

(English version)

Question for written answer E-003831/21
to the Commission
Idoia Villanueva Ruiz (The Left)
(31 July 2021)

Subject: Biomass and solid recovered fuel (SRF) incineration plant in Mieres (Asturias)

The thermal power plant of La Pereda in the city of Mieres (Asturias) will be converted into a plant dedicated to the burning of biomass and SRF (solid recovered fuel). This has revived political and local residents' protests concerning the impact of the co-incineration of waste on health and the environment.

SRF is nothing other than sorted, dried but mixed waste, making their combustion as dangerous as they were previously when they were all separated. It is in fact said to constitute a back door to incineration. We are talking about more air pollution in an already heavily polluted region, burning waste that generates highly polluting gases, containing dioxins and furans.

Does the Commission consider that the authorisation procedure for energy recovery from waste by means of solid recovered fuel (SRF) constitutes an infringement of Directive 2008/98/EC on the treatment of waste, by violating the hierarchy laid down in that legislation, which provides that, before resorting to energy recovery, appropriate measures must be put in place firstly to prevent the generation of waste products, secondly for their reuse, and thirdly for their recycling?

Answer given by Mr Sinkevičius on behalf of the European Commission
(27 October 2021)

The authorisation of energy recovery from waste by means of solid recovered fuel (SRF) is not in itself an infringement of the Waste Framework Directive ⁽¹⁾ or the EU waste hierarchy laid down in its Article 4. Recovering energy from non-recyclable waste stands higher in the waste hierarchy than landfilling and therefore contributes to the objectives of the circular economy.

According to Article 10 of the Waste Framework Directive, Member States are required to ensure that certain wastes are separately collected for preparing for re-use and recycling and that such wastes are not incinerated, with a limited exception for residues from subsequent treatment operations.

Moreover, according to Article 3 of the Renewables Energy Directive ⁽²⁾, Member States are not allowed to grant support for renewable energy produced from the incineration of waste if the obligations in Article 4 of the Waste Framework Directive are not met.

Waste incineration and co-incineration fall under the strict requirements set out in the Industrial Emissions Directive (IED) ⁽³⁾. In addition, plants performing activities listed in Annex 1 of the IED must operate in accordance with permits based on the use of Best Available Techniques (BAT) ⁽⁴⁾.

It should also be noted that waste co-incinerators, classified as such by the national competent authority, are part of EU Emissions Trading System (EU ETS).

Without prejudice to the Commission's powers as Guardian of the Treaties, it is primarily the responsibility of Member States' competent authorities to ensure that EU legislation is properly implemented.

⁽¹⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, OJ L 312, 22.11.2008, p. 3-30, as amended by Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May, OJ L 150, 14.6.2018, p. 109-140.

⁽²⁾ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources, OJ L 328, 21.12.2018, p. 82-209.

⁽³⁾ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control), OJ L 334, 17.12.2010, p. 17-119.

⁽⁴⁾ BAT Conclusions for Waste incineration, Commission implementing decision (EU) 2019/2010, OJ L 312, 3.12.2019, p. 55-92.