



OPINION

Towards a circular economy: review of EU waste legislation

THE EUROPEAN COMMITTEE OF THE REGIONS

- calls upon the European Council to include a new resource productivity headline target in the mid-term review of the Europe 2020 Strategy, as an increase of at least 30% in resource productivity by 2030, measured by GDP divided by Raw Material Consumption (RMC);
- supports a single and unambiguous definition of municipal waste, which should be clarified by shifting its focus from who collects the waste to what is collected; and affirms the importance of establishing a single method of calculation for recycling targets, whilst calling for a clarification of the calculation method and the definitions used in the proposal, and to propose adjustments where necessary;
- requests the introduction of a mandatory target for prevention/reduction of municipal waste in the EU by 2020, additional reuse targets specific to each waste flow, and a new bio-waste recycling target so as to encourage the development of this sector;
- urges for the reinforcement of provisions for the European Commission and Member States to promote ambitious eco-design, also calling for concrete recommendations put forward for the percentage of recycled materials to be used in marketed products; backs the proposal to introduce EPR minimum requirements;
- calls for maintaining the level of ambition of the targets as proposed by the Commission for re-use and recycling of municipal waste; for packaging waste for 2020, 2025 and 2030; and for 1 January 2025 as the date when no biodegradable waste should go to landfill and recyclable waste is recycled wherever technically and economically viable; calls for the proposed optional target of a maximum of 5% landfilling of residual waste by 2030 to be converted into a binding target.

Rapporteur

Mariana Gâju, Mayor of Cumpăna, Constanța county (RO/PES)

Reference documents

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Towards a circular economy: A zero waste programme for Europe
COM(2014) 398 final

Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment
COM(2014) 397 final - 2014/0201 (COD)

**Opinion of the European Committee of the Regions –
Towards a circular economy: review of EU waste legislation**

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

A. Towards a circular economy

1. welcomes the Commission's launch of a package of measures on the circular economy¹ establishing a common and consistent EU framework for resource efficiency. The CoR points out that this requires the political will for change, a long-term investment policy and planning of that investment, and a shift in public awareness, involvement and behaviour regarding resources. The Committee emphasises again the key role played by local and regional authorities in framing such policies, and in implementing and assessing them²;
2. fully supports the necessity and benefits of the transition to a circular economy, as it was evidenced in the high-level European Platform for efficient use of resources (EREP)³. The CoR recalls that this is a logical sequence of commitments in the Roadmap for a resource-efficient Europe, which were developed in the 7th Environment Action Programme of the EU (7th EAP); underlines that the development of a circular economy is the key to achieving all resource efficiency objectives, ensuring that the economy can grow and also can become less dependent on primary resources, leading to better environment protection;
3. is therefore deeply concerned by the announcement in December of the Commission's intention to withdraw the legislative proposal amending several waste Directives to promote a circular economy; considers that the proposal, on which a considerable amount of work has already been done by the various EU institutions and stakeholders, represents overall a balanced set of compromises; recalls in this context the clear messages of support for the continuation of the legislative process by both the European Parliament and the Council of Ministers, as well as numerous stakeholders;
4. calls on the European Commission to adopt a more comprehensive and holistic approach to the circular economy. In addition to paying attention to waste prevention and reuse, the transition to a circular economy calls for a whole chain approach and better cohesion between various policy sectors and initiatives such as: the Roadmap to a Resource Efficient Europe; the Seventh Environment Action Programme, the Climate and Energy Package, the environmental footprint (LCA and carbon footprint) and the European Biobased Strategy - Innovating for Sustainable Growth: a bioeconomy for Europe;

¹ COM(2014) 398 final.

² CdR 140/2011 fin.

³ http://ec.europa.eu/environment/resource_efficiency/re_platform/index_en.htm.

5. takes note, in this context, of the intention of the European Commission to present by the end of 2015 an "improved" and "more ambitious" set of proposals; expresses, however, its serious doubt that substantially improved compromises can be found on a large number of complex issues in such a relatively short time-frame; recalls in this context the urgent need for clear and reliable legal guidelines for local and regional authorities and the great potential of the circular economy to contribute to economic growth; recommends therefore not to waste any time but to continue to try and improve the Commission's proposals in the course of the already started legislative procedure and therefore calls on the Commission and the co-legislators to take the following observations and suggestions into account in their future work, including those on reinforcing a circular economy in the early phases of design and manufacture of products;
6. emphasises the need to take the whole bioeconomy into account as part of the European response to the circular economy. The bioeconomy generates an annual turnover of EUR 22 billion, making an important contribution to green and sustainable growth and offering new employment opportunities and market openings. Most bio-based investment is made at the regional and local levels where bottom-up initiatives generate new value chains and job opportunities;
7. recalls in this context in particular the important potential of the circular economy to generate savings for EU businesses, public authorities and consumers; underlines that these savings should translate into large-scale and long-term investments for the EU economy and consequently lead to the creation of sustainable jobs in the EU;
8. stresses the need to develop further an enabling policy framework for the circular economy at all levels - EU, national and regional, using measures which combine smart regulation, market-based instruments, especially those aimed at promoting the use of recycled materials, research and innovation, incentives, information exchange and support for voluntary approaches. The CoR considers that design and innovation are key to accelerating the transition to a circular economy, and calls on the Commission to promote innovation, including under the EU Research and Innovation Programme (Horizon 2020), facilitate the development of more circular models for products and services, including through a more coherent product policy, further develop the revision and application of the Ecodesign Directive through the inclusion of resource efficiency criteria, and set out how to apply the use of environmental impact measurement in product and process design;
9. supports the application of the Eco-design Directive to resource efficiency criteria related to durability, modularity, reusability and recyclability, with corresponding advice to the consumer, including for the future priority product groups in the 2015- 2017 Work Plan. The Committee has called for a radical revision of this directive and its implementing measures so

as to promote resource efficiency, by extending its scope to include non-energy-related products with a significant environmental impact⁴;

10. stresses the importance of placing a particular focus early in the production processes on packaging made from composite materials in order to reduce waste from such materials that is non-recyclable or recyclable only using complex and expensive technologies; suggests that the Ecolabel regulation should be extended to more and more services and products, both to ensure easier implementation of the measures envisaged for waste reduction and to provide clearer and more useful guidance to consumers in order to reduce the environmental impact of products and services;
11. welcomes the initiatives announced by the European Commission to promote green public procurement (GPP), namely the guidance on possibilities offered by the new public procurement directives in the field of GPP, a recommendation on monitoring Member States' performance in achieving the indicative 50% GPP target, and support for establishing GPP networks among public authorities. The CoR however reiterates its call for mandatory GPP targets for national governments and the European institutions⁵;
12. reiterates that it is essential to monitor the progress of the Europe 2020 flagship initiative "A resource efficient Europe" in the framework of the Europe 2020 Strategy and the European Semester and Annual Growth Survey exercises linked to it. Resource efficiency needs to become an integral part of the national reporting system for Europe 2020, the National Reform Programmes, and the Country Specific Recommendations; in this context, calls upon the European Council to include a new resource productivity headline target of an increase of at least 30% in resource productivity by 2030, measured by GDP divided by Raw Material Consumption (RMC), in the mid-term review of the Europe 2020 Strategy, while taking account of already existing targets at national level⁶;

B. On the proposal for a directive amending several waste directives

13. points to the progress made in waste management due to an EU legal framework based on a proactive policy. The CoR stresses the fact that some Member States and local and regional authorities are meeting and exceeding the EU targets in this area and feels that future legislation should take into account the different starting positions and support in particular the least performing ones to pursue and increase their efforts here;
14. considers that a responsible and sustainable waste hierarchy policy should aim for the maximum possible reduction in waste generation and to reduce the negative impact of waste and its management on human health and the environment, to reduce the consumption of

⁴ CdR 3751/2013, CdR 1617/2013, CdR 140/2011 fin.

⁵ CdR 140/2011 fin.

⁶ CdR 140/2011 fin.

materials and to reintegrate materials contained in waste into the economic cycle. The Committee considers that compliance with the waste hierarchy is the most efficient method of limiting the environmental and financial costs of waste management; it is therefore unfortunate that the Commission communication does not explore the idea of including a binding target for reducing waste generation in the Waste Framework Directive (WFD);

15. considers that, as one of the most direct steps to facilitate the reintroduction of materials into the production cycle and thus to move towards a circular economy, the mechanisms for declaring as to whether products have by-product or end-of-waste status should be made easier to apply;
16. points out that, given the differences that exist between the EU's regions and Member States in achievement of the targets laid down in current EU waste management legislation⁷, it is very important to encourage cooperation and the dissemination of best practices in this area, so that the least performing Member States and regions can be helped to meet the ultimate goals; although it should be borne in mind that in regions or areas with highly dispersed populations, with low population densities and long distances to treatment facilities, waste management costs increase and the ultimate goal of zero waste is extremely hard to achieve;
17. stresses the importance of creating markets for materials recovered from waste and the products made from them, creating a uniform legal framework as well as equal opportunities for all who recover these materials and reintegrate them into the economic cycle;
18. emphasises the key role played by local and regional authorities in implementing legislation in this area, in creating and financing infrastructure for processing and storing waste and in managing waste flows, the latter being one of the greatest challenges facing these authorities. As in a previous opinion⁸, the Committee calls for local and regional authorities to be given a stronger voice in the revision of targets that they will be required to meet. The Committee would therefore like the EU to guarantee that local and regional authorities will enjoy a level of intervention and cooperation that complies fully with the subsidiarity principle;
19. regrets that the proposal for a directive does not give enough attention to the waste-to-energy recovery for non-recyclable waste, as final step of a waste valorisation process, even though it would make it easier for the Member States to achieve the ambitious objectives they have all been set and would improve the EU's energy independence at the same time;
20. considers that the findings of the impact assessment⁹ that accompanies the proposal for a directive are very optimistic and recommends that the Commission clarify the data on which it was based, including the scientific evidence that prompted the Commission to take a

⁷ Directives 2008/98/EC, 99/31/EC, 94/62/EC.

⁸ CdR 1617/2013.

⁹ SWD(2014) 208 final.

particular approach, the cost of this approach, and finally, the advisability of using the criterion of the best performing Member States;

21. building on previous recommendations¹⁰, supports an accelerated systematic introduction of economic instruments in waste management by the Member States and local and regional authorities, for instance by promoting such instruments in the waste management and compliance plans (as part of the early warning system) and by promoting extended producer responsibility; the Committee underlines the potential of these instruments to generate revenue for local and regional authorities, which can be used to offset (part of) the administrative costs related to implementation and enforcement of the waste targets, and which could also make funds available for litter clean-up activities, recycling and other environmental projects;

Definitions

22. calls on the Council and the European Parliament to retain a single and unambiguous definition of *municipal waste* in Annex VI of the proposal for a directive. This definition should be clarified by shifting its focus from *who* collects the waste to *what kind of waste* is collected. A clarified single definition is necessary in order to ensure the coherence and good implementation of the policy and to compare the achievements of different local and regional authorities and Member States;
23. welcomes the proposed change to the definition of what counts as *prepared for reuse and recycled*. Even if this is not yet a full output-based definition, it reflects previous CoR calls for a single calculation method for recycling performance and effectively recycled quantities¹¹;
24. recommends that the Commission revise its definitions of *collection* and *separate collection*, since the Member States interpret these concepts in different ways. Furthermore, the CoR recommends that the concept of *sorting* also be defined, for both statistical and reporting purposes, and for the sake of material quality, since many Member States collect and report quantities of waste delivered to sorting facilities, quantities which can contain up to 30% of impurities;

A single method of measurement

25. stresses and affirms the importance of establishing a *single method of calculation for recycling targets* and welcomes the Commission's proposal here. This simplification and opting for an "output-oriented method" will make it easier to compare the varying performance levels across the EU and help turn waste into a useful resource; points out,

¹⁰ CdR 3751/2013, CdR 1617/2013.

¹¹ CdR 3751/2013.

however, that a number of queries remain regarding the proposed method of calculation. For certain waste streams it may be very difficult to meet the objectives using current techniques. The Committee calls on the European Commission to clarify the calculation method and the definitions used, and to propose adjustments where necessary;

Waste prevention and optimisation of management models

26. emphasises that waste prevention should come before any other consideration, in order to comply with the "waste hierarchy", in which waste prevention is ranked at the top, and given that this principle is also a key element of the circular economy. To this end, the Commission should first propose *binding waste prevention targets*, accompanied by financial incentives, and the full implementation of the "polluter pays" principle;
27. repeats the request to introduce a mandatory target for prevention/reduction of municipal waste in the EU in order that, by 2020, the amount of municipal waste generated per person is reduced by 10% compared to the level recorded in 2010¹²;
28. recommends additional measures to be put in place to improve separate waste collection and recycling, such as: promoting the pneumatic disposal of household waste into separate collection containers, placing multi-compartment containers on building sites to make it easier to separate and manage the different types of construction and demolition waste, developing management models and facilities to cater for recycling the foreseeable future growth of waste from photovoltaic solar panels and establishing an infrastructure network for the decontamination and recovery of vehicles that have reached the end of their useful life;

Extended producer responsibility

29. stresses that, in the transition to a circular economy, not only must waste management be taken into consideration but also other sectors associated with the development and manufacture of products. In order for products to be recycled and made available easily, steps must be taken to promote the development of products in an environmentally-friendly way and encourage the spread of technologies which produce little or no waste;
30. with regard to reinforcing the extended producer responsibility, calls upon the Council and the European Parliament to maintain the proposed change in Article 8 WFD which now obliges and not only invites Member States to encourage eco-efficiency and eco-design of products, including technical durability and recyclability, and to take into account the full life cycle impacts of products;
31. notes that the proposal for a directive does not foresee a quantified objective for environmentally responsible product design and therefore calls for greater environmental

¹² CdR 1617/2013.

responsibility from businesses and would like to see concrete recommendations put forward for the percentage of recycled materials to be used in marketed products; in this context, points also to the importance of the Ecolabel tool;

32. highlights the fact that extended producer responsibility (EPR), including manufacturers and importers, is proving to be an effective lever for the policy of promoting waste prevention measures. The Committee nevertheless calls for support measures to ensure that the costs entailed will not be passed on to end users and consumers and that the profits generated are injected back into the waste management process;
33. continues to support reinforcing the principle of EPR in EU legislation¹³, and thus backs the proposal to introduce minimum requirements (coverage of the costs of collecting, managing and treating the waste streams and the cost of informing the public and of adapting product design – ecodesign);

Targets

34. calls on the European Parliament and the Council to maintain the level of ambition as proposed by the Commission as regards the re-use and recycling of municipal waste. The CoR also welcomes the new provision that Member States should include measures regarding collection and recycling of waste containing significant amounts of critical raw materials in their waste management plans;
35. recommends that the EU legislation be both ambitious and realistic. The Committee draws attention to the fact that the proposed amendment of the targets and simultaneous introduction of a single calculation method could prove very challenging for many Member States and local and regional authorities, especially for those that have experienced difficulties in implementing the current legislation. The new targets should be set following a detailed analysis of the reasons for the failure to meet the current targets and their impact, including at regional level, as certain areas where population density is extremely low have significantly distinct demographic features; suggests that ambitious and realistic recycling targets should be based on an in-depth discussion with the Member States and their local and regional authorities about the necessary measures to ensure their effective monitoring and successful implementation;
36. points out that implementation of the current targets varies considerably between Member States and regions; stresses, however, that the positive results in some Member States also show that it is possible to meet or approach ambitious targets if the underlying conditions are right and if the necessary administrative capacity is developed where it does not exist so far¹⁴;

¹³ CdR 1617/2013.

¹⁴ See also the Territorial Impact Assessment Report on the Circular Economy Package, CdR 05609/2014.

37. strongly advocates that the targets set in the new directive be correlated with the quality of recycled/recovered materials, so that the recycled materials do not harm the environment and human health and they can compete in the market on a level playing field with primary resources. In addition, consistent and clear principles should be specified for calculating true recycling quotas;
38. recommends keeping the level of ambition regarding the objectives for recycling of packaging waste for 2020, 2025 and 2030 and supports the proposal to use a single method for calculating recycling performance, limiting this to recycling activities, unlike current recovery and recycling activities. . Quantitative recycling targets should be set after assessing the impact of changing the calculation method. Direct re-use of packaging should also be taken into account in the calculation methods and targets. The CoR has previously requested to examine possibilities to increase the recycling of plastic packaging to 70% and for glass, metal, paper, cardboard and wood to 80% by 2020;
39. reiterates its call for a new *bio-waste recycling target* to be introduced in the revised Waste Framework Directive so as to encourage the development of this sector and set quantitative objectives¹⁵. Alongside this, the Commission could also establish binding quality criteria for compost in order to promote the bio-waste recycling market and environmental protection¹⁶. To that end, it might be useful to establish guidelines to be disseminated to the public to improve the quality of the bio-waste collected and sent for composting;
40. once again flags up the need to establish additional targets regarding preparation for reuse. These targets should be binding, discrete and specific to each waste flow, particularly for furniture, textiles and WEEE, especially given that similar targets already exist in some countries at national/regional level¹⁷;

Landfilling

41. The CoR, following on from the European Parliament's call to gradually introduce a landfill ban¹⁸, has called for the landfilling of recyclable waste and biodegradable waste to be prohibited by 2020¹⁹. In this regard, it calls on the European Parliament and Council to at least maintain the proposed target of 1 January 2025, as the date when no biodegradable waste should go to landfill, and recyclable waste is collected separately and actually recycled wherever technically and economically viable;

¹⁵ CdR 74/2009 fin.

¹⁶ CdR 1617/2013.

¹⁷ CdR 1617/2013, CdR 3751/2013, CdR 140/2011 final.

¹⁸ European Parliament Report on a resource-efficient Europe, (2011/2068(INI)) 08.05.2012

¹⁹ CdR 3751/2013, CdR 1617/2013.

42. calls for the wording of the reduction targets to be revised, since the concepts of non-hazardous landfill and municipal waste are conflated in the calculations and proportions presented, even though municipal waste is not the only type of waste that can be disposed of in non-hazardous landfill. The CoR also suggests that the proposed optional target of a maximum of 5% landfilling of residual waste by 2030 could be couched in more flexible terms, but underlines that it should be converted into a binding target for reducing landfilling of such waste which would better reflect the mandate conferred by the 7th Environment Action Programme and previous CoR recommendations²⁰;
43. calls on the Commission to work further on the recycling potential of construction and demolition waste (CDW) and in particular to assess whether or not a single CDW waste target is sufficient to incentivise the collection, sorting and recycling of different construction materials or whether specific targets for those construction materials with a smaller share in C&D waste would be necessary;

Early warning mechanism and reporting

44. welcomes the proposal to introduce an early warning system for monitoring compliance with the recycling targets proposed in the new directive. The compliance plans reflect CoR recommendations for individual roadmaps for each Member State; nevertheless, calls on the Commission to provide the Member States with methodological support to draw up these plans;
45. also welcomes the introduction of mandatory *annual reporting* accompanied by a quality check report and verified by an independent third party. This could pave the way to better assessment of the situation in the Member States as regards achieving the targets and enable measures to be taken to improve their performance;
46. recommends that submitting annual reports to be assessed by an independent third party should be mandatory only if the reliability of the data in the reports is in doubt and recommends that the Commission set objective criteria and provide methodological support for carrying out such assessments;

Subsidiarity and proportionality

47. considers that the new recycling targets for municipal waste, packaging waste and WEEE, the plan to phase out landfilling of recyclable waste by 2025 and then 2030, the early warning system and the new reporting obligations give no cause for concern regarding subsidiarity. Some problems exist, however, in terms of proportionality, with regard to the varying levels

²⁰ CdR 3751/2013, CdR 1617/2013.

of implementation of the current targets and the timetable for the new targets envisaged by the Commission²¹;

Delegated acts

48. notes with concern the numerous provisions in the new directive empowering the Commission to adopt delegated acts in the future.

II. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1

COM(2014) 397 final - 2014/0201 (COD)

Article 1 – Amendment of Directive 2008/98/EC, point (6) – amendment of Article 8, letter b)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>(b) paragraph 2 is replaced by the following:</p> <p>"2. Member States shall take appropriate measures to encourage the design of products in order to reduce their environmental impact and the generation of waste in the course of the production and subsequent use of products, without distorting the internal market.</p> <p>Those measures shall include measures to encourage the development, production and marketing of products that are suitable for multiple use, that are technically durable and that are, after having become waste, suitable for re-use and recycling in order to facilitate proper implementation of the waste hierarchy. The measures shall take into account the full life cycle impacts of products.";</p>	<p>(b) paragraph 2 is replaced by the following:</p> <p>"2. <u>The European Commission and</u> Member States shall take appropriate measures to <u>ensure that</u> encourage the design of products <u>are designed</u> in order to reduce their environmental impact and the generation of waste in the course of the production and subsequent use of products, without distorting the internal market.</p> <p>Those measures shall include measures to encourage the development, production and marketing of products that are suitable for multiple use, that are technically durable and that are, after having become waste, suitable for re-use and recycling in order to facilitate proper implementation of the waste hierarchy. The measures shall take into account the full life cycle impacts of products.";</p>

Reason

It is at source that the most significant changes can be made to achieve resource efficiency. Improving the design of products to be reusable, repairable and recyclable, and optimising packaging can make a significant contribution to waste avoidance, which is at the top of the waste hierarchy, above recycling and re-use. Therefore, a more ambitious eco-design policy is needed, both at EU and national level.

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Report on the consultation of the CoR Subsidiarity Monitoring Network (SMN) and the Subsidiarity Expert Group (SEG), 2014.

Amendment 2

COM(2014) 397 final - 2014/0201 (COD)

Article 1 – Amendment of Directive 2008/98/EC, point (11)

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>(11) in Article 22, the second paragraph is replaced by the following:</p> <p>"In order to minimize contamination of waste materials, Member States shall ensure separate collection of bio-waste by 2025.</p> <p>The Commission shall carry out an assessment on the management of bio-waste with a view to submitting a proposal if appropriate. The assessment shall examine the opportunity of setting minimum requirements for bio-waste management and quality criteria for compost and digestate from bio-waste, in order to guarantee a high level of protection for human health and the environment.";</p>	<p>11) in Article 22, the second paragraph is replaced by the following:</p> <p>"In order to minimize contamination of <u>recyclable waste materials and ensure optimal recycling of organic waste</u> materials, Member States shall ensure separate collection of bio-waste by 2025.</p> <p>The Commission shall carry out an assessment on the management of bio-waste with a view to submitting a proposal if appropriate. The assessment shall examine the opportunity of setting minimum requirements for bio-waste management and quality criteria for compost and digestate from bio-waste, in order to guarantee a high level of protection for human health and the environment.";</p>

Reason

Bio-waste is not a contaminant. The collection should be based on how to make the most of the waste (e.g. energy from biogas, fertilizer, etc.), not for keeping other waste dry. In addition, separate collection or management options of bio-waste should not be imposed. Flexibility to adapt to local circumstances and new technologies should be allowed. The quality of the bio-waste is what matters, not the method used to collect/manage it.

Amendment 3

COM(2014) 397 final - 2014/0201 (COD), Annex VI

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>Composition of municipal waste</p> <p>Municipal waste includes household waste and waste from retail trade, small businesses, office, buildings and institutions (such as schools, hospitals, government buildings) similar in nature</p>	<p>Composition of municipal waste</p> <p>Municipal waste includes household waste and waste from retail trade, small businesses, office, buildings and institutions (such as schools, hospitals, government buildings) similar in nature</p>

<p>and composition to household waste, collected by or on behalf of municipalities.</p> <p>It includes:</p> <ul style="list-style-type: none"> – bulky waste (e.g. white goods, furniture, mattresses); – yard waste, leaves, grass clippings, street sweepings, the content of litter containers, and market cleansing waste; – waste from selected municipal services, i.e. waste from park and garden maintenance, waste from street cleaning services; <p>It also includes waste from the same sources, and similar in nature and composition, which:</p> <ul style="list-style-type: none"> – are not collected on behalf of municipalities but directly by producer responsibility schemes or private non-profit institutions for re-use and recycling purposes mainly by separate collection, – originate from rural areas not served by a regular waste service. <p>It excludes:</p> <ul style="list-style-type: none"> – waste from sewage network and treatment, including sewage sludge, – construction and demolition 	<p>and composition to household waste, collected by or on behalf of municipalities.</p> <p>It includes:</p> <ul style="list-style-type: none"> – bulky waste (e.g. white goods, furniture, mattresses); – yard waste, leaves, grass clippings, street sweepings, the content of litter containers, and market cleansing waste; – waste from selected municipal services, i.e. waste from park and garden maintenance, waste from street cleaning services; <p>It also includes waste from the same sources, and similar in nature and composition, which:</p> <ul style="list-style-type: none"> – are not collected on behalf of municipalities but directly by producer responsibility schemes or private non-profit institutions for re-use and recycling purposes mainly by separate collection, – originate from rural areas not served by a regular waste service. <p>It excludes:</p> <ul style="list-style-type: none"> – waste from sewage network and treatment, including sewage sludge, – construction and demolition. <p><u>The European waste catalogue specifies exactly what municipal waste covers.</u></p>
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Reason

A common definition is needed to assess whether MS are achieving the targets of the waste legislation and compare their policies, not to assess local authorities' performance. Therefore, municipal waste should not be defined on the basis of who collects the waste, but on what is collected (i.e. the composition of the waste). In addition, the definition of municipal waste laid down in the directive appears in even greater detail in the European waste catalogue, which is in turn based on a European Commission decision.

Brussels,

The President
of the European Committee of the Regions

Markku Markkula

The Secretary-General
of the European Committee of the Regions

Jiří Buriánek

III. PROCEDURE

Title	Towards a circular economy: review of EU waste legislation
References	COM(2014) 398 final COM(2014) 397 final - 2014/0201 (COD)
Legal basis	Article 307 TFEU COM(2014) 398 final: optional referral COM(2014) 397 final: mandatory referral
Procedural basis	
Date of Council/EP referral/ Date of Commission letter	COM(2014) 398 final: 20 October 2014 (European Commission – C. Day) COM(2014) 397 final: 23 July 2014 (EP), 28 July 2014 (Council)
Date of president's decision	11 July 2014
Commission responsible	Commission for the Environment, Climate Change and Energy (ENVE)
Rapporteur	Mariana Gâju (RO/PES)
Analysis	3 October 2014
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Date adopted by commission	11 December 2014
Result of the vote in commission	Majority
Date adopted in plenary	12 February 2015
Previous Committee opinions	<ul style="list-style-type: none"> – Opinion on the Proposal for a Directive on Lightweight Plastic Carrier Bags, CdR 8067/2013 – Opinion on the Green Paper on a European Strategy on Plastic Waste in the Environment, CdR 3751/2013 fin²² – Outlook Opinion on The Review of the European Union's Key Waste Targets, CdR 1617/2013 fin²³ – Opinion on A Resource-Efficient Europe – Flagship Initiative Under the Europe 2020 Strategy, CdR 140/2011 fin²⁴
Date of subsidiarity monitoring consultation/TIA workshop	<ul style="list-style-type: none"> – Consultation of the Subsidiarity Monitoring Network and the Subsidiarity Expert Group from 25 July to 6 October 2014 – Territorial impact assessment (TIA) workshop on 9 September 2014

²² [OJ C 356, 5.12.2013, p. 30.](#)

²³ [OJ C 280, 27.9.2013, p. 44.](#)

²⁴ [OJ C 9, 11.1.2012, p. 37.](#)