomy Regulation), is not clear, as it is not apparent whether the latter can be considered as activities “substantially contributing” to either climate mitigation or circular economy’s objectives.

To provide clarity, FEAD commissioned a legal analysis and interpretation of the Taxonomy Regulation³⁰, which aims at clarifying whether waste incineration for energy recovery, fulfilling R1 energy recovery criteria, can be considered an environmentally sustainable economic activity. This clarity is needed ahead of the detailed definition of "sustainable activities" in the future Taxonomy.



The legal analysis is based on methods applied in interpreting provisions of Union law, taking into account the European waste law and political framework, and **concluded that** (a) waste incineration must be viewed in a differentiated manner, (b)

³⁰ Prepared by the consultancy PricewaterhouseCoopers. Available here: https://fead.be/wp-content/uploads/2020/10/FEAD_20200911_Legal_Analysis_Regulation_2020-852_WtETaxonomy_final_EN.pdf

a distinction must be made between incineration for disposal and incineration for energy recovery (R1), and that (c) WtE (R1) is consistent with the circular economy, while also fulfilling other environmental objectives, as long as it complies with the waste hierarchy. Therefore, **recovering the energy from non-recyclable waste must be regarded as an environmentally sustainable economic activity.**

○ FEAD events

As an active player in the sphere of the circular economy, FEAD has organised and participated three events of relevance to the Green Deal's objectives:

Ecotoxicity (HP 14) test methods

FEAD held an online workshop on Ecotoxicity (HP 14) Test Methods on 30 June 2020. The workshop illustrated different experiences on test methods used in the evaluation and classification of waste as ecotoxic under the Waste Framework Directive (WFD). Speakers came from different member states and from across a variety of sectors and illustrated their approaches to HP 14 testing.

Implementation of the EU Plastics Strategy

On September 8, 2020, during the IFAT impact Business Summit 2020, FEAD held an online discussion on the EU Plastics Strategy. At the two-year mark since the adoption of this strategy, participants are now discussing its implementation. In this regard, we expect a stronger regulatory action to foster the creation of a competitive market for recyclates.

What will the German Presidency deliver on the Circular Economy?

On 5 November 2020, FEAD held a webinar as a side event of the European Circular Economy Stakeholder Conference³¹. The event focused on ongoing discussions under the German Presidency of the Council on the New Circular Economy Action Plan. Discussions focused on key measures needed to ensure the full achievement of EU climate ambitions. Participants discussed some main deliverables foreseen, relating to measures for strengthening recycling markets, such as mandatory recycled contents and eco-design, and waste exports. Waste-to-Energy and landfilling, in line with the waste treatment hierarchy were also discussed. The role of the EU Recovery Plan in relation to the waste management sector was also mentioned as a crucial driver for circularities. Panellists included representatives from the German Federal Ministry of the Environment (German Presidency), the European Parliament, the European Commission, and the NGO sphere.

³¹ <https://circulareconomy.europa.eu/platform/en/annual-circular-economy-stakeholder-conference-3-4-november-2020>

◉ Informal Working Group on ADR and waste³²

Following the Fall session of the Joint Meeting on RID/ADR/ADN³³ (September 2018), FEAD has been the only organisation appointed by Member States to lead an informal working group on specific waste issues concerning ADR. Such informal working group is composed by a selection of interested member states and other industry stakeholders. The group is currently chaired by Baudouin Ska (Denuo, Belgium) and supported by the expertise of specialists from our Dutch, Belgian, German and French federations or their respective members.

The purpose of the informal group is to gather consensus on certain issues requiring proposal for amendment to the ADR, that will be formally voted by all member states in the Joint Meeting (spring and fall session each year). The first meeting of the informal working group took place in April 2019 in Brussels. Since the beginning of the year, FEAD has been able to organise three additional meetings:

- March 2020 (Utrecht): the meeting focused on the finalisation of proposals to be put forward to the Fall Joint Meeting (September 2020). Two of the documents prepared by FEAD were approved by the Joint meeting and will be included in the ADR 2023-version (ADR is updated each 2 years). Issue covered: the transport of empty waste packaging under UN 3509 in sheeted containers end finetuning of the scope.
- October 2020: FEAD was tasked to support member states in finalising documents submitted during the Fall session. The documents presented to the meeting concern the following ADR/waste issues:
 - transport of asbestos in bulk;
 - bulk carriage of waste batteries;
 - weight estimation of waste transported;
 - exemption of ready for use pharmaceutical products (medicines) with a waste status;
 - additional information for on responsible person for the shipment of medical waste;
 - removable dumpster placarding;
 - proposal for multilateral agreements on certain documents.
- November 2020: following the fine-tuning of some documents, FEAD led the presentation of two new issues to be potentially submitted to the Spring Joint Meeting. The latter concern the possible combination of inner-outer packaging and the chemical compatibility of packaging for waste.

³² <https://fead.be/adr/>

³³ RID – Regulation concerning the International Carriage of Dangerous goods by Rail, ADR – European Agreement concerning the International Carriage of Dangerous Goods by Road and ADN – European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterway.

- A further meeting is foreseen following the Spring session of the Joint Meeting.

• **FEAD surveys**

FEAD has initiated various surveys between its members pertaining to the general scope of the EGD, and has shared the outcomes with the European Commission:

- Covid-19 pandemic and the reaction of the waste management sector in member states.
- Separate collection facts and figures in member states.

• **FEAD outreach**

FEAD frequently issues letters, statements, and press releases on actual and usually pressuring matters. It is also common that we issue such letters and statements jointly with other organisations, depending on the issue.

FEAD interaction with other stakeholders

FEAD is constantly working to participate and be involved in the sharpest debates, international organisations' meetings, surveys, and so many more actions and processes. The table below lists only an indicative aspect of our work in strengthening the European Green Deal in today's reality.



Other EU Bodies & Agencies		International Organisations, Institutions, and Bodies		Alliances & Memberships	
European Chemicals Agency (ECHA)	Feedback to ECHA's feasibility study on the use of comprehensive tools to manage Information flows from Product Supply Chains to waste, which led to the establishment of the SCIP ³⁴ Database (pursuant to the Waste Framework Directive)	Basel Convention	Participation to the SIWG ³⁵ on POPs wastes as observers Participation to the Expert working group on the review of the Annexes of the Basel Convention	Circular Plastics Alliance (CPA)	FEAD participates with experts in a number of CPA working groups, including Agriculture, Packaging, Automotive, Monitoring. Ongoing discussion on the definition of "recycled content", "standardisation" as well as "collected and sorted waste".
Committee of the Regions	Consultation on the new CEAP (May 2020)	Stockholm Convention & Rotterdam Convention	Continuous monitoring of the Stockholm and Rotterdam conventions' work	Industry	In communication with Industry organisations at European level and at members states' level. BusinessEurope (participation in various Working Groups)
European Environment Agency (EEA)	Continuous monitoring of the Agency's work	OECD	Participation to the Working Party on Resource Productivity and Waste meetings	Other stakeholders	Member of the European Circular Economy Stakeholder Platform (ECESP); Cooperation with other European and global waste management federations and NGOs; Member of the EPR Club.

³⁴ Substances of Concern In articles, as such or in complex objects (Products) (SCIP) database.

³⁵ Small Intersessional Working Group.

In addition, the participation and contribution of FEAD in European and global events includes the following:

- 16 March 2020 – FEAD participation to the event organised by the European Academies Science Advisory Council (EASAC) on “packaging plastics in the circular economy”.
- 15 July 2020 – FEAD participation in the first IFAT Impact Panel Discussion (Germany).
- 2 September 2020 – FEAD presentation at the PIGO Annual Conference (Poland), on recycling performances in Europe.
- 2 September 2020 – FEAD presentation at the YTP Annual Conference (Finland), on the developments under the European Green Deal.
- 19 October 2020 – FEAD presentation at the 24th International Congress of Environmental Protection - ENVICON (Poland), on environmental Protection and the Circular Economy.
- 29 October 2020 – FEAD presentation at the Estonian Circular Economy Industries Association – Annual Conference (Estonia), presenting a view from Europe regarding waste as a Resource, as well as European and Global market trends.
- 4 November 2020 – European Circular Economy Stakeholders Platform event on Circular Procurement – FEAD moderation of a sub-session.
- 17 November 2020 – FEAD presentation at the BW Expo Digital Summit (Brazil), on the European Green Deal and the waste management sector.
- 18 November 2020 – FEAD presentation at the RDF Conference (United Kingdom), on the European Green Deal, the waste management sector, and waste and energy related issues.
- 23 November 2020 – FEAD participation to an online webinar organised by the Florence School of Regulation on “financing models of municipal waste management”.

What our industry does for Europe

- FEAD is the EU private waste management association.
- We provide local, innovative, and sustainable jobs: up to 400,000 jobs in the waste management sector.
- 5 Billion EUR/year investments in collection and waste management facilities.
- Secondary raw materials provided to the manufacturing sector.
- A key role in climate protection through prevention of GHG emissions through recycling, and waste-to-energy of non-recyclable and non-recoverable waste.



20
National Waste Management federations



3.000
Private waste management companies



320.000
Employees In total



2.400
Recycling and Sorting centres



900
Controlled landfills



1.100
Composting sites



260
Waste-to-energy Plants



5 billion
Euros In Investments Per year

- APOH** Slovakia • **ARMD** Romania • **ASEGRE** Spain • **BDE** Germany
 • **CAObH** Czech Republic • **Denuo** Belgium
 • **DWMA** Netherlands • **ECEIA** Estonia • **ESA** UK • **FISE** Italy
 • **FLEA** Luxembourg • **FNADE** France • **IWMA** Ireland
 • **LASUA** Latvia • **NORSK INDUSTRI** Norway • **PASEPPE** Greece
 • **PIGO** Poland • **SRI** Sweden • **VÖEB** Austria • **YTP** Finland

The road ahead

FEAD is committed to the objectives of the European Green Deal and will continue working towards building a sustainable and resilient environment by both enhancing the circular economy in Europe and reducing GHG emissions.

Among the challenges and opportunities in the next years we distinguish the following expected actions under the new Circular Economy Action Plan that are directly or indirectly related to waste: the revision of the Packaging and Packaging Waste Directive, the new legal framework for batteries, the proposals for mandatory recycled plastic content and waste reduction, the review of the Ecodesign Directive, the review of the Construction Products Regulation, the EU Strategy for Textiles, the updates of the POPs Regulation, as well as the revision of the Waste Shipments Regulation, and the review of the landfill Directive.

In addition, we anticipate the revision of broader texts, also of crucial importance to our sector, such as the EU ETS/ Effort Sharing Regulation proposal (both related to CO₂ emissions), the revision of the state aid guidelines for environmental protection and energy, the carbon border adjustment mechanism proposal, and the

Renewable Energy and Energy Efficiency Directives, which would reflect the new 2030 climate target, to name but a few.

We are also eager to see the much-needed increase in green funding (Next Generation EU) and in green investments in the Union (Covid19-crisis recovery), to accelerate the achievement of the objectives and goals of the EU Green Deal.



We believe that under a robust and predictable regulatory framework, which will also allow for the development “green economy” businesses, the whole **waste management sector, represented by FEAD, appears as a key ally** in delivering the best results for the ambitious yet required green growth strategy for Europe.

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