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Environmental impact of waste management – revision of the Waste Framework Directive (WFD)

Feedback from the European Environmental Bureau

Waste Prevention and reuse

The EEB calls for an **ambitious mandatory waste reduction target**, overall, for all municipal solid waste (MSW), and for specific waste streams, to support the necessary implementation and enforcement of waste prevention as a priority.
The sectoral targets should address high impact sectors such as: food, textiles, packaging, electronics, vehicles, batteries, CDW etc.
In addition, it should set **waste prevention targets for industrial and commercial waste**, not covered under MSW, including for industries covered by IED where a waste prevention plan is required as part of permitting. We also call for a **specific reduction target of hazardous waste generation**, linked to prevention plans and targets for industrial and commercial activities.

Equally important would be to **define re-use targets for WEEE, packaging, textiles, furniture and ELV and CDW components**. These targets should be distinct from recycling targets. Recycling targets became a priority for local decision makers despite the evidence showing that prevention could lead to higher environmental benefits.

Overall prevention targets could be staged i.e., for 2027, 2030, 2035 and 2040. We suggest starting with food waste prevention, based on the data gathered from Member States, and then moving to other high impact waste streams. Such targets must be binding. With them, Member States will feel the pressure to comply and take determined actions with quantifiable results.

Waste reduction targets should be complemented by **resource use reduction targets,** measured using Material Footprint, at the EU, MS and sectoral level. Together, these two perspectives will effectively measure the flows of resources and waste in the economy.

Product specific requirements, as established in the forthcoming sustainable products initiative, will also play a role in reaching waste reduction targets. Reducing waste generation by introducing product specific design requirements, supporting value retention (reuse, repair, refurbishment and remanufacturing), reducing the presence of hazardous chemicals, ensuring the availability of spare parts and product information, as well as addressing other issues such as software updates).

Separate collection

Separate collection of waste is a prerequisite for recycling. While the obligations already exist in most of waste streams in WFD, it needs further support mechanism to enforce its more diligent

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application. The individualization of separate collection through **door-to-door collection**, in which a household can be identified, gives superior results. This method further enables the application of a **Pay-as-you-throw mechanism**, both applying the polluter pay principle and compensating the well performing citizens.
The implementation of the individualized collection system should go hand in hand with inspections, monitoring and strong awareness campaigns to increase citizen participation in separate collection.
Taxes on landfilling and incineration would also favor waste prevention and separate waste collection. Tax refunds, such as giving part of the revenue to local authorities according to their performance on separate collection of biowaste (including quality), as it shows this example in Catalonia, would incentivize municipalities to improve separate collection.
Collection systems should also be accompanied by **reuse and preparation for reuse/repair centers**, supported through EPR schemes. Civic amenity sites should be easily accessible, and follow technical recommendations to limit illegal practices (see COLLECTORS policy recommendations).

Article 10(3) of WFD currently opens up some derogations that allow Member States to not set separate collection schemes in certain areas. Those derogations need further clarifying and/or restricting in scope.
Finally, the WFD could explore the f**easibility of setting collection targets for other waste streams** as it was done in SUPD for PET bottles (90%).

Residual waste reduction target

We call for **setting a cap on residual (non-recycled) waste target** of 120 kg per capita by 2030 and of 100 kilograms per capita by 2035, including residues from sorting and recycling processes. Activities reaching that target would directly contribute to improvement of separate waste collection and recycling efficiency, while indirectly also incentivizing waste prevention.

Biowaste

As stated already in the EEB's response to the Biowaste Green Paper in 2009, EEB suggested that binding targets should be set in the form of a **cap of organic content in residual waste** before further treatment (i.e., before landfill, incineration or MBT). This would drive both prevention and separate collection. It would not hamper home composting nor community composting.
On top of that we support the development of minimum requirements for source segregation and separate collection for high quality recycling. Setting a **cap on non-targeted material in collection of biowaste** would facilitate further steps and help to reach higher quality of compost, with less costs involved. Such a cap could be staged and set at 25kg by 2030 and 15kg by 2035 of maximum amount of biowaste in residual bin per capita per year. This target could also be set in percentages, for example 20, then 15%.

Extended Producers Responsibility

The EEB supports the European Commission's commitment to **expand the role of EPR schemes in driving waste prevention.** It is vital to redefine the coverage, scope, and size of EPR fees to implement the polluter pays principle more effectively so that producers cannot simply 'pay to pollute' for an insignificant fee.

EPR and eco-modulation of fees can and must play a crucial role in supporting the ambitious waste prevention and reuse targets that must be set in the revised WFD. To this end, EPR requirements and fees criteria must be redefined to expand their scope and cost coverage to include waste prevention and to use eco-modulation of fees to incentivize more circular products.

There is still much room to improve the functioning of EPR schemes as a tool to drive circular economy, particularly in better aligning the criteria with the waste hierarchy (prioritizing value retention before recycling) and linking them with EU-wide eco-design criteria as well in strengthening the implementation and enforcement across the EU (e.g., ensure that EPR requirements apply also to online sales).

EPR requirements and eco-modulation criteria are currently focused almost exclusively on end-of-life aspects (recyclability, recycling rate, recycled content) while they largely overlook the higher levels of the waste hierarchy. We call on the European Commission to introduce **EPR requirements and modulation criteria for preventing waste and extending products lifetime, such as reusability, durability and repairability**. Accordingly, the size of the modulation should vary depending on the proximity to the highest levels of the waste hierarchy (e.g., criteria leading to waste prevention and reuse should lead to lower fees than criteria focusing only on recyclability).

EPR requirements and modulation criteria, defined according to the waste hierarchy, should be adapted to the specificities of the targeted streams and harmonized at EU level, while leaving some flexibility for Member States to add complementary criteria.

In terms of coverage, EEB calls for the extension of EPR systems as a policy tool to other product categories such as **textiles, furniture, nappies, oils, and mattresses**. Additionally, the EBB calls for the setting up of dedicated EPR schemes for the **items related to food-waste** (e.g. teabags, coffee bags, fruit labels, organic waste collection bags) for which the Commission is considering mandating the compostability (requirement to meet the relevant CEN standards EN 13432) under the upcoming revision of the Packaging and Packaging Waste Directive to finance prevention, collection, and recycling of bio-waste. For EPR to play its role in supporting the reduction of waste generation, it will also be essential to **expand the scope of fees beyond the current limited understanding of the "necessary costs" (which only considers costs incurred to improve recycling), to include the costs needed to adopt waste prevention measures (e.g., for repair activities).**

The current cost coverage of EPR systems only seeks to minimize the costs. In the pursuit of cost minimization, the fees can become too low to encourage producers to design products with better environmental performance regarding waste prevention and reusability. This is currently the case for WEEE, batteries and textiles for which EPR fees are insignificant compared to product price.

EPR fees must instead be set at a significant level to cover all real end-of-life costs as well as the product's social and environmental costs, while the magnitude of EPR fees modulation must be sufficient to incentivize producers to invest in improved product design.

This necessary increase in EPR fees should be supplemented with visible fees to provide increased access to information for consumers. For products where the size of the modulated fees would remain extremely low (e.g., packaging) consumers could be provided instead with clear information on reusability, recyclability, and other relevant environmental impacts.

Deposit-Return Systems DRS is one of the policy tools to maximize collection. It should, however, provide incentives for producers to move to refillable systems. With this we can expect a decrease in packaging waste (beverage containers).

E-commerce and online platforms

We believe that special and urgent attention needs to be given to the link between e-commerce, overconsumption, and associated waste. We are deeply concerned about the levels of waste resulting from online sales, the high levels of non-compliance associated with products and packaging sold online, and the difficulty in developing legislation to curb these issues. The Dutch Green Party estimated that unwanted data from mobile ad trackers emitted as much GHG as a European city like Lisbon. We suggest that the EU should establish an "consumerism levy" based on an own resources fee calculated on the basis of 1% of all online advertising and tracker fees. The revenues from this fund would be earmarked for waste prevention measures.

Waste oils

The EEB strongly support the initiative's objectives to improve separation and increase the amounts of waste oils collected and treated in line with the waste hierarchy. Using waste oil as fuel is very problematic as energy recovery results in higher GHG emissions than regeneration and, indeed, "contributes more to climate change and resource depletion." We encourage the EC to set waste oil regeneration targets for waste oils. Evidence for different waste streams shows that setting such targets moves the market and obliges member states to create enabling conditions for separate collection and recycling. If well designed, this tool can lead to an exponential increase of regenerated waste oil and enhance circular economy practices in the EU.

Furniture and Textiles

These sectors need setting prevention, reuse, and recycling targets with supporting EPR systems required at EU level. We suggest exploring a waste reduction target based on a % improvement rate differentiated according to the amount of furniture and textiles waste generated in a baseline year; the higher the generation, the higher the % reduction rate (until a 'floor threshold).
As regards recycling targets, we call for an ambition at least equal to MSW recycling targets, or even higher. In addition to that, targets for separate collection for recycling of furniture and textile waste should be explored, or capping the content of textiles and furniture waste in residual stream.

Construction and demolition waste

Construction and demolition waste provide a high potential for waste prevention as well as recycling and recovery and thus the conservation of natural resources. The buildings sector is responsible for a third of Europe's waste and half of the extracted materials. The WFD should boost the use of secondary materials to drive down waste generation, reduce CO2 emissions and

increase the extraction of raw materials. Regarding data quality, it is pointed out that *"different definitions are applied throughout the EU, which makes cross-country comparisons cumbersome."*
There are some measures that should be included in the WFD to support this process. The EEB calls for establishing reuse and recycling targets for various fractions of C&D waste as mentioned in the current WFD. Mandatory pre-demolition audits; introducing targets for the separate collection of each kind of material and the re-use of materials; banning landfill and incineration on C&DW construction and demolition waste except for hazardous waste; promoting EU criteria to ensure the safe use of secondary materials. Those targets should be accompanied by EPR systems to be adapted to the targeted streams in order to enable a proper collection and recycling.

Commercial & Industrial waste

In addition to prevention targets set for commercial and industrial waste as mentioned above, it should be set recycling targets for industrial & commercial waste as anticipated in the current WFD. As industrial & commercial waste are often more homogeneous than MSW and less scattered in terms of generation sources, the required recycling rate should be at least equal to– but preferably set higher than – MSW recycling rate.

Additional literature

10 policy priorities to reduce waste

Explained: Europe's new waste prevention and reuse laws

https://eeb.org/library/delivering-resource-efficient-products/

https://eeb.org/work-areas/resource-efficiency/waste-recycling/

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