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DRAFT REPORT

on the Commission Green Paper on the management of bio-waste in the
European Union
(2009/2153(INI))

Committee on the Environment, Public Health and Food Safety

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CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION	3
EXPLANATORY STATEMENT	7

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the Commission Green Paper on the management of bio-waste in the European Union (2009/2153(INI))

The European Parliament,

- having regard to Articles 191 and 192 of the Treaty on the Functioning of the European Union, which aim to promote a high level of protection for human health and the environment,
- having regard to the Commission Green Paper on the management of bio-waste in the European Union (COM(2008)0811),
- having regard to the conclusions adopted by the Council of the European Union on 25 June 2009 (11462/09 of 26 June 2009),
- having regard to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste¹,
- having regard to Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste²,
- having regard to its resolution of 12 March 2008 on sustainable agriculture and biogas: a need for review of EU legislation³;
- having regard to its resolution of 4 February 2009 on '2050: The future begins today – Recommendations for the EU's future integrated policy on climate change'⁴,
- having regard to its resolution of 10 April 2008 on the mid-term review of the Sixth Community Environment Action Programme⁵,
- having regard to its resolution of 14 November 2007 on the proposal for a directive of the European Parliament and of the Council establishing a framework for the protection of soil and amending Directive 2004/35/EC⁶,
- having regard to its resolution of 13 November 2007 on the Thematic Strategy for Soil Protection⁷,
- having regard to its resolution of 25 October 2005 on the Council common position for adopting a regulation of the European Parliament and of the Council on shipments of

¹ OJ L 114, 27.4.2006, p. 9.

² OJ L 182, 16.7.1999, p. 1.

³ OJ C 66E, 20.3.2009, p.29.

⁴ OJ C 67E, 18.3.2010, p.44.

⁵ OJ C 247E, 15.10.2009, p.18.

⁶ OJ C 282E, 6.11.2008, p.281.

⁷ OJ C 282E, 6.11.2008, p.138.

waste;¹

- having regard to its resolution of 29 September 2005 on the share of renewable energy in the EU and proposals for concrete actions²,
 - having regard to its resolution of 17 June 2008 on the Council common position with a view to the adoption of a directive of the European Parliament and of the Council on waste and repealing certain Directives³,
 - having regard to its resolution of 13 February 2007 on a thematic strategy on the recycling of waste⁴,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Industry, Research and Energy and the Committee on Agriculture and Rural Development (A7-0000/2010),
- A. Welcomes the Commission initiative promoted in its Green Paper, which provides an opportunity for Community action on the management of bio-waste,
- B. whereas Article 2(4) of the Waste Framework Directive provides that specific or supplementary rules on the management of particular categories of waste may be laid down by means of individual directives,
- C. whereas the rules on the management of bio-waste are fragmented and the current legislative instruments are not sufficient to achieve the stated objectives of the effective management of bio-waste; whereas, consequently, a specific directive is necessary for the management of bio-waste; whereas compiling all the various rules on the management of bio-waste in a single piece of legislation would in itself be an exercise in legislative excellence and better lawmaking, whilst at the same time ensuring simplification, greater clarity and legal certainty and thus guaranteeing the long-term confidence of public and private investors,
- D. whereas a specific directive on bio-waste should have the necessary flexibility to cover the various management options available, bearing in mind that there are a large number of variables and local considerations that need to be taken into account,
- E. whereas bio-waste accounts for more than 30% of solid urban waste; whereas the volume of bio-waste is rising in the European Union, representing a significant source of greenhouse gas emissions and other negative environmental effects when dumped in landfills,
- F. noting the unexplored potential of bio-waste managed in line with widely differing policies in each Member State; whereas improved management of this waste is necessary

¹ OJ L 190, 12.7.2006, p. 1 - 98 and OJ L 318, 28.11.1008, p. 15.

² OJ C 227, 21.9.2006, p. 524.

³ OJ L 312, 23.11.1008, p. 3.

⁴ OJ C 287 E, 29.11.2007, p. 168.

in order to achieve the efficient and sustainable management of resources; whereas the recovery of bio-waste should be stepped up in order to reach the targets for recycling and renewable energies and thereby contribute to achieving the goals of the EU 2020 strategy,

- G. whereas the management of such waste should be structured in line with the 'waste hierarchy': prevention and reduction, reuse, recycling, other types of recovery, in particular for energy purposes, and as the last option, landfilling (in accordance with Article 4 of the Waste Framework Directive); whereas prevention is the priority objective in the management of bio-waste; whereas prevention makes it possible, in particular, to avoid food waste and green waste, for example through the improved planning of public parks with low-maintenance plants and trees,
- H. whereas bio-waste has a role to play in combating climate change and offers potential in combating soil degradation and promoting the production of renewable energies,
- I. whereas bio-waste should be seen as a precious natural resource that can be used to produce high-quality compost, thereby helping to combat soil degradation in Europe, maintaining soil productivity, reducing the use of chemical fertilisers and boosting the soil's water retention capacity,
- J. whereas quality standards need to be defined for the treatment of bio-waste and the quality of compost; whereas regulating the quality parameters for compost will make it possible to build consumer confidence in this product; whereas compost should be graded in line with its quality,
- K. whereas different waste management systems are used in the Member States and landfilling is still the most widely used method of disposing of solid urban waste in the European Union, even though it is the worst option for the environment,
- L. whereas separate collection currently makes it possible to prevent contamination and help achieve the goal of obtaining high-quality compost, providing quality materials for the recycling of bio-waste and making energy recovery more efficient,
- M. whereas it is important to have a mandatory separate collection system, except where separating bio-waste from other types of waste would not be viable from the environmental and economic point of view (in particular where the logistics of separate collection do not make it possible to prevent bio-waste from being contaminated with other types of waste or polluting substances, or where separate collection infrastructure is not environmentally justified in rural or sparsely populated areas),
- N. whereas, given their poor implementation, the objectives set for diverting bio-waste from landfills require additional legislative guidelines if they are to be achieved,
- O. whereas the production of fuel for transport from bio-waste offers a significant environmental advantage;
- P. whereas the main aim of the management of bio-waste must be the result, which means that all the technological options for the management of bio-waste can be kept open while encouraging innovation, scientific research and competitiveness,

- Q. whereas there is a significant synergy between the transition to a recycling society and the potential for creating jobs in this field,
- R. whereas scientific research and technological innovation need to be encouraged in the field of bio-waste management,
- S. whereas the Commission and Member States should promote environmental awareness-raising activities in this field, particularly in schools, so as to foster the sustainable management of solid urban waste and raise public awareness of the advantages of separate collection; whereas municipalities and municipal undertakings play an important role in providing advice and information for the public on preventing waste,
1. Urges the Commission to review the legislation applicable to bio-waste with a view, in accordance with the subsidiarity principle, to drawing up a proposal for a specific directive by the end of 2010;
 2. Calls on the Commission to lay down criteria for the production of high-quality compost;
 3. Urges the Commission to adopt a quality-grading system for the various types of compost obtained through the treatment of bio-waste;
 4. Calls on the Commission to establish a mandatory separate collection system for the Member States, except where this is not viable or is not the best option from the environmental and economic point of view;
 5. Urges the Commission and Member States to promote environmental awareness-raising activities in the field of bio-waste, particularly in schools, so as to foster the sustainable management of bio-waste and raise public awareness of waste prevention and the advantages of separate collection;
 6. Urges the Commission and Member States to encourage scientific research and technological innovation in the field of bio-waste management;
 7. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

With the growth of the EU's economy and territory, constantly rising quantities of waste are continuing to be produced. The amount of bio-waste arising in the EU each year is estimated at between 76.5 and 102 million tonnes in food and garden waste and 37 million tonnes from the food and drink industry.

The first priority must be to prevent / reduce waste, thereby deriving major environmental and economic benefits. This can be achieved through legislation and raising public awareness. It is hoped that the European citizen, instilled with a renewed and participatory environmental awareness, will help to achieve this goal. Prevention should be interpreted in its wider sense, meaning that the best waste is the one that does not exist or will not become one.

A further strategic objective of waste management policy must be to transform the EU into a recycling society. The enormous quantity of waste produced every day in the EU cannot simply be squandered. Bio-waste plays an important part in combating climate change and offers valuable potential in terms of protecting the soil and promoting the production of renewable energies, and is therefore a significant factor in the recovery of this volume of waste. This means that sustainable development can be promoted through the efficient management of resources.

The role of bio-waste in combating climate change

After energy, industry and agriculture, waste is the fourth largest source of greenhouse gases in the European Union. According to 2004 figures, a total of 109 million tonnes of greenhouse gases were released in the waste sector.

The main source of emissions is landfilling. Even though it is the cheapest option in the short term, landfilling is the worst option for the environment, involving environmental liability and higher maintenance costs. The main gas produced by landfills is methane, which, if not captured, is 23 times more powerful than carbon dioxide in terms of climate change effects.

Moreover, the leachate produced by landfilling, if not collected in accordance with the Landfill Directive, can contaminate groundwater and soil as well as generating bio-aerosols, unpleasant smells and visual disturbances. A further negative aspect of landfilling is the area of land used, which is larger than for other waste management options and leads in the long term to the irrecoverable loss of land, which means that this is not a sustainable option. It is therefore urgent to divert bio-waste from landfills.

The potential of bio-waste in combating soil degradation

The 2006 Thematic Strategy on Soil Protection (COM(2006)231 final) describes soil degradation as a serious problem in the European Union. Soil degradation has a direct impact on water and air quality, biodiversity and the climate.

Bio-waste can play a crucial role in the recovery of soil if it is used for composting. Composting is the most appropriate treatment option for green waste and offers the advantage that it can be used to fertilise the soil. According to the Thematic Strategy on Soil Protection, soil degradation could cost up to €38 billion a year.

Compost production should place the emphasis on the result, the goal being high-quality compost. According to the Thematic Strategy on Soil Protection, compost is one of the best sources of stable organic matter from which new humus can be formed in damaged soil. Using compost offers agronomic benefits, such as improved soil structure, moisture infiltration, water retention capacity, soil microorganisms and supply with nutrients. It is estimated that 45% of European soils have low organic matter content. In this context it is important to encourage the production of high-quality compost based on the appropriate treatment of bio-waste.

The potential of bio-waste in promoting renewable energies

Bio-waste can also represent an important raw material for the production of bio-energy. Bio-energy is created from anaerobic digestion, which is the most appropriate treatment option for wet bio-waste (such as waste kitchen fat). Anaerobic digestion produces bio-gas in controlled reactors that can be used to generate electricity, for heating or as bio-fuel for cars.

Lower-quality bio-waste which does not meet the quality criteria for composting should be processed into energy and graded according to quality.

The current management of bio-waste

Up to now, bio-waste has been managed in line with widely differing policies in each Member State, ranging from minimum actions in some countries to ambitious policies in others. There is a wide discrepancy between those Member States that recycle least (90% landfilling, 10% recycling and energy recovery) and those with the most efficient approaches (10% landfilling, 25% energy recovery and 65% recycling).

Current EU legislation does not restrict the Member States' choices in terms of the treatment options for bio-waste provided that they meet certain framework conditions, in particular those laid down by the Waste Framework Directive, where Member States are urged to take measures that encourage: the separate collection of bio-waste with a view to composting and anaerobic digestion; the treatment of bio-waste in a way that fulfils a high level of environmental protection; and the use of environmentally safe materials produced from bio-waste. The Landfill Directive also stipulates that bio-waste should gradually be diverted from landfills.

However, these legislative instruments have not achieved their intended objectives. Given the poor implementation of the goal of diversion of bio-waste from landfills by Member States, it is clear that additional measures need to be introduced to complement the Landfill Directive.

The future of bio-waste management

A specific directive for bio-waste management would be a key pillar for the implementation of the principles arising from the Waste Framework Directive and other directives relating to waste management in general. Moreover, compiling all the various rules on the management of bio-waste in a single piece of legislation would in itself be an exercise in legislative excellence and better lawmaking. A specific directive for bio-waste management would offer greater clarity, simplification and legal certainty in this area, thus guaranteeing the long-term confidence of public and private investors.

It is not desirable to impose the most beneficial management option, since there are a large number of variables and local considerations that need to be taken into account. Furthermore, the investments already made by the Member States should not be jeopardized. A directive on the management of bio-waste should therefore allow a degree of flexibility so that the best solution from an environmental and economic point of view can be identified locally. Nevertheless, the establishment of standards for environmental convergence in this area are crucial to direct new investments.

One of the directions should be taken towards the separate collection of bio-waste to the extent that the separation of bio-waste from other waste streams can prevent contamination and promote the objective of obtaining a high quality compost, provide materials quality for the recycling of bio-waste and improve efficiency of energy recovery. Separate collection should therefore be mandatory. The Member States could nevertheless be exempted from this obligation where it is not viable or not the best option from the environmental and economic point of view (for example where the logistics of separate collection do not make it possible to prevent bio-waste from being contaminated, or where the imposition of a separate collection infrastructure is not environmentally justified in rural or sparsely populated areas).

The importance of bio-waste regulation is not only of environmental relevance but also relevant for the internal market functioning, since we now have situations where compost produced from bio-waste may be regarded as waste in one place and as a product in another. Here too the Member States' policies need to be harmonised through a specific directive on bio-waste.

Waste management also has significant social implications. For example, the recycling industry creates up to 250 jobs where 10 000 tonnes of waste are recycled, by comparison with between 20 and 40 jobs created when waste is incinerated and around 10 jobs when it is dumped in landfills.

Compiling the various fragmented rules on bio-waste, in combination with new rules, in a single specific directive on the management of bio-waste would make it possible to manage resources more efficiently and cut the costs of bio-waste management. It would also make it possible to restore organic matter in soils and reduce the use of chemical fertilisers, help the Member States achieve the objectives of diverting bio-waste from landfills, encourage separate collection, clarify the point at which material produced from bio-waste is considered a product, and promote technological innovation and job creation in line with the EU 2020 Strategy.

In the present economic crisis, the European institutions must not resign or curtail their ambitions of leadership on environmental issues. We cannot continue with the current situation in the EU where such a large percentage of waste is dumped in landfills. Although this option seems to be the cheapest, it is actually the most expensive given its long-term costs, it does nothing to help achieve our objectives in terms of combating climate change and does not make it possible to use bio-waste as a resource. By advocating a simultaneous separate collection, we engage citizens in a new environmental awareness, while reducing costs and encouraging the valorisation of bio-waste as a product.

With a specific Directive for bio-waste that points in this direction, we are able to combine a high environmental protection and sustainable growth with the assurance of quality of life for

European citizens.