Review of the List of Waste and the Hazardous Properties

European Commission – DG Environment

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Review of the List of Waste (LoW) and the Hazardous Properties (HPs)

Background

- Classification of wastes as hazardous is done according to the LoW (Decision 2000/532/EC) and the HP (Annex III to Directive 2008/98/EC)

- Thematic Strategy on Waste Prevention and Recycling: Call for a review of the system of waste nomenclature with the purpose of simplifying and modernising

- New chemicals legislation
  → Need for review of HP and their application in the LoW

- MS: Wish to amend / delete / insert new entries
  → Need to amend entries of the LoW
Review of the LoW and the HPs

Objective
- Revise the LoW according to scientific and technical progress
- Revise the hazardous properties so as to reflect scientific and technical progress; an alignment with CLP shall facilitate classification of waste

Approach
- Study (2008)
- Discussion in TAC meeting (2009)
- Discussion in a dedicated Working Group
Review of the LoW and the HPs

- Discussion in the Working Group
- Elaboration of a final proposal until end of 2011
- Adoption in 2012
- Amendment of Decision 2000/532/EC (LoW) in Comitology
- Amendment of Annex III of the WFD in Comitology
- A consultant (Ökopol) assists the Commission (service contract)

Agreements in the WG:

- Priority shall be given to HPs (over LoW review)
- Amendments to LoW shall concern only a limited number of entries
- Structure of LoW to be kept
Review of the LoW and the HPs

- Alignment with the chemicals legislation (CLP) as a principle
- Strict alignment with CLP including concentration limits may not in all cases be appropriate for wastes and lead to changes regarding the amount of wastes being classified as hazardous
- HPs 4, 6, 8 (and HP 13 potentially) and 14 may be particularly concerned
- Further discussions ongoing