

Members of the Committee on the
Environment, Public Health and
Food Safety
European Parliament
Bât. Altiero Spinelli
60 rue Wiertz
B-1047 Brussels

1 April 2008

Dear member of the Environment Committee,

Subject: BUSINESSSEUROPE position on the Waste Framework Directive in view of ENVI vote for the 2nd reading (Jackson report)

BUSINESSEUROPE, which represents more than 20 million companies in Europe through its 39 national business federations from 33 countries, acknowledges the importance of taking measures to develop a framework for coordinating waste management in the Member States in order to minimise waste and to optimise the organisation of waste treatment and disposal, within the single market. With the aim of ensuring the flexibility, enforceability and clarity of the directive, the industry believes its proposed amendments deserve careful consideration when new Waste rules is being decided.

In view of the 2nd reading vote on the Waste Framework Directive, I would like to emphasise BUSINESSSEUROPE's position on several amendments tabled which are of particular concern for industry.

Waste hierarchy: the directive should enable a flexible application of the waste hierarchy, avoiding administrative costs as it is the right way to protect the environment.

- Support: amendment 55
- Reject: amendments 22, 65, 103, 155, 157

Waste stabilisation and prevention: we see the setting of targets as useless and almost impossible to measure. Moreover, the directive should clear the concept of waste.

- Reject: amendments 18, 19 (and 152), 25, 26, 61, 144, 146, 149, 150, 151, 153, 154

By-products: the use of by-products is essential for the development of a resource efficient economy. Therefore, the distinction between wastes and by-products must be clear and the categorisation of materials as by products must be universal across the EU.

- Support: amendment 112
- Reject: amendments 9, 43, 45, 63, 104, 106, 107, 108, 110, 113, 114, 115, 116

End-of-waste status: it is very important to define criteria that lead to more clarity in the definition of “end of waste” and which do not complicate the procedure. A permanent consultation mechanism for determining the “end-of-waste status” would be beneficial.

- Support: amendments 222, 223, 224
- Reject: amendments 117, 118, 120, 124, 125, 126, 127

Recovery: there is a real need to distinguish clearly between “recovery” and “disposal”.

- Reject: amendments 8, 40, 42, 83, 84, 87, 201

Single market for waste: the directive should fully apply the single market rules with regard to waste for recovery in order to ensure the establishment of a “recycling society”.

- Support: amendments 162, 166, 167
- Reject: amendments 163, 164, 165, 168, 169

Producer responsibility and design related requirements: the directive should avoid the inclusion of unenforceable provisions on producer responsibility and product development and design. Product requirements should not be included in waste legislation, they should remain in product legislation such as REACH and the EuP Directive.

- Support: amendments 134, 138, 140, 143
- Reject: amendments 15, 16, 17, 135, 137, 139, 141, 142

Uncontaminated excavated materials and contaminated soil: the directive should not cover unexcavated contaminated soil and uncontaminated excavated materials.

- Support: amendments 67, 71
- Reject: amendment 66

Administrative burden: the directive should avoid new record-keeping obligations for producer of non-hazardous waste.

- Support: amendments 159, 198, 209
- Reject: amendments 36, 37, 38, 39, 139, 200, 201, 203, 204, 205, 207, 210, 217, 220

I thank you for taking these points into serious consideration in view of the ENVI vote scheduled for 8 April.

Mr Alexandre Affre (BUSINESSEUROPE, Adviser, Tel: 02 237 65 39, email: a.affre@businessseurope.eu) is at your disposal for any additional information you may require.

Yours sincerely,

(original signed by)

Guido Morini
Chairman, BUSINESSEUROPE Waste Task Force