

**Question for written answer E-000983/2018
to the Commission**
Rule 130
Richard Sulík (ECR)

Subject: Application of Directive 2006/66/EC in Slovakia

Part B of Annex III to Directive 2006/66/EC lays down minimum recycling efficiency requirements for the '(a) recycling of 65% by average weight of lead-acid batteries and accumulators, including recycling of the lead content to the highest degree that is technically feasible while avoiding excessive costs' and for other types of batteries. Those minimum requirements are not transposed in any applicable Slovak law or decree. They are merely set out in a document entitled 'Waste Management Plan of the Slovak Republic 2016-2020'. However, instead of '65% by average weight', the requirement set out is for 90%. This value is also used as a criterion for assessing applications from private enterprises for the shipment of waste for recovery pursuant to Article 4 of Regulation No 1013/2006/EC.

1. In view of these facts, is the Slovak Republic acting in accordance with EU law?
2. Is it technically possible to achieve 90% by average weight recycling efficiency for lead-acid batteries and accumulators?
3. Where the competent authority of dispatch has objected to an application for the shipment of waste for recovery pursuant to Article 12 of Regulation No 1013/2006/EC, what legal remedies can a private enterprise use against the objection?