



Mr. Janez POTOČNIK
Commissioner for the Environment
European Commission
200 Rue de la Loi
1049 Brussels

27 February 2014

Dear Commissioner,

BUSINESSEUROPE understands that discussions are taking place regarding the Soil Framework Directive, its withdrawal or a possible new EU initiative. We continue to question the need for an EU Soil Framework Directive and whether it would deliver on the aim of further protecting soil across the EU.

This proposal has been debated at European level for many years without any significant progress. For industry, the need for soil protection legislation at European level is not obvious. In line with the principle of subsidiarity, BUSINESSEUROPE believes that the EU should be active only in those policy areas which cannot be adequately addressed at Member State level.

With this in mind, we do not consider this Directive to be a suitable instrument for protecting soil in the EU:

- Soil, unlike air or water, does not pose the risk of transboundary pollution and therefore, the principle of subsidiarity should prevail.
- Soil contamination and remediation are already covered by national legislation in many Member States
- Excessive administrative and reporting burdens on industry and Member States must be avoided.
- There is a significant risk of inconsistencies and overlaps with existing EU legislation as well as double regulation (e.g. Mining Waste Directive, Industrial Emissions Directive, Waste Framework Directive and Landfill Directive.)

Against this background, BUSINESSEUROPE therefore supports the withdrawal of the Soil Framework Directive as proposed in the REFIT Programme and argues against any future soil protection legislation at EU level.

Yours sincerely,

Markus J. Beyrer