

SENATE OF THE ITALIAN REPUBLIC

----- 17TH LEGISLATURE -----

Doc. XVIII No 74

RESOLUTION OF THE 13TH STANDING COMMITTEE (Land Use, Environment, Environmental Assets)

(Rapporteur: Senator Laniece)

approved on 7 October 2014

ON THE

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)

pursuant to Article 144(1) and (6) of the Rules of Procedure

Forwarded to the President of the Senate's office on 9 October 2014

The Committee, having examined the EU document COM (2014) 397 final,

whereas:

the proposal is to be adopted by the Commission pursuant to Article 192(1) of the Treaty on the Functioning of the European Union (TFEU), which provides for the application of the ordinary legislative procedure to achieve the objectives set out in Article 191 on the environment, and pursuant to Article 114 TFEU, which lays down the provisions for achieving the objective concerning the approximation of legislation;

as regards compliance with the principle of subsidiarity, the proposal does not set an overall legally binding waste prevention target or a packaging prevention target, laying down only a non-binding food waste prevention target; it does state, however, that the introduction of legally binding EU waste prevention targets should be considered necessary;

as regards compliance with the principle of proportionality, according to which the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Treaties, in terms of form, the use of a directive certainly seems to respect this principle as it gives Member States the possibility of identifying the most suitable means of achieving the common objectives stated therein. In terms of content, the setting of new targets for the recycling or disposal of waste, as an alternative to landfills, is a suitable and appropriate method, which is also proportionate to the objectives underlying the proposal (improved management of resources and waste in line with European Union ambitions concerning resource efficiency and a circular economy). The European Commission early warning system, introduced by the proposal, is another suitable method for achieving the targets, with the purpose of monitoring Member States' progress towards achieving targets. Furthermore, this system allows Member States to take action in time by submitting a compliance plan to the European Commission based on its recommendations. The introduction of the obligation for Member States to submit annual rather than three-yearly reports helps the early warning system to function. Indeed, the proposed changes to the reporting obligation could represent a suitable and appropriate method for achieving the targets set, such as providing reliable information on the implementation by Member States of relevant European Union legislation on waste;

whereas:

we welcome the purpose underlying the proposal to revise the directives, which aims to provide an economic assessment of the re-use and recycling of secondary raw material as a strategic requirement for EU countries in order to achieve the objective of rendering the sources of supply of raw materials independent;

this new economic, rather than ecological, perspective emphasises the need to create a new kind of circular development, as linear and infinite development is no longer feasible. For this purpose, any material recovery (but no longer energy recovery, as has been made clear by the revisers of the directives) means lower environmental impact, a smaller ecological footprint and less exploitation of primary resources for the purpose of producing consumable materials;

we welcome both the proposal to set up an early warning system, in order to detect waste management shortcomings in the various countries and benchmark national reporting methodologies, and the information relating to the fact that the management of hazardous waste is inadequate and that electronic data collection should be extended to all types of waste in order to simplify and improve the monitoring of waste flows in the Union. In this context, it also appears essential to specify the responsibility of producers of goods and products for the management of the waste generated, by internalising end-of-life management costs according to high environmental standards, and to provide incentives for producers to take environmental aspects into account throughout the life of the products, from the design phase to end-of-life;

we think the waste reduction targets of the Proposal for a Directive are reasonable and we consider it useful to assess the time-frame for achieving these targets, also considering the latest figures issued by the World Meteorological Organisation (WMO). Indeed, on 9 September 2014 the WMO announced that 2013 had been the most polluted year in the last thirty years, thus creating a new record for the release of carbon dioxide and other greenhouse gases into the atmosphere;

it follows from the targets included in this proposal that Member States should support the use of recovered materials, in line with the waste hierarchy, with the aim of securing the supply of raw materials and moving the Union closer to a 'recycling society', and should not support the landfilling or incineration of such materials, in line with Recital 29 of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008. Member States should not support the incineration of waste that can be recycled in a technically and economically feasible way and under environmentally friendly conditions;

the chair of the scientific committee for the implementation and development of the national waste prevention programme has been appointed by decree of the Ministry of the Environment, Protection of Natural Resources and the Sea. This committee will remain in place until 2017 and its role will be

to support the Ministry in defining measures to implement the programme within the priority action areas, giving greater impetus to the national plan for preventing food waste (Piano nazionale di prevenzione degli sprechi alimentari, PINPAS) further to the European Commission's invitation for Member States to address the problem of food wastage within their National Waste Prevention Programmes;

the Milan Protocol on Food and Nutrition involves a commitment to limit food wastage through a 50 percent reduction by 2020 of the 1.3 million tonnes of edible food wasted;

issues, within its remit, a favourable opinion

with the following comments:

we hope that the new framework described by the Directive with a time horizon of 2020-2030 becomes the basis for updating forecasts relating to the maintenance and possible construction of disposal and waste-to-energy plants on national territory, in order to provide a coordinated approach, both during the long transitional period and in relation to meeting the conditions when fully in force, and, at the same time, we recommend a gradual and flexible approach for pursuing the new targets; this is necessary to avoid damaging the competitiveness of the national production industry;

we hope that the system for incentivising and subsidising landfill disposal and the incineration system will be modified and gradually phased out from 1 January 2015, to avoid a conflict with the objectives and direction of the European Union with regard to waste;

specific actions aimed at reducing food waste are required, which address the causes of the phenomenon, which define a hierarchy for food use and which introduce measures for administrative and fiscal simplification in order to facilitate recovery projects, whilst acknowledging the contribution of cooperation and long-term agreements on the food supply chain and providing the support necessary for professionals in the food sector to launch information and awareness-raising initiatives directed at Italian and foreign consumers;

with reference to Article 12(3b)(3c) of European Parliament and Council Directive 94/62/EC of 20 December 1994, it is necessary to consider making changes to the system for accounting for waste collected, in order to provide incentives for processing and re-use within the Member State where the sorting is carried out;

with reference to Article 24 of the above-mentioned Directive 2008/98/EC, monitoring methods should be established aimed at ensuring that simplification measures which allow a simple declaration to be made instead of authorisation being granted cannot facilitate those who wish to manage waste unlawfully or fraudulently.