

Consultation on the Review of the European Waste Management Targets

Personal Details	
In what capacity are you responding to this consultation? -single choice reply-(compulsory)	As an industry, not-for-profit, or academic organisation (i.e. all other stakeholders)
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What is the name of your company or organisation? -open reply-(compulsory)	Trans Europe Experts (Coordination : François-Guy Trébulle ; Anne Dircks-Dilly, Yvan Razafindratandra, Laurence Lanoy, Béatrice Parance ; Translation : Emilie Gattone)
In which country is your head office/organisation based? -single choice reply-(compulsory)	France
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Waste Framework Directive	
Do you want to respond to the questions on the Waste Framework Directive? If you select "No" you can move on to the next section of the consultation	Yes

which deals with the Landfill Directive. If you select “Yes” the questions relating to the Waste Framework Directive will open up below.

-single choice reply-(**compulsory**)

Are there any issues related to the targets in the Waste Framework Directive which you feel are important and should be added to those listed above? If so, please describe up to three additional issues in the text boxes below (please ensure that you only enter one clearly defined issue per box). Please note that these issues should be associated with the existing targets, not with other issues related to the general state of waste management.

First issue: -open reply-(**optional**)

Respecting the principles of subsidiarity and proportionality and taking into account the local level We must agree on the targets of the waste policy, but we have to think of the extent of the leeway that States should be given so as to fulfil these targets, in application of the subsidiarity principle. It could be interesting to determine in what extent we have access to appraisal data permitting to rate the necessity of further specifications, when it appears that the current system has allowed some States to overstep the requirements of the European law. If this leeway appeared to be beneficial, the European approach of the formulation of these targets could be refocused through relevant measures of information allowing feedback and a comparison between the different options. It seems necessary to give a real freedom to Member States, regions and more globally local communities, so as to encourage them to test innovative systems, especially in the field of a circular economy. When possible, local approaches must be preferred, in a philosophy of empowerment. In that field, we must incite feedback and information transfer at the local, regional, national and European scale, so that everybody can benefit from successful experiences (bottom up approach). Respecting les principes de subsidiarité et de proportionnalité et prendre en compte l'échelon local S'il est indispensable de s'accorder sur les objectifs de la politique en matière de déchets, on peut se demander dans quelle mesure il ne convient pas de laisser aux États, en application du principe de subsidiarité, une réelle marge de manœuvre pour y parvenir. Il serait intéressant de déterminer dans quelle mesure on dispose d'éléments d'appréciation permettant de vérifier la nécessité de précisions supplémentaires alors qu'il semble que le dispositif préexistant a permis à certains États de dépasser les exigences du droit de l'Union Européenne. Si une réelle marge de manœuvre s'avérait bénéfique, il pourrait y avoir lieu de recentrer l'approche européenne sur la formulation de ces objectifs avec des mesures d'information adaptées permettant un retour d'expérience et une comparaison des différentes options. Il apparaît nécessaire de laisser aux États membres, aux régions et plus globalement aux collectivités locales, une réelle liberté pour les encourager à expérimenter des systèmes innovants, notamment en matière d'économie circulaire. A chaque fois qu'une approche locale est envisageable, elle doit être encouragée dans une approche d'empowerment. Dans ce domaine, il faut encourager le partage d'expérience et le transfert d'informations à l'échelon local, régional, national, et européen afin que les expériences réussies puissent profiter à tous (bottom up approach).

Second issue: -open reply-(**optional**)

Take the European circularity policy seriously The revision of the Directive 2008/98/CE can be an opportunity to change the European approach in respect of waste and according to the Communication of the 26.01.2011 « A resource-efficient Europe ». The change of the relation to waste, the necessity to come to new schemes of consumption and to the optimization of the processes of production - in a dynamic which gives all its importance to recycling - could be materialised through a new tool. It wouldn't be dedicated, in its title, to waste, but to the “resource use cycle” or to “products life cycle”. The Communication “A resource-efficient Europe” pointed out the necessity to create measures promoting “extraction, recycling, research, innovation and alternative solutions within the EU”, and this approach through resources has been admitted by the Commission. V. IP/12/18 Event 13/01/2012 Janez Potočnik, member of the Commission, in charge of environment, declared “We must consider waste as a resource; burying this resource into the soil shows a serious lack of long- term vision. This report shows that the management and the recycling of waste can highly contribute to economic growth and job creation”. An assumed change of paradigm will have to be made to go from a “waste approach” to a “circular economy approach”, authentically and fully based on “a recycling society with the aim of reducing waste generation and using waste as a resource”. The Commission underlined that waste do have a bad image. Moving to a « resources cycle » approach will enable to highlight the economic, social and environmental opportunities linked to it. The European action mustn't be focused on waste anymore, but on the dynamic imposed by the circular economy. In this dynamic, the « waste » status is, in a large majority of cases, nothing but a transition to another step. If the EU wants to “turn waste into a resource to be fed back into the economy as a raw material” and “give a much higher priority to re-use and recycling”, it needs modifying its whole relation to the production and consumption, by incorporating these targets in the value chain. For many reasons, we can't consider waste as a resource if we keep on focusing on the “waste” status, which is nothing but an occasional and temporary situation. It's in that philosophy that the re-examination of the existing targets in matter of prevention, re-use, recycling, recovery and reduction of landfilling has been planned, so as to come to an economy grounded on re-use and recycling and an almost total abolition of residual waste. A minor modification isn't sufficient enough: a complete and consistent new setup of the

European law relevant to this matter is needed. This approach, which is in a break with the traditional relation to waste, demands to focus the European law on the resources which can possibly originate from it and to stop thinking about re-use and recycling as subsidiary elements: they must become the norm. Indeed, the “waste” qualification tends to be nothing but occasional, since it will only apply to “non-resources” that must be eliminated. This priority granted to resources life cycle naturally leads to the necessity of collection and treatment measures respecting this philosophy. It would by the way be in perfect accordance with the principle of prevention and the curing of the potential wounds towards environment. Lastly, it can allow a fair application of the « polluter pays » principle, especially through the development of a post-consumption downstream market. Prendre au sérieux la politique européenne de circularité La révision de la Directive 2008/98/CE peut être l’occasion de reconfigurer l’approche européenne en matière de déchets dans l’esprit de la Communication du 26.01.2011 Une Europe efficace dans l’utilisation des ressources – initiative phare relevant de la stratégie Europe 2020 [COM(2011) 21]. La modification du rapport aux déchets, la nécessité de parvenir à de nouveaux schémas de consommation et à l’optimisation des processus de production dans une dynamique qui accorde au recyclage toute son importance pourrait être traduite par un nouvel instrument consacré dans son titre non pas aux déchets mais bien au « cycle d’utilisation des ressources » ou au « cycle de vie des produits ». La Communication « Une Europe efficace dans l’utilisation des ressources » a mis en évidence la nécessité de mesures favorisant « l’extraction, le recyclage, la recherche, l’innovation et les solutions de substitution au sein de l’UE » et cette approche par les ressources a été admise par la Commission. C’est donc par un changement de paradigme assumé qu’il faut passer pour passer d’une « approche déchets » à une « approche économie circulaire » authentiquement et intégralement fondée sur « une culture du recyclage, dans le but de réduire la production de déchets et d’employer ces derniers comme ressource ». La Commission a souligné que les déchets renvoient à des images négatives. Passer à une démarche « cycle des ressources » permet au contraire de mettre en évidence les opportunités économiques sociales et environnementales qui y sont associées. Le point focal de l’action européenne ne doit plus être le déchet en tant que tel mais la dynamique dans laquelle l’économie circulaire impose de se placer ; dynamique dans laquelle le stade déchet n’est qu’une étape transitoire dans la plupart des cas. Si l’Union européenne veut « Transformer les déchets en ressources », « faire des déchets une ressource à réintégrer dans l’économie en tant que matière première » et « accorder une plus grande priorité à la réutilisation et au recyclage », elle doit modifier en profondeur l’ensemble de son rapport à la production et à la consommation en intégrant ces objectifs dans l’ensemble de la chaîne de valeur. Il n’est pas possible – pour de multiples raisons – de considérer les déchets comme des ressources tout en restant focalisé sur l’état de déchet qui n’est qu’une situation contingente et provisoire . C’est dans cette dynamique que le réexamen des objectifs existants en matière de prévention, de réutilisation, de recyclage, de valorisation et de réduction de la mise en décharge pour arriver à une économie basée sur la réutilisation et le recyclage, avec la suppression quasi complète des déchets résiduels a été programmé. Ceci ne peut pas passer par une modification mineure mais suppose une reconfiguration radicale et cohérente du droit de l’Union applicable à ce domaine. L’approche suggérée, qui rompt avec le rapport traditionnel aux déchets suppose de décentrer le droit de l’Union de ceux-ci vers les ressources qu’ils recèlent et à cesser d’envisager le réemploi et le recyclage comme des éléments subsidiaires pour en faire la norme, la qualification de « déchet » ayant vocation à n’être plus que résiduelle et à s’appliquer uniquement aux « non-ressources » devant être éliminés. De la priorité accordée au cycle de vie des ressources découle naturellement la nécessité de collectes et mesures de traitement qui s’inscrivent dans cette dynamique. Elle serait – par ailleurs – parfaitement conforme au principe de prévention et à la correction – par priorité à la source – des incidences sur l’environnement pouvant être rencontrées. Enfin, elle est de nature à permettre, notamment par le développement d’un marché aval – post consommation – de permettre une juste application du principe pollueur payeur.

Third issue: -open reply-(optional)

From environmental stake to competitiveness stake Joined with some specific tools like the extended producers liability, the reorientation of the relation to waste through a « resources cycle » approach can allow the development of new markets as well as change in a structural way the relation to raw materials. Besides, this evolution – from a frozen approach of waste to taking the cycle into account – may allow to emphasize the functionality economy and this way reorientate some industrial sectors towards more eco- friendly treatments and manufacturing methods. Besides, the « resources cycle » should precisely be concerned about the modalities of treatment of old products, so as to make sure it respects the social and environmental requirements supported by the EU. De l’enjeu environnemental à l’enjeu de compétitivité Réorienter le rapport aux déchets par une approche du « cycle des ressources » peut permettre, en association avec certains instruments tels que la responsabilité élargie des producteurs, de développer de nouveaux marchés et de modifier structurellement le rapport aux matières premières. Le mouvement qui passe d’une approche figée des déchets à une appréhension du cycle, pourra par ailleurs permettre de valoriser l’économie de la fonctionnalité et réorienter, ce faisant, certains secteurs industriels, vers des modes de fabrication et traitement plus respectueux de l’environnement. Le « cycle des ressources » devrait, par ailleurs, s’intéresser précisément aux modalités de traitement des anciens produits pour s’assurer qu’il est réalisé dans le respect des exigences sociales et environnementales portées par l’Union Européenne.

Suggestions for Revision

1. Establish a single target and calculation

<p>method based only on the quantity of <u>municipal</u> waste collected. This would require that a consistent definition of municipal waste is used in all Member States. -single choice reply-(optional)</p>	
<p>2. Extend the existing targets to include other specific waste streams beyond paper, metal, plastic and glass (for example, wood, food waste, textiles, and other materials in municipal waste). -single choice reply-(optional)</p>	
<p>3. Establish a single target and calculation method based only on the quantity of <u>household</u> waste collected. This would require that a consistent definition of household waste is used in all Member States. -single choice reply-(optional)</p>	
<p>4. Adjust the targets so that biowaste is also included -single choice reply-(optional)</p>	
<p>5. Set targets which reflect environmental weightings for materials (for example, through reference to greenhouse gas savings achieved through recycling). -single choice reply-(optional)</p>	
<p>6. Improve monitoring and validation of the reports submitted by Member States so that the consistency and reliability of data can be validated. -single choice reply-(optional)</p>	
<p>7. Introduce requirements on businesses to sort a range of waste materials for recycling and composting / anaerobic digestion. -single choice reply-(optional)</p>	
<p>8. The 70% recycling target should not include backfilling. -single choice reply-(optional)</p>	
<p>9. Provide clear definitions of recycling and material recovery, and how these should be calculated for the C&D waste stream. -single choice reply-(optional)</p>	
<p>10. Mandate sorting of wastes at C&D sites with a special attention to hazardous waste. -single choice reply-(optional)</p>	
<p>11. Require facilities which sort 'mixed' C&D wastes to achieve a high level of recycling of the input materials. -single choice reply-(optional)</p>	
<p>Are there any other proposals in addition to the above that you feel deserve serious consideration? If so, please describe up to three additional solutions in the text boxes below (as in the list above, please ensure that you only enter one clearly defined solution per box). Please only include options which you strongly favour.</p> <p>First solution:</p> <p>-open reply-(optional)</p>	

The proposed rating methodology doesn't allow a good reflection of the analysis of the legal impact of the different options presented. It creates a risk of misunderstanding of the solutions. La méthode de notation proposée ne fait pas justice à l'analyse de la portée juridique des différentes options présentées et induit un risque de biais dans l'appréciation des différentes solutions évoquées.

Second solution: -open reply-(optional)

A reversion of the current approach is needed, in favour of the following new general principle : a product or a substance, whatever their nature, which can't be used according to their original purposes anymore, must be re-used or recycled each time it's possible, and if the economic cost isn't unreasonable. Moreover, no landfilling should occur before it's been justified that no other solution in conformance with this aim can be implemented. Renverser complètement l'approche pour poser le principe général selon lequel un produit ou une substance, quelle que soit sa nature, qui ne présente plus l'utilité en vue de laquelle il a été produit doit faire l'objet d'un réemploi ou d'un recyclage à chaque fois que celui-ci est possible et n'apparaît pas comme entraînant un coût économique déraisonnable. Et imposer avant toute mise en décharge, une justification de l'impossibilité de mettre en œuvre une autre solution correspondant à cet objectif.

Third solution: -open reply-(optional)

A clear dissociation between landfills – in the strict sense of the term – and waste collection and sorting points and is needed. Only waste that can't be analysed as potential resources, according to the available techniques and for an economically acceptable cost, could be landfilled. A thought concerning the reversibility and the protection of the future re-use of waste currently considered as "non- resources" shall also be led. This would be materialised especially by a categorisation of the landfills and a clear and perennial knowledge of their content. The environmental conditions the products or substances must abide to so as to be re-used or recycled must be set. These products and substances must be excluded from the « waste category » and considered as recycled materials and substances or secondary raw materials. The moving out of the waste status must be encouraged and we must endeavour to avoid any undesired effect which could lead, on the ground of legal uncertainty, to put recycled products or substances at a disadvantage. In this new philosophy, the waste status mustn't be the principal status, but only a transitory and temporary qualification, given that a majority of the products and substances are enabled to be re-used or recycled. A new principle must be laid down: the price of the raw materials is to include an amount destined for compensating the extra cost caused by the production of secondary raw materials. Clairement dissocier les décharges (au sens strict) des centres de collecte et de tri des déchets. En précisant que ne peuvent être admis en décharge que des déchets ne pouvant en aucun cas être analysés comme des ressources potentielles en l'état des techniques disponibles et à un coût économiquement acceptable. Une réflexion sur la réversibilité et la préservation de la réutilisation future des déchets considérés actuellement comme des « non ressources » pourrait également être entreprise. Elle passerait notamment par une catégorisation des décharges et par une claire et pérenne connaissance de leur contenu. Poser les conditions environnementales auxquelles des produits ou substances préparés en vue de leur emploi ou recyclés doivent satisfaire et exclure purement et simplement ces produits ou substances de la catégorie de déchets au profit de celle de matériaux et substances recyclés ou « matières premières secondaires ». Il s'agit d'encourager la sortie du statut de déchet et faire en sorte qu'il n'y ait pas d'effet pervers conduisant, en raison de l'insécurité juridique, à défavoriser les produits ou substances recyclés. Dans la perspective renouvelée le statut de déchet ne doit plus être envisagé comme le statut principal mais uniquement comme une qualification transitoire et résiduelle, l'essentiel des produits ou substances ayant vocation à être réemployé ou recyclé. Poser le principe selon lequel le prix des matières premières primaires doit comporter une fraction destinée à compenser le surcoût lié à la production de matières premières secondaires.

Landfill Directive

Do you want to respond to the questions on the Landfill Directive? If you select "No" you can move on to the next section of the consultation which deals with the Packaging and Packaging Waste Directive. If you select "Yes" the questions relating to the Landfill Directive will open up below.

-single choice reply-(compulsory)

Yes

Key Issues

Are there any issues related to the targets in the Landfill Directive which you feel are important and should be added to those listed above? If so, please describe up to three additional issues in the text boxes below (please ensure that you only enter one clearly defined issue per box). Please note that these issues should be associated with the existing targets,

not with other issues related to the general state of waste management.

First issue: -open reply-(optional)

It now seems desirable that the targets set out by the EU concerning landfilling be determined irrespectively of the 1995 figures, so that they can be consistent with the targets in absolute terms that it adopted. The following principle could be laid down: no waste likely to be re-used or recycled in reasonable economic conditions must be landfilled. It must be subjected to a process allowing the development of its capacities as a resource. By referring to municipal waste, the targets set out by Article 5.2 of the Landfill Directive only refer to the origin of the waste, and not to the treatment modalities in landfills. The targets could potentially be used for example to reinforce the obligation to sort waste and to enforce the regulation on landfills, by setting targets to the State Members as regards the quality of the treatment, the monitoring and rehabilitation of landfills, or the important aspect of proximity between the place of waste production and the landfill. Il apparaît désormais souhaitable que les objectifs de l'Union relatifs à la mise en décharge soient fixés indépendamment de la référence aux chiffres de 1995 mais correspondent aux objectifs qu'elle se donne en valeur absolue. Le principe pourrait être posé qu'aucun déchet susceptible de réemploi ou de recyclage à des conditions économiquement rationnelles ne doit être mis en décharge mais doit faire l'objet d'un processus permettant d'en développer le potentiel en tant que ressource. En se référant aux déchets municipaux, les objectifs posés par l'article 5.2 de la directive décharge ne se rapportent qu'à l'origine de ces déchets, à l'exclusion des modalités de leur traitement dans les décharges. Les objectifs pourraient par exemple être utilisés pour renforcer l'obligation de trier les déchets ainsi que pour mettre en application la réglementation relative aux décharges, en imposant aux Etats-membres des objectifs en matière de qualité du traitement, de contrôle et de réhabilitation des décharges ou encore concernant l'important aspect de la proximité entre le lieu de production des déchets et la décharge.

Second issue: -open reply-(optional)

The Landfill Directive only deals with municipal waste, considered basically as household waste or similar waste. This definition may not be specific enough, especially considering the major distinction that is now made in European law between dangerous waste and non-dangerous waste. These definition gaps should be reduced since an uncertainty zone in the definition can, in a context of Member States having substantially different interpretations already, result in disposing in landfills waste that should be treated by other means. La directive déchets ne prend en compte que les déchets municipaux, globalement définis comme des déchets ménagers et déchets assimilés. Cette définition n'est probablement pas assez précise, notamment au regard de la distinction majeure qui est maintenant faite en droit européen entre les déchets dangereux et les déchets non-dangereux. Ces lacunes dans la définition devraient être comblées car une zone d'incertitude dans une définition peut, dans un contexte dans lequel les Etats-membres retiennent déjà des interprétations substantiellement différentes, conduire à mettre en décharge des déchets qui devraient être traités par d'autres procédés.

Third issue: -open reply-(optional)

The targets set out by the Landfill Directive only aim at a reduction in weight of the total waste put in landfills. In order to move towards a more circular economy, other elements could be considered. The targets as concerns the waste put in landfill could be structured and clearly put in relation with an appreciation and perhaps a monitoring of the European waste streams in order to provide a cleaner orientation of those streams for State Members to follow. Also, the targets which are set out strictly for each Member State do not seem to take into account the potentiality of waste transfers between Member States. A better knowledge of the waste streams between Member States could also be taken into account to adjust national targets if needed. Finally, the Landfill Directive could also contain orientations as concerns the waste production in households, as the behavior of household waste producers is regarded as one very important aspect of the evolution that should reach a decrease in waste production and disposal. To that extent, aiming at reducing the amount of waste sent to landfills and in accordance with the "polluter-pays" principle, the Landfill Directive could in particular orientate State Members towards practices such as "on-board waste weighing" which allow households to pay waste-related fees proportional to the amount of waste they actually produce. This type of practice should be promoted as a way to induce virtuous practices of waste producers. Les objectifs fixés par la directive déchets ne visent qu'à la réduction du poids total des déchets mis en décharge. Dans l'optique d'une transition vers une économie plus circulaire, d'autres éléments devraient être pris en considération. Les objectifs relatifs aux déchets mis en décharge pourraient être structurés et clairement mis en relation avec une évaluation, voire un contrôle, des flux de déchets en Europe, afin d'indiquer aux Etats membres les mesures à même d'en permettre une gestion plus propre. De plus, les objectifs qui sont fixés strictement pour chaque Etat-membre ne semblent pas prendre en compte les potentiels transferts de déchets entre Etats-membres. Une meilleure connaissance des flux de déchets entre Etats-membres pourrait également être prise en considération afin, si besoin, d'ajuster les objectifs nationaux. Enfin, la directive déchets pourrait également contenir des orientations concernant la production de déchets par les ménages, étant donné que le comportement des producteurs de déchets ménagers est considéré comme un aspect important de l'évolution vers une baisse de la production et de l'élimination des déchets. Dans cette mesure, en visant à la réduction du niveau de déchets mis en décharge et conformément au principe pollueur-payeur, la directive déchets pourrait en particulier orienter les Etats-membres vers des pratiques telles que la pesée des déchets, qui permet de mettre à la charge

des ménages le paiement d'une taxe proportionnelle à la quantité de déchets qu'ils produisent. Ce type de pratiques devrait être encouragée afin d'inspirer aux producteurs de déchets des pratiques plus vertueuses.

Suggestions for Revision

<p>1. Revise the targets so that they are set in such a way that they do not penalise countries whose economies are growing faster after starting from a lower base. -single choice reply-(optional)</p>	<p>1 = poor idea, not worth consideration</p>
<p>2. Establish a legal obligation for reporting on 'municipal waste' and enforcing the use of a single definition of the term by all Member States. -single choice reply-(optional)</p>	<p>3 = moderately good idea, may be worth further consideration</p>
<p>3. Standardise the approach to performance measurement and progress reporting. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>4. In Member States where no data exists for 1995, a more recent baseline year should be set with targets adjusted accordingly. -single choice reply-(optional)</p>	<p>1 = poor idea, not worth consideration</p>
<p>5. Clarify when treated waste should be considered 'no longer biodegradable' from the perspective of the Landfill Directive. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>6. Further tighten existing targets (e.g. move progressively towards zero biodegradable municipal waste sent to landfill). -single choice reply-(optional)</p>	<p>4</p>
<p>7. Progressively include <i>all biodegradable</i> wastes (not just biodegradable wastes of municipal origin) within targets similar to the existing ones. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>8. Introduce targets for the progressive reduction in the quantity of residual waste irrespective of how it is subsequently managed (whether it is sent to incineration, MBT or landfill, or any other residual waste management method). -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>9. Define 'pre-treatment' in an unambiguous manner so that the ban on landfilling waste that is not pre-treated is applied equally across all countries. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>

Are there any issues related to the targets in the Landfill Directive which you feel are important and should be added to those listed above? If so, please describe up to three additional issues in the text boxes below (please ensure that you only enter one clearly defined issue per box). Please note that these issues should be associated with the existing targets, not with other issues related to the general state of waste management.

First solution:

-open reply-(optional)

La réponse aux questions 1 et 4 est liée au sentiment qu'il ne faut pas réduire l'ambition de la directive et qu'un décrochage d'avec les seuils de 1995 est souhaitable : seul doivent compter les objectifs fixés aujourd'hui. Une solution de rééquilibrage peut toutefois être nécessaire mais la bonne réponse peut résider dans une aide financière octroyée aux Etats défavorisés. The answers to questions 1 and 4 are linked to the opinion that the ambition of the directive mustn't be minimised and that a break with the 1995 thresholds is desirable: only the targets fixed today must matter. A balancing measure may be necessary, and granting a financial support to destitute States can be a good solution.

Second solution: -open reply-(optional)

Should the municipal waste category be perpetuated, it indeed needs a unitary definition. However, the question of the perpetuation of this category arises and it seems desirable to promote an approach focused on the producers, households, companies, communities... or on the danger this kind of waste can represent for the environment, putting aside the circumstance that they are collected by communities or by any other mean of collection set up by the authorities. A propos de la catégorie des déchets municipaux, si elle devait être pérennisée, il conviendrait qu'elle soit effectivement définie de manière unitaire. Cependant on peut douter de la pertinence du maintien de la catégorie des déchets municipaux et il semble souhaitable de privilégier une approche focalisée sur les producteurs, ménages, entreprises, collectivités..., ou sur leur dangerosité environnementale sans s'arrêter sur la circonstance contingente du fait que les déchets sont collectés par les collectivités ou selon tout autre processus de collecte mis en place par les autorités publiques.

Third solution: -open reply-(optional)

Packaging and Packaging Waste Directive

Do you want to respond to the questions on the Packaging and Packaging Waste Directive? If you select "No" you can move on to the next section of the consultation which deals with the Roadmap to a Resource Efficient Europe. If you select "Yes" the questions relating to the Packaging and Packaging Waste Directive will open up below. -single choice reply-(compulsory)	Yes
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Key Issues

Are there any issues related to the existing targets which you feel are important and should be added to those listed above? If so, please describe up to three additional issues in the text boxes below (please ensure that you only enter one clearly defined issue per box). Please note that these issues should be associated with the existing targets, not with other issues related to the general state of, for example, markets for recycled packaging waste.

First issue: -open reply-(optional)

The very first priority must be, every time it's possible, promoting the re-use of packaging waste and, if necessary, set up new targets in matter of recycling so as to make sure that this priority given to re- use is completely taken in consideration. Il doit être absolument prioritaire de favoriser – à chaque fois que possible – la réutilisation des emballages et, si nécessaire, redéfinir les objectifs de recyclage pour s'assurer que cette priorité à la réutilisation est pleinement prise en compte.

Second issue: -open reply-(optional)

The financing of the packaging waste treatment costs must absolutely be clarified, and this matter must be put in perspective with the extended producers liability. This liability could be reinforced not only for the costs but also for the realisation of the recycling. Il faut absolument clarifier le financement de l'intégralité des coûts de traitement des déchets d'emballage et ancrer cette question dans la dynamique de la responsabilité élargie des producteurs. Celle-ci devrait peut-être être encore renforcée et clarifiée, non seulement pour ce qui est des coûts mais encore pour ce qui a trait à la réalisation du recyclage.

Third issue: -open reply-(optional)

One must not forget that in some domains like lux, perfumes... the elements used as packages also are products wanted for their own features and constitute a secondary market distinct from the one of the packaged product. This type of goods should be subjected to a specific treatment. Il faut probablement identifier le fait que dans certains secteurs d'activité, luxe, parfums etc. des éléments qui assurent une fonction d'emballage sont par eux-mêmes des produits recherchés pour leurs caractères propres et faisant l'objet d'un marché secondaire distinct de celui du produit emballé; Ces biens devraient faire l'objet d'un traitement spécifique.

Suggestions for Revision

<p>1. The methodology for calculating recycling rates should be standardised so that data (and hence performance levels) are comparable across Member States.</p> <p>-single choice reply-(optional)</p>	<p>3 = moderately good idea, may be worth further consideration</p>
<p>2. Remove from the Packaging Directive the target for packaging waste from municipal sources and include it into the Waste Framework Directive to ensure full consistency with the existing target on municipal waste recycling.</p> <p>-single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>3. Bring the recycling targets for different materials closer together to ensure a more level playing field.</p> <p>-single choice reply-(optional)</p>	<p>1 = poor idea, not worth consideration</p>
<p>4. Incorporate "weightings" for materials recycled based on environmental benefits derived from recycling the material. -single choice reply-(optional)</p>	<p>4</p>
<p>5. The targets for some packaging materials could be subdivided into subcategories; for example, metals could be divided into non-ferrous and ferrous metals. The same could apply for plastic; for example, separate targets could be set for PET, LDPE, and HDPE. -single choice reply-(optional)</p>	<p>3 = moderately good idea, may be worth further consideration</p>
<p>6. Set specific targets for recycling of packaging waste from households to encourage further recycling of household packaging. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>7. Remove from the Directive the maximum limit of 80% that stipulates how much packaging waste a Member State is allowed to recycle.</p> <p>-single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>8. Introduce a target for prevention of packaging waste (the development of waste prevention targets is covered in a broader manner in a later section of this consultation). -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>9. Adjust the definitions for reuse and recycling</p>	<p>5 = very good idea, definitely deserves further consideration</p>

<p>in the Packaging Directive to be consistent with those contained in the Waste Framework Directive. -single choice reply-(optional)</p>	
<p>10. Expand the recycling target to include reuse, by allowing the reuse of packaging to be credited to the recycling target. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>11. Introduce targets for reuse for commercial transit packaging. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>12. Introduce targets for reuse for all packaging. -single choice reply-(optional)</p>	<p>5 = very good idea, definitely deserves further consideration</p>
<p>Are there any other proposals in addition to the above that you feel deserve serious consideration? If so, please describe up to three additional solutions in the text boxes below (as in the list above, please ensure that you only enter one clearly defined solution per box). Please only include options which you strongly favour.</p> <p>First solution: -open reply-(optional)</p>	
<p>It seems necessary to keep the distinction between the different materials used for packaging, so as to take into account the level of their noxiousness and come to the elimination of the less beneficial substances. Il apparaît nécessaire de maintenir une différenciation entre les différents matériaux pouvant être utilisés dans les emballages pour tenir compte de leur nocivité environnementale et parvenir à une éviction des substances les moins avantageuses.</p>	
<p>Second solution: -open reply-(optional)</p>	
<p>A justification for the packaging must be required: every producer should be able to explain the reasons why he resorts to packaging (information of the consumer, protection of the product...) and why the packaging he uses is the one with the best environmental costs-benefits balance, especially concerning the use of raw materials and the environmental impact of this packaging after the consumption of the products. Il est souhaitable de poser une exigence de justification des emballages : tout producteur devrait pouvoir justifier des raisons pour lesquelles il recourt à des emballages (information du consommateur, protection des produits etc.) et pouvoir justifier que l'emballage retenu est celui qui présente le meilleur rapport environnemental avantages/inconvénients, notamment pour ce qui est de l'utilisation de matières premières primaires et de l'impact environnemental des emballages utilisés après consommation des produits.</p>	
<p>Third solution: -open reply-(optional)</p>	
<p>The principle ALARA should be enforced concerning packaging. Appliquer le principe ALARA aux emballages</p>	
<p>The Commission is keen to encourage higher rates of recycling. It recognises, however, the need to maintain the quality of recycled material so that it can be used profitably and with losses kept to a minimum between the collection and recycling stages. Keeping in mind the need to maintain quality, please select from the dropdown lists below the highest level of recycling that you believe could reasonably be achieved for each of the materials. Below you will be asked the year by which you believe these targets could realistically be achieved (i.e. between 2020 and 2025).</p> <p>Paper and Cardboard: -single choice reply-(optional)</p>	
<p>Glass -single choice reply-(optional)</p>	

Metals -single choice reply-(optional)	
Plastic: -single choice reply-(optional)	
Wood: -single choice reply-(optional)	
All Packaging -single choice reply-(optional)	
Other Material (please specify below) -single choice reply-(optional)	
If you have entered a recycling rate for "Other Material" above, please state what material this is for: -open reply-(optional)	
Paper and Cardboard -single choice reply-(optional)	
Glass -single choice reply-(optional)	
Metals -single choice reply-(optional)	
Plastic -single choice reply-(optional)	
Wood -single choice reply-(optional)	
All Packaging -single choice reply-(optional)	
Other material (as defined above) -single choice reply-(optional)	

Consultation Regarding the Aspirations of the Roadmap to a Resource Efficient Europe

Waste Prevention

Do you agree with the principle that there should be targets for waste prevention?
-single choice reply-(compulsory)

Yes

Do you think there is a case for setting prevention targets on specific waste streams/materials/products? If so, which waste streams/materials/products do you feel should be covered by new targets and why? Please provide an answer for each material/waste stream in the free text boxes below.

Waste Stream /Material/Product 'A':
-open reply-(optional)

Waste Stream /Material/Product 'B': -open reply-(optional)

Waste Stream /Material/Product 'C': -open reply-(optional)

Waste Stream /Material/Product 'D': -open reply-(optional)

1. In line with the proposal in the Roadmap, a requirement that waste generated per capita is in decline by 2020. -single choice reply-(optional)

5 = very good idea, definitely deserves further consideration

2. Targets for decoupling of municipal waste from economic growth in line with Article 9(c) of

5 = very good idea, definitely deserves further consideration

<p>the Waste Framework Directive. For example, the difference between the annual change in municipal waste per capita (X%) and the annual change in GDP per capita (Y%) should demonstrate a decoupling tendency such that over comparable (e.g. four year) periods, the value of (Y – X) is increasing in value. -single choice reply-(optional)</p>	
<p>3. Consistent reporting of household waste arisings across Member States would act to produce a level playing field for setting absolute targets on waste prevention (e.g. no greater than X kg per household per year). The targets could exhibit a declining trend over time. -single choice reply-(optional)</p>	2
<p>4. New requirements could be set on Member States to incrementally increase the number of prevention measures in place, and the overall coverage of these measures. For example, the number of households who have signed up to say “no” to unwanted mail, or the number of households covered by measures to reduce food wastage. -single choice reply-(optional)</p>	1 = poor idea, not worth consideration
<p>5. Introduce requirements for progressive coverage of households by pay-as-you throw schemes. -single choice reply-(optional)</p>	3 = moderately good idea, may be worth further consideration

Preparation for Reuse

<p>Do you agree with the principle that there should be separate targets for preparation for reuse? -single choice reply-(compulsory)</p>	Yes
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Do you think there is a case for targets for preparation for reuse on specific waste streams/materials/products? If so, which waste streams/materials/products do you feel should be covered by a target, and how should the target be specified? Please provide an answer for each material/waste stream in the free text boxes below.

Waste Stream /Material/Product 'A':
-open reply-(optional)

Waste Stream /Material/Product 'B':
-open reply-(optional)

Waste Stream /Material/Product 'C':
-open reply-(optional)

Waste Stream /Material/Product 'D':
-open reply-(optional)

Recycling Rates

Do you agree with the view that recycling rates should be increased and/or be made to include more materials/waste streams?

-single choice reply-(**compulsory**)

Yes

Household Waste -single choice reply-(**optional**)

Municipal Waste -single choice reply-(**optional**)

Commercial Waste -single choice reply-(**optional**)

Industrial Waste -single choice reply-(**optional**)

Construction & Demolition Waste -single choice reply-(**optional**)

In order to take into account the large differences between Member States' current recycling levels, would you agree that an approach which sets targets relative to the existing situation in each Member State (for instance increase of recycling rates by X% per year) is appropriate? -single choice reply-(**optional**)

No

So far only municipal waste and construction and demolition waste are covered by specific recycling targets in the Waste Framework Directive, whilst other Directives cover packaging, WEEE, ELVs and batteries. Do you think there is a case for setting recycling targets on waste streams/materials/products that are not already covered by targets in existing Directives? If so, which waste streams/materials/products do you feel should be covered by new targets and why?

Waste Stream /Material/Product 'A':

-open reply-(**optional**)

Waste Stream /Material/Product 'B':

-open reply-(**optional**)

Waste Stream /Material/Product 'C':

-open reply-(**optional**)

Waste Stream /Material/Product 'D':

-open reply-(**optional**)

Limiting Incineration of Waste Which Might Otherwise be Recycled

Do you agree with the view that a maximum level should be set for the amount of waste that can be incinerated for different waste streams (e.g. household waste and/or commercial waste)?

-single choice reply-(**compulsory**)

Yes

Household/ municipal waste -single choice reply-

No

(optional)	
Commercial waste -single choice reply-(optional)	No
Industrial waste -single choice reply-(optional)	No
Construction and demolition waste -single choice reply-(optional)	No
Other than the above waste streams are there any other to which you think a maximum level of incineration should apply? If so, please specify in the text boxes below.	
Other stream 'A' -open reply-(optional)	
Other stream 'B' -open reply-(optional)	
Other stream 'C' -open reply-(optional)	
Household Waste -single choice reply-(optional)	
Municipal Waste -single choice reply-(optional)	
Commercial Waste -single choice reply-(optional)	
Industrial Waste -single choice reply-(optional)	
Construction & Demolition Waste -single choice reply-(optional)	
Landfill	
1. Landfilling should be limited to residues from a specified range (to be determined) of waste treatment operations. -single choice reply-(optional)	5 = very good idea, definitely deserves further consideration
2. Landfilling should be limited to a certain percentage of waste generated (for instance 5%) from a particular date. -single choice reply-(optional)	1 = poor idea, not worth consideration
3. Landfilling of recyclable/compostable waste (to be defined) should be banned. -single choice reply-(optional)	4
4. Landfilling of waste that is combustible should be banned. -single choice reply-(optional)	4
5. Landfilling of waste should be banned if it has not been pre-treated to a level where the potential to lead to methane emissions from landfills has been virtually eliminated. -single choice reply-(optional)	4
<p>Are there any other proposals in addition to the above that you feel deserve serious consideration? If so, please describe up to three additional solutions in the text boxes below (as in the list above, please ensure that you only enter one clearly defined solution per box). Please only include options which you strongly favour.</p> <p>First solution:</p>	

-open reply-(optional)

Specific geographic locations, such as islands, must be taken into account. Il faut avoir égard aux situations géographiquement singulières telles que celles résultant des phénomènes insulaires.

Second solution:

-open reply-(optional)

Third solution:

-open reply-(optional)

In order to take into account the large differences between Member States' current levels of landfilling, would you agree that an approach which sets targets that take account of the existing situation in each Member State is appropriate (for instance by fixing a landfilling reduction percentage per year)?

-single choice reply-(optional)

No

Targets as a Tool in Waste Legislation

Do you believe the Commission should go further than simply setting targets for Member States to achieve? If you select "No" there are no more questions and you can submit your response by clicking on the button below. -single choice reply-(compulsory)

Yes

Suggestions for Change

1. Develop guidance on the implementation of effective producer responsibility schemes to improve the transparency of the systems as well as their cost effectiveness. -single choice reply-(optional)

Yes

2. Develop guidance on the proper implementation of the waste hierarchy. -single choice reply-(optional)

Yes

3. Ensure a closer monitoring by the Commission of progress accomplished by Member States in applying the waste hierarchy. For those Member States moving too slowly to meet the legally binding targets, develop mechanisms to ensure that key instruments such as a combination of economic and legal instruments (landfill/incineration taxes/bans, EPR schemes, incentives for municipalities and citizens, etc.) are applied. -single choice reply-(optional)

No

4. Develop criteria for municipalities to

Yes

implement services of a minimum standard to enable sorting of a range of waste materials for recycling and composting / anaerobic digestion.

-single choice reply-(optional)

5. Improve the consistency of the definitions used in the legislation and ensure proper monitoring by improved data collection and systematic reliability and validity checks of data reported. -single choice reply-(optional)

Yes

Are there any other proposals in addition to the above that you feel deserve serious consideration? If so, please describe up to three additional solutions in the text boxes below (as in the list above, please ensure that you only enter one clearly defined solution per box). Please only include options which you strongly favour.

First solution:

-open reply-(optional)

Second solution:

-open reply-(optional)

Third solution:

-open reply-(optional)

General Comments

Would you like to add any general comments? If so, please use the space provided below.

-open reply-(optional)