

# Useful tips on milestones of EU waste management policy for decision-makers and business

In 2020, the European Commission adopted the Circular Economy Action Plan<sup>1</sup> - one of the main blocks of the European Green Deal, Europe's new agenda for sustainable growth. The plan focuses on electronics and ICT; batteries and vehicles; packaging; plastics; textiles; construction and buildings; food; water, as well as nutrients, while aiming to make sustainable products the norm in the EU. The plan envisages to empower consumers and public buyers; ensure less waste, to make circularity work for people, regions and cities. It introduces legislative and non-legislative measures to strengthen competitiveness, while protecting the environment and giving new rights to consumers.

With measures along the entire life cycle of the products, the Action Plan announces initiatives along the entire life cycle of products. Thus, it targets, for example, their design and promotes circular economic processes. Furthermore, it fosters sustainable consumption, and aims to ensure that the resources used are kept in the EU economy for as long as possible.

The Circular Economy Package<sup>2</sup> includes four directives which the European Parliament adopted on 18 April 2018 and enforced on 5 July 2020. These are as follows:

- The Waste Framework Directive (2008/98/EC)
- The Landfilling Directive (1999/31/EC)
- The Packaging Waste Directive (94/62/EC)
- The Directives on end-of-life vehicles (2000/53/EC), on batteries and accumulators and waste batteries and accumulators (2006/66/EC), and on waste electrical and electronic equipment (2012/19/EU)

The overall goals of the directives are to improve EU waste management in order to protect, preserve, and improve the quality of the environment, as well as to encourage the prudent and rational use of natural resources. More specifically, the directives aim to implement the concept of “waste hierarchy”, which sets a priority order for all waste management legislation and policy, which should make any disposal of waste a solution the last resort. This order includes the following:

1. Prevention;
2. Preparing for re-use;
3. Recycling;
4. Other recovery, *e.g.*, energy recovery; and
5. Disposal.

Amended Waste Framework Directive (2018/851/EU)<sup>3</sup> requires Member States to improve their waste management systems in the overall management of sustainable material; to improve the efficiency of resource use, as well as

1 [https://eur-lex.europa.eu/resource.html?uri=cellar:8a8ef5e8-99a0-11e5-b3b7-01aa75ed71a1.0012.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:8a8ef5e8-99a0-11e5-b3b7-01aa75ed71a1.0012.02/DOC_1&format=PDF), 28.01.2021

2 [https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/614766/EPRS\\_BRI\(2018\)614766\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/614766/EPRS_BRI(2018)614766_EN.pdf), 28.01.2021

3 <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018L0851&from=EN>, 28.01.2021

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to ensure that waste is valued as a resource. The amendment addresses other areas of focus as follows: Measures to prevent waste generation, *inter alia*, obliging Member States to facilitate innovative production, business, and consumption models that reduce the presence of hazardous substances in materials and products, encourage the increase of the lifespan of products, and promote re-use.

- The handling of municipal wastes.
- Incentives for the application of the waste hierarchy, such as landfill and incineration charges or pay-as-you-throw schemes.
- Measures to encourage the development, production, marketing and use of products suitable for multiple use that contain recycled materials. These materials could be reused after recycling.
- Measures to promote the re-use of products constituting the main sources of critical raw materials to prevent those materials from becoming waste.
- Minimum operating requirements for extended producer responsibility schemes.
- The promotion of sustainability in production and consumption in Member States, including communication and educational initiatives, as well as measures to promote prevention and reduction of food waste.
- Member States' obligation to set up separate collection for paper, metal, plastic, and glass waste.

Member States must implement measures whereby unprocessed municipal waste is better (a) prepared for re-use after its collection and (b) recycled. This must be done to a minimum of 55% by weight by 2025, 60% by 2030, and 65% by 2035. The directive acknowledges that large differences exist among Member States with respect to their waste management performance, and therefore allows low-performing Member States to postpone these targets by up to five years.

Amended Landfilling Directive (2018/850/EU)<sup>4</sup> requires Member States to significantly reduce waste disposal by landfilling. This will prevent detrimental consequences for human health and the environment, and ensure that economically valuable waste materials are recovered through proper waste management and in line with the waste hierarchy. Member States will be required to ensure that, as of 2030, waste suitable for recycling or other recovery, particularly in municipal waste, will not be permitted to be disposed of to landfill. Use of landfills should remain exceptional, rather than the norm. Furthermore, the Member States will take the necessary measures to ensure that, by 2035, the amount of municipal waste disposed of in landfills is reduced to 10% or less of the total amount of municipal waste generated. Acknowledging that such reductions will require major changes in waste management in many Member States, these measures will likely facilitate further progress and investment in the collection, sorting, and recycling of waste. Member States that used landfills to dispose of more than 60% of their municipal waste in 2013 will be allowed to postpone the respective deadlines by five years.

Amended Packaging Directive (2018/852/EU)<sup>5</sup> aims to increase packaging waste recycling. In particular, Member States to implement measures in order to prevent the generation of packaging waste and to minimise the environmental impact of packaging. Economic instruments and other measures should be used to provide incentives for implementing the waste hierarchy. The measures have to encourage an increase in the share of reusable packaging placed on the market and of systems to reuse packaging in an environmentally sound manner. This includes using deposit-return schemes, setting qualitative or quantitative targets, using economic incentives, and setting up a minimum percentage of reusable packaging placed on the market every year for each packaging stream. By the end of 2024, extended producer responsibility schemes are established for all packaging.

By the end of 2025 (and 2030), at least 65% (2030: 70%) by weight of all packaging waste must be recycled, and the following minimum targets for specific materials contained in packaging waste must be met: 50% (55%) of plastic, 25% (30%) of wood, 70% (80%) of ferrous materials, 50% (60%) of aluminium, 70% (75%) of glass, and 75% (85%) of paper and cardboard. Some Member States may postpone these target deadlines by up to five years under certain conditions.

Directive 2018/849/EU<sup>6</sup> amended the previous directives on end-of-life vehicles, on batteries and accumula-

<sup>4</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018L0850&from=EN>, 28.01.2021

<sup>5</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018L0852&from=EN>, 28.01.2021

<sup>6</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018L0849&from=EN>, 28.01.2021

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tors and waste batteries and accumulators, as well as on waste electrical and electronic equipment. It primarily establishes monitoring and reporting requirements for Member States, regarding the reuse and recovery goals for end-of-life vehicles and collection targets for waste batteries, accumulators, as well as electrical and electronic equipment. Member States will take the necessary measures to apply the waste hierarchy to all wastes that the respective directives cover. In the context of the EU commitment to a transition towards a circular economy, a review process will consider the feasibility of setting targets for specific materials contained in the relevant waste streams.

In 2019, another Directive was added to the sustainable waste management legislative package of the EU - Directive 2019/904/EU on the reduction of the impact of certain plastic products on the environment<sup>7</sup>.

The Single-use Plastics Directive aims to prevent and reduce the impact of certain plastic products on the environment; in particular, the aquatic environment and on human health. Furthermore, the directive aims to promote the transition to a circular economy with innovative and sustainable business models, products and materials, while contributing to the efficient functioning of the internal market Scope, in the following ways: single use plastic products and products made of oxo-degradable plastic 70% covered of all marine litter: top 10 SUP (43%) + fishing gear (27%).

The Directive sets ambitious targets as follows:

- quantitative reduction in consumption by 2026, compared to 2022, for items like food containers, cups for beverages including covers and lids; increased availability of alternatives, e.g. re-usable; items not provided free of charge, etc.
- ban on plastic products with readily available alternatives (single and multi-use), like cotton bud sticks, cutlery, plates, straws, beverage stirrers, sticks for balloons and all products made of oxo-degradable plastic; cups, food and beverage containers made of expanded polystyrene, as well as to put restrictions on plastic content, not the whole product by 3 July 2021.
- by 3 July 2024, all single-use beverage containers and bottles up to 3 litres with caps and lids made of plastic may be placed on the market only if the caps and lids remain attached to the containers during the products' intended use stage.
- binding target of at least 25% of recycled plastic for PET beverage bottles to be enforced from 2025 onwards, calculated as an average for the Member State, not per producer. By 2030, the target of at least 30% of recycled content for all single use plastic bottles should be achieved.
- by 3 July 2021, the tobacco products with filters, cups for beverages, wet wipes and sanitary towels will require a clear and harmonized labelling on the product or on packaging. For cups, the label will be on the product itself. The label will indicate the presence of plastics in the product on how waste should be disposed, and the resulting negative environmental impact.
- by the end of 2024, extended producer responsibility will be introduced for food and beverage containers, bottles, cups, packets and wrappers, light weight carrier bags and tobacco products with filters. So, producers will help cover the costs of waste prevention (awareness raising), waste management (collection and treatment costs of on-the-go waste in public areas); as well as litter clean-up and data gathering. For wet wipes and balloons, only the waste prevention and litter clean-up costs are to be covered.
- the separate collection target for plastic beverage bottles to be achieved through EPR or through deposit refund schemes (by 2025 - 77% and by 2029 - 90%). Enforced measures should support high quality recyclates and uptake of secondary raw materials, as well as support plastic packaging recycling target of 55%, by 2030.
- awareness raising measures such as: providing information to consumers on availability of reusable alternatives, reuse systems and waste management options; impact of littering; impact on sewer network of inappropriate waste disposal to achieve reduction in littering of single use plastic products covered and fishing gear.

The Circular Economy Package supports also the efforts for better biowaste management in Europe and for placing recycled bio-waste materials on the European market as products. With the adoption of the amended Waste

<sup>7</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32019L0904&from=EN>, 28.01.2021

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Framework Directive (2018/851/EU), Landfilling Directive (2018/850/EU), Directive on waste (2018/851/EU)<sup>8</sup> and Fertilizer Regulation (2019/1009/EU)<sup>9</sup>, the legislative framework for achieving these objectives has been set. The main elements with relevance for improving biowaste management in Europe are introducing separate collection of bio-waste by 2023 in all member states, excluding mechanical biological treatment of municipal waste from recycling by 2027, and limiting the landfilling of municipal solid waste to 10% by 2035. With the revision of the EU Fertilizer Regulation, including harmonized European-wide end-of-waste criteria for compost and digestate, organic fertilizing products from recycled materials (compost and digestate) can be freely traded on the European fertilizer market.

Only about 40% (equivalent to 47,5 million tons per annum [M tpa])<sup>10</sup> of the biological waste in Europe is effectively recycled into high-quality compost and digestate. As up to 50% of municipal solid waste is organic, the bio-waste fraction plays an important role in recycling and the nascent circular economy. Implementation of separate collection of bio-waste in all EU member states, as laid down in the Waste Framework Directive, is a key for diverting organic waste from landfills and to guarantee that high-quality secondary raw materials (composts and digestate) are consistently manufactured, so that they can be placed on the European fertilizer market.

For achieving the overall recycling target of 65 % of municipal waste by 2035, it is crucial that recycling of bio-waste has to take place.

<sup>8</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018L0851&from=EN>, 28.01.2021

<sup>9</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32019R1009&from=EN>, 28.01.2021

<sup>10</sup> [https://www.compostnetwork.info/wordpress/wp-content/uploads/190823\\_ECN-Compost-Production-in-Europe\\_final\\_layout-ECN.pdf](https://www.compostnetwork.info/wordpress/wp-content/uploads/190823_ECN-Compost-Production-in-Europe_final_layout-ECN.pdf), 28.01.2021

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