

Question for written answer E-001783/2023
to the Commission
Rule 138
Robert Biedroń (S&D)

Subject: Correct interpretation of the provisions of Regulation No 1013/2006 of 14 June 2006 on shipments of waste

The Polish waste shipment control authority, the Chief Inspector of Environmental Protection, has adopted an interpretation of the provisions of Regulation No 1013/2006 of 14 June 2006 on shipments of waste according to which the consignee of the waste should be the same entity as the operator of the waste recovery facility or the entity controlling the facility.

This interpretation is questionable in view of the wording of Article 2(14) of the Regulation, according to which the consignee is deemed to be 'the person or undertaking under the jurisdiction of the country of destination to whom or to which the waste is shipped for recovery or disposal'.

The definition of 'consignee' therefore does not require the operator to hold a waste recovery permit. It only requires the consignee to ensure the recovery of the waste. The consignee may therefore either have its own facility or ensure the recovery of the waste in an external installation on the basis of a contract. This interpretation is also questionable in view of the wording of Article 18(1)(b) of the Regulation and Annex VII, which distinguish between the concepts of consignee and operator by requiring their signatures in separate places.

In light of the above:

1. Must the entities indicated in box 2 (consignee of the waste) and box 7 (recovery facility) of Annex VII to Regulation No 1013/2006 be identical?
2. Should the consignee of the waste hold a waste recovery permit or be an entity controlling or linked to the operator of the recovery facility?

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