



Mr Sigmar Gabriel

Federal Environment Minister
President of the EU Environment Council
Bundesministerium für Umwelt
D - 10178 Berlin

12 June 2007

Dear Sir,

For the upcoming Environment Council on 28 June you announce the adoption of a political agreement on the Waste Framework Directive. BUSINESSEUROPE has supported the revision of this directive, as we believe it is essential for the EU's Better Regulation agenda that a fundamental approach to keeping material flows effectively and cost efficiently in the life cycle is developed at Community level.

In particular, we would like to draw your attention to the following points which we believe to be particularly important in the current discussion.

BUSINESSEUROPE:

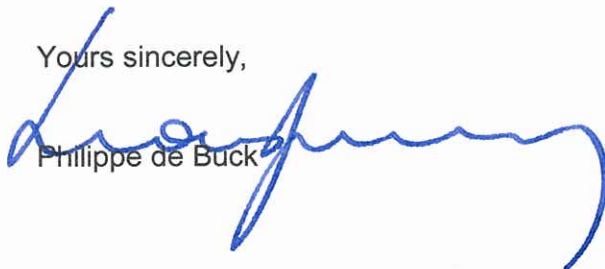
- Supports the inclusion of the Waste Hierarchy only as a guiding principle since the flexibility is necessary when other options prove better environmental and cost effective solutions.
- Asks EU institutions not to form numerical and scheduled targets and not to set such for waste prevention and stabilisation.
- Supports the inclusion of a definition of recovery and the distinction between recovery and disposal.
- Warns that waste legislation should not tread into the field of product legislation. More particularly, overlapping eco design requirements in the draft waste directive will undermine the effective implementation of the directive on eco design of energy using products.
- Supports the inclusion of a definition of by-products and the clarification that by-products do not fall under the definition of waste.
- Supports the inclusion of a mechanism for determining the end of waste, but would like it to include a permanent consultation mechanism.
- Opposes the extension of the principles of self-sufficiency and proximity to recovery operations as it would introduce distortions in the internal market.

- Opposes the inclusion of extended producer responsibility and supports Shared Responsibility for environmental impacts all along the supply chain.
- Supports the exclusion of the uncontaminated excavated materials but also when used on another site as this would lead to a real environmental benefit.
- Supports the exclusion of the unexcavated contaminated soil and buildings but recommends extending it to structures also.

You find enclosed to this letter the BUSINESSEUROPE position paper with further information on the above-mentioned recommendations.

I thank you for the consideration you may give to our views.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Philippe de Buck', with a long, sweeping flourish extending to the right.

Philippe de Buck