

21/03/2008*A/5578

From: Milieu Extern [mailto:milieu@igean.be]

Sent: Friday, March 21, 2008 8:15 AM

To: COMP STATE AID GREFFE

Subject: stakeholder consultation on the general block exemption regulation "HT .364"

Dear Sir, Dear Madam,

We have noticed that several organisations already commented on the second draft about the specific rule for waste management facilities (the fact that it would no longer be included in the exemption rule for environmental investments). The third draft, despite these remarks made during earlier phases, still states that the group exemption for investments for environmental protection will not be applicable for investments, relating to the management of waste of other undertakings. We would like to repeat following remarks about this proposal:

1. We do not see why waste management has to be treated differently compared to other environmental investments.
2. The intentions of Europe to strengthen European waste management policy, e.g. by the introduction of waste recycling targets as suggested by the European Parliament, might create a necessity for Member States to provide financial support for innovative waste management infrastructure. Burdening this support with extra administrative procedures would only hinder the development of these investments.
3. Furthermore, the draft Waste Framework Directive underlines the importance of the use of economic instruments, stressing that individual Member States should be able to decide themselves about the use of different (taxes as well as subsidies) economic instruments: see recital 38: "Economic instruments can play a crucial role in the achievement of waste prevention and management objectives. Waste often has value as a resource, and the further application of economic instruments may maximise environmental benefits. The use of such instruments at the appropriate level should therefore be encouraged while stressing that individual Member States can decide on their use."
4. The draft Waste Framework Directive also suggests that Member States should aim to move individually towards self-sufficiency in waste disposal as well as in the recovery of waste (art. 14). The actual situation in Europe has proven that in order to reach this goal, alternative systems of financing (like prudential-style borrowing, underwritten by direct (potentially variable) local taxation or subsidies) have proven to be a success-factor in the creation of the necessary facilities (see <http://www.ciwm.co.uk/mediastore/FILES/12134.pdf>).

Therefore, it seems appropriate and in line with the European waste management legislation to demand that investments for waste management would be included in the exemption under article 16 and that point 6 of art. 16 of the draft regulation would be dropped.

Best regards,

Jos Van Hoydonck

directeur-zaakvoerder

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