28 September 2021

Waste management

Chapter 13.1 - Collection and transport of non-hazardous and hazardous waste

Substantial contribution to transition to circular economy

1. All separately collected and transported waste that is segregated at source is intended for preparation for reuse or recycling operations;
2. Source segregated waste consisting of (i) paper and cardboard, (ii) textiles, (iii) biowaste, (iv) wood, (v) glass and (vi) WEEE is collected separately (i.e., in single fractions) and not commingled with other waste streams;
3. In the case of source segregated waste other than the fractions mentioned in par. 2, collection in co-mingled fractions takes place only where it meets one of the conditions laid down in EU Directive 2008/98/EC, Article 10, paragraph 3, indents (a), (b) or (c);
4. For municipal waste streams, the activity:
    a. carries out separate waste collection within publicly organized waste management systems where waste producers are charged based on a pay-as-you-throw (PAYT) mechanism, at least for the residual waste stream

OR

    b. - carries out separate waste collection outside of publicly organized waste management systems that apply deposit and refund systems or other types of economic instruments that directly incentivize waste segregation at source

FEAD Proposal:

Comment to point 2: Generally speaking, collecting separate waste fractions allows for quality recycling, and needs to be promoted through the Taxonomy. FEAD would nevertheless recommend the Platform not to preempt the results of the study conducted by the JRC on selective collection schemes, which results are expected end 2022.

4. For municipal waste streams, the activity:
    a. carries out separate waste collection within publicly organized waste management systems where waste producers are charged based on a pay-as-you-throw (PAYT) mechanism~~, at least~~ for the residual waste stream ~~or~~ other economic instruments

FEAD Rationale

Other economic instruments, such as the extended producer responsibility may be used as well.

Chapter 13.3 – Treatment of hazardous waste as a means for pollution prevention and control

Description of the activity

The following sub-activities are excluded from the scope:

- Disposal operations of hazardous waste e.g., landfilling or permanent storage.

FEAD Proposal:

The following sub-activities are excluded from the scope:

- Disposal operations of hazardous waste ~~e.g., landfilling or permanent storage,~~ with exception of disposal activities demonstrating that disposal is the treatment option that delivers the best overall environmental outcome for the hazardous waste

FEAD Rationale:

The waste hierarchy, described in the European waste framework directive article 4, applies as a priority order in waste prevention and management legislation and policy. The waste hierarchy applies also to hazardous waste, meaning that disposal is the least desirable treatment option. However, in certain cases, safe disposal is the option that deliver the best overall environmental outcome, when taking into account the goal for a toxic free environment. For instance, safe disposal options may prevent leaking of hazardous substances to the environment and the recycling of legacy substances.

Substantial contribution to pollution prevention and control

Compliance (as a minimum) with the requirements defined in the BAT conclusions of the WT and WI BREFs, aiming to optimise the effectiveness and environmental performance of treatment processes for the safe destruction of the hazardous substances present in the waste (as per the implementation of BAT 8 of WI BREF, in case of thermal treatment).

FEAD Proposal:

Compliance (as a minimum) with the requirements defined in the BAT conclusions of the WT and WI BREFs, aiming to optimise the effectiveness and environmental performance of treatment processes for the safe destruction of the hazardous substances present in the waste (as per the implementation of BAT 8 of WI BREF, in case of thermal treatment), as well as with the landfill requirements included in the european landfill legislation (Landfill Directive and Decision establishing criteria and procedures for the acceptance of waste at landfills.

Substantial contribution to pollution prevention and control

Acceptance procedures:
In the case of hazardous waste, the following elements are in place:
A reception facility equipped with a laboratory to analyse samples on site and documented analytical standard operating procedures

FEAD Proposal:

- A reception facility equipped with a laboratory to analyse samples on site, or routinely available at another site according to BAT, and documented analytical standard operating procedures

FEAD Rationale:

Not all reception facilities for hazardous waste have their own laboratories on site. As an alternative, certified external laboratories are used to analyse samples of the hazardous waste received. This does not compromise the need for strict routines and acceptance procedures.

According to the BAT, analysis of waste should be "carried out by a laboratory with suitably recognised test methods. Where the waste received is hazardous, the laboratory is on site or routinely available at another site."

Rationale

b) The incineration of non-hazardous waste has been excluded because of significant harm caused to the CE objective, and the objectives of the first delegated taxonomy act. There should therefore be no indirect inclusion and exemption for non-hazardous waste incinerators that are also permitted to treat an additional fraction of hazardous waste.

FEAD Proposal:

Specify that the proposed rationale is referring just to incineration as a disposal operation.

FEAD Rationale:

Energy recovery (R1), for non-hazardous waste, should be included in a dedicated and relevant section as an activity substantially contributing to (a transition to) a circular economy, since it is an essential part of it (for residual waste).

Chapter 13.4 – Treatment of hazardous waste as a means for material recovery

Description of the activity

The activities that recover materials from the following waste streams are not included in these technical screening criteria: Batteries, Waste Electrical and Electronic Equipment (WEEE), End-of-Life Vehicles (ELV), inorganic materials from incineration processes (e.g., ashes, slags, dust). Furthermore, the treatment and recovery of nuclear waste is excluded.

FEAD Proposal:

The activities that recover materials from the following waste streams are not included in these technical screening criteria: Batteries, Waste Electrical and Electronic Equipment (WEEE), End-of-Life Vehicles (ELV), ~~inorganic materials from incineration processes (e.g., ashes, slags, dust)~~. Furthermore, the treatment and recovery of nuclear waste is excluded.

FEAD Rationale:

The criteria in chapter 13.4 are suggested for activities specifically designed for the material recovery of secondary raw materials from source segregated hazardous waste, as its primary aim. We believe that these criteria should apply for the material recovery of all types of hazardous waste, including inorganic materials. Material recovery, instead of incineration and disposal, will take Europe in the direction of a more circular economy. Several companies are currently investing in facilities, recycling salts and minerals from fly ashes. Such investments in recycling capacity will reduce waste volumes to disposal and are necessary to achieve a circular society.

Chapter 13.8 Sorting and material recovery of non-hazardous waste

Rationale

The material recovery of waste enables the conversion of waste into secondary raw materials that are suitable for the substitution of virgin materials in production processes.

This process, therefore, directly reduces the pressure on the environment by reducing:

5. The amount of recyclable waste incinerated or disposed in landfill and the associated environmental impacts, as shown by EUROSTAT (env_wastrt) statistics (i.e., countries with high recycling rates generally rely less on landfill and incineration, and vice-versa), and

FEAD Proposal:

The amount of recyclable and recoverable waste ~~incinerated or~~ that is disposed of in landfill and the associated environmental impacts, as shown by EUROSTAT (env_wastrt) statistics (i.e., countries with high recycling rates generally rely less on disposal (landfill and incineration), and ~~vice-versa~~ rely more on energy recovery), and

FEAD Rationale:

There is not a proper distinction between incineration disposal and Waste to Energy activities. The assumption presented is also wrong: there are evidence that countries with high recycling performances also rely heavily on W-to-E for residual waste treatment.
Energy recovery from residual, non-hazardous waste should be fully recognized in a dedicated section as an activity substantially contributing to (a transition to) a circular economy, provided that 3 conditions are met:

- There is a waste management plan in the given country;
- Only residual waste, resulting from selective collection or sorting, is subject to energy recovery under application of the R1 Formula;
- The CCS-CCU feasibility is examined.