



EUROPEAN COMMISSION

*Brussels, 31.5.2018
C(2018) 3298 final*

Dear President,

The Commission would like to thank the Senat for its Opinion on the proposal for a Directive on port reception facilities for the delivery of waste from ships, repealing Directive 2000/59/EC and amending Directive 2009/16/EC and Directive 2010/65/EU {COM(2018) 33 final}.

This proposal aims to reduce discharges of waste from ships at sea by ensuring the availability and use of adequate waste reception facilities in ports. The proposal forms part of a broader package of ambitious measures designed to promote the Circular Economy. Addressing the problem of marine litter is a priority for the Commission and this proposal should make a significant contribution to reducing the sea-based sources of marine litter.

The Commission takes note of the Senat's concerns over the waste coding and of its wish to see the scope of the proposed Directive extended to cover inland waterways in view of the serious pollution of the Danube river.

As far as the issue of the waste coding is concerned, the Commission considers that for the purpose of ensuring consistency with the international framework, provided by the International Convention for the Prevention of Pollution from Ships (MARPOL Convention, hereafter "the Convention"), and in particular by the advance waste notification and waste receipt included in Circular 834 of the International Maritime Organisation, waste categories of this Convention should be used in the Annexes to the proposed Directive. The Port Reception Facilities operators should be allowed to collect the waste from the ships segregated in accordance with the Convention categories, with the separation according to the European Union waste codes to be done by the waste company at a later stage.

*Mr Călin POPESCU-TĂRICEANU
President of the Senat
Calea 13 Septembrie nr. 1-3, sector 5
RO – 050711 BUCHAREST*

Inland ports and waterways, as well as ships sailing in those waters, are not covered by the proposed Directive, which only covers 'seagoing vessels' and the ports visited by those vessels. The rationale for this is that the Directive incorporates into European law the relevant provisions from the Convention, which is also limited to 'seagoing vessels'. For the protection of inland waterways, there are other legal instruments at the level of the European Union and at regional level, such as the Water Framework Directive (Directive 2000/16/EC) and the Danube River Protection Convention, which seek to ensure good environmental status through integrated river basin management.

The Senat's Opinion has been made available to the Commission's representatives in the ongoing negotiations with the co-legislators and will inform these discussions. Discussions between the Commission and the co-legislators concerning the proposal are now underway and the Commission remains hopeful that an agreement will be reached in the near future.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Senat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Violeta Bulc
Member of the Commission*