



EUROPEAN COMMISSION  
EUROSTAT

Directorate E: Sectoral and regional statistics  
Unit E-3: Environmental and forestry



This document contains the executive summary and an explanation of the changes made in the Annexes to Regulation (EC) No 2150/2002 on waste statistics

adopted by

Commission Regulation (EU) No 849/2010 of 27 September 2010  
amending Regulation (EC) No 2150/2002 of the European Parliament and  
of the Council on waste statistics

Note: The complete document including the proposal for the revision has been  
submitted to the

5th MEETING of the  
European Statistical System Committee  
on  
Luxembourg, 20 May 2010

## EXECUTIVE SUMMARY

### 1. Recommendation for action by the ESSC

The ESSC is invited to vote on the attached draft for a Commission Regulation amending Regulation (EC) No 2150/2002 of the European Parliament and of the Council of 25 November 2002 on waste statistics (Waste Statistics Regulation).

### 2. Background and brief history of the proposal

After the second reporting on waste statistics according to the Regulation 2150/2002/EC (WStatR) some deficits had become obvious and areas for improvement had been identified. A number of shortcomings of the current version were presented at the meeting of the Working Group (WG) on Waste Statistics in February 2008 and are included in the Report to the European Parliament and Council (COM(2008) 355)<sup>1</sup>. In addition, the revised Waste Framework Directive (2008/98/EC) establishes new information needs (e.g. recycling indicators) and modified definitions (e.g. energy recovery and recycling).

Therefore, a Task Force (TF) has been set up to address all possible topics in relation to the WStatR and to prepare final recommendations on the revision of the WStatR. Interim results have been presented and discussed during the WG on Waste Statistics in March 2009 and the DIMESA meeting June 2009.

End of July 2009 a set of documents containing details and an explanation on the proposed changes have been sent out to all Member States and their comments were collected until end of September.

The main results were presented at the DIMESA meeting in November 2009 and to the WG on Waste Statistics in March 2010.

Further information and details of the amendments can be obtained from the document - *Explanations on the proposed changes* – which is attached as Annex to this summary (available in English only).

### 3. Policy context

Regular Community statistics on waste are necessary to monitor the implementation of waste policy, in particular, compliance with the principles of maximisation of recovery and safe disposal. The revision of the WStatR has been prepared in the light of the following objectives:

- increase the usability of waste statistics;
- simplify the provisions of the Regulation as far as possible;
- align the Regulation with other reporting obligations included in Community waste legislation; and
- take into account user needs.

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<sup>1</sup> Report from the Commission to the European Parliament and the Council on statistics compiled pursuant to the Regulation (EC) 2150/2002 on waste statistics and their quality from COM(2008)355 final of 13.6.2008.

4. Consequences of the proposal for Member States, including financial implications

The amendments of the annexes to the WStatR result in both new requirements and simplification. At the same time the coherence with other Community waste legislation will be increased. The proposed changes will perhaps result in small reduction of reporting burden; however, the enhanced usability and integration will substantially improve the quality of Community waste statistics.

5. Outstanding problems

There are no outstanding problems at this stage.

6. Risk assessment

The draft Commission Regulation needs to be approved soon in order to allow Eurostat and Member States to prepare for the data delivery in 2012. Failure to adopt this draft Commission Regulation would seriously hamper the monitoring of Community waste policy.

7. Next challenges/steps

In the light of the opinion of the ESSC, Eurostat will forward the text to the Commission for formal adoption.



COMMISSION OF THE EUROPEAN COMMUNITIES  
EUROSTAT

Directorate E: Sectoral and regional statistics  
Unit E-3: Environmental statistics and accounts



**ANNEX to EXECUTIVE SUMMARY –  
available in EN only**

**Revision of Regulation 2150/2002/EC on waste statistics  
(WStatR)**

**Explanations on the proposed changes**

**Updated 04 March 2010**

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## Introduction

This document “Explanations to the proposed changes in Regulation 2150/2002/EC (WStatR)” has been prepared in order to explain the reasoning for the proposed changes in the Annexes to the WStatR and is designed to accompany the consultation process.

After the second reporting on waste statistics according to the Regulation 2150/2002/EC (WStatR) some deficits had become obvious and areas for improvement had been identified. A number of shortcomings of the current version were presented at the meeting of the Working Group (WG) on Waste Statistics in February 2008 and are included in the Report to the European Parliament and Council [COM(2008) 355]<sup>2</sup>. In addition, the revised Waste Framework Directive (2008/98/EC) establishes new information needs (e.g. recycling indicators) and modified definitions (e.g. energy recovery).

Therefore, a Task Force (TF) has been set up to address all possible topics in relation to the WStatR and to prepare final recommendations on the revision of the WStatR. Interim results have been presented and discussed during the WG on Waste Statistics in March 2009 and the DIMESA meeting June 2009.

The aims of the revision of the WStatR are:

- to increase the usability of waste statistics;
- to simplify the provisions of the Regulation as far as possible;
- to align the Regulation with other reporting obligations included in Community waste legislation; and
- to take into account user needs.

Further information can be obtained from additional documents produced by and for the TF<sup>3</sup>. In particular:

- Scoping paper and minutes for the 1<sup>st</sup> TF meeting.
- Discussion paper and minutes for the 2<sup>nd</sup> TF meeting.
- Document WASTE WG 92/5.1(2009) submitted at the meeting of the Working Group on waste statistics of 10 and 11 March 2009.
- Discussion paper and minutes for the 3<sup>rd</sup> TF meeting.
- Document ENV/DIMESA/10.2a (2009-2) Results from the consultation of Member States – updated on 14 January

Only two changes to this proposal were made after the consultation of Member States, they are related to section 3.4.1 *New item for backfilling* and section 4.5 *Reorganisation of category "Animal and vegetal wastes"*. The changes are marked in this document.

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<sup>2</sup> Report from the Commission to the European Parliament and the Council on statistics compiled pursuant to the Regulation (EC) 2150/2002 on waste statistics and their quality from COM(2008)355 final of 13.6.2008.

<sup>3</sup> All discussion documents and minutes of the TF meetings are accessible on CIRCA:  
<http://circa.europa.eu/Public/irc/dsis/pip/library?l=/wastesstatisticssregulat/mdeetingsofsthessubgrou&vm>

## **Annex I**

### **Section 1 (2): Explicit exclusion of internal recycling**

In Annex II, Section 1 (2) and Section 3 (item 3) the recycling at the site of waste generation is explicitly excluded from reporting on waste treatment. Annex I does not specify how to handle the internal recycling of waste.

In order to avoid inconsistencies between the coverage of Annex I and Annex II it was agreed with the Member States that internally recycled amounts should also be excluded from reporting under Annex I. This is already current practise and is set out in the WStatR Implementation Manual (version 1.1) in chapter 2, page 18.

To clarify the situation it is proposed to exclude waste that is internally recycled also from the scope of Annex I and to change the respective sections 1 and 3 accordingly.

### **Section 2: Waste categories**

*Aggregation of EWC Stat categories 01.4, 02 and 03.1 under the head line “Chemical waste”*

The TF recommended the aggregation of spent chemical catalyst (01.4), chemical preparation waste (02), and chemical deposits and residues (3.1), even though this would lead to an aggregation of more than 200 LoW-codes.

Spent chemical catalysts (category 01.4) are used mainly in the chemical or petro-chemical industry or in flue-gas treatment and in terms of the materials covered it is a very mixed category. Catalysts are used either as liquids in solution or as solids and may consist of acids, organic solutions, minerals, metals and composites – for example vehicle exhaust catalytic converters. The binding element of the category is the catalytic function rather than the material composition. The current approach to keep the categories 01.4, 02 and 03.1 separate is deemed as origin specific and less material specific (which is in any case rather inhomogeneous). The origin shall be detected by the NACE code.

*Introduction of the category “Sludges and liquid wastes from waste treatment” (03.3)*

To improve the distinction between primary and secondary waste some new categories have been discussed by the TF for introduction in Annex I, Section 2, and Annex III. The new category “Sludges and liquid wastes from waste treatment” (03.3) would allow all liquid wastes and sludges from chemical physical treatment (CPT), treatment of landfill leachate, waste oil regeneration, and liquids and digestate of anaerobic digestion of MW or animal/vegetal waste to be summarised in one category.

The new category would consist of 13 purely secondary waste codes. The details of this proposed category and the allocation of the LoW codes are shown in Annex III, category 03.31.

The TF proposes to generate this category for secondary wastes.

*Separation of ferrous and non ferrous waste (06)*

The current version of Annex I displays only one category for metal wastes. As data users are interested in the generated amounts of ferrous and non-ferrous metals separately, it is proposed to create two new categories, one for ferrous metal, and one for non-ferrous metal. A third category for mixed metal waste containing ferrous and non-ferrous metal will also be available.

If hazardous metal waste were to be broken down in such a manner then very small categories would result. It is therefore proposed that the hazardous metal LoW codes should be reallocated to other categories as described in Section 4.4.

### *Reorganisation of the category “Animal and vegetal wastes” (09)*

In the context of the upcoming discussion on biowaste the TF investigated the usefulness of the split of the category “Animal and vegetal waste” (09) in Annex I and Annex III.

#### **Current situation**

According to Annex III animal and vegetal waste is classified in the following EWC-Stat categories:

#### 09 Animal and vegetal wastes

##### 09.1 Waste of food preparation and products

##### 09.11 Animal waste of food preparation and products

##### 09.12 Vegetal waste of food preparation and products

##### 09.13 Mixed waste of food preparation and products

##### 09.2 Green wastes

##### 09.21 Green wastes

##### 09.3 Slurry and manure

##### 09.31 Slurry and manure

According to Annex I these categories are aggregated for reporting into three items as follows:

- Item 32: Animal and vegetal wastes (excluding animal waste of food preparation and products and excluding animal faeces, urine and manure) (09 excl. 09.11, 09.3)
- Item 33: Animal waste of food preparation and products (09.11)
- Item 34: Animal faeces, urine and manure (09.3).

#### **Proposal for revision**

- For the usability of the data it seems favourable to provide a distinction between waste which requires sterilisation because of their contents and origin, and between other wastes that do not or only rarely require sterilisation (and might be composted or similar).
- It is proposed to report the previous categories 09.11 and 09.13 together under the category 9.1. This new category would cover predominantly those waste types that require sterilisation.
- It is also proposed that the previous categories 09.12 and 09.2 should be reported together in the new category 09.2. This category would cover waste types that do not or only rarely require sterilisation.
- The separate reporting of the category 09.3 shall not be changed. This category covers only one LoW-code (02 01 06). It is a very distinct waste category that arises in considerable amounts.

*Table 1: Comparison of current and proposed reporting categories on EWC-Stat 09*

Item no.	Annex I – current version	Annex I – proposal
32	Animal and vegetal wastes (09 excl. 09.11, 09.3)	Animal and mixed food waste (09.1)
33	Animal waste of food preparation and products (09.11)	Vegetal waste (09.2)
34	Animal faeces, urine and manure (09.3)	Animal faeces, urine and manure (09.3)

The main advantage of the proposal is that it will help to provide a better estimate for the amount of biodegradable waste that can be used directly (without pre-treatment) for compositing or digestion.

The proposal would lead to a shift of waste quantities from item 32 to item 33.

However, it has to be stressed that a clear distinction between wastes which require sterilisation and other wastes purely on the basis of the LoW-code is not possible because additional information (e.g. on the origin) has to be considered. Further details on the reallocation of the LoW codes in Annex III are given in **Section 4.5**

#### *Reorganisation of mineral waste (12)*

- *Separate category for mineral waste from construction and demolition (12.1);*

The main objective for the reorganisation of the category “mineral waste” is to make use of WStatR-data for the monitoring of the recycling target for construction and demolition waste as laid down in Article 11(2b) of the revised Waste Framework Directive (2008/98/EC).

A detailed proposal on how the WStatR should be changed in order to allow the monitoring of the mineral C&D waste has been described in the document of the Working Group meeting in March 2009 (WASTE WG 92/5.1(2009)). The proposal comprises the following changes:

- In order to quantify the generation and destination of C&D waste it is proposed to introduce a new waste category ‘mineral construction and demolition waste’. This waste category shall:
  - o include all chapter 17 LoW-codes for mineral wastes with the exception of LoW-code 17 05 04 Soil and stones other than those mentioned in 17 05 03\* (which is explicitly excluded from the definition of the recycling target), and LoW-code 17 05 06 Dredging spoil other than those mentioned in 17 05 05\* (see Section 2.2.5.3);
  - o exclude LoW-codes for mineral wastes of other origin (codes not belonging to LoW-chapter 17).
- This would require restructuring the already existing waste category EWC-Stat 12.1 Construction and demolition waste in Annex III accordingly, i.e.
  - o to exclude the waste codes from LoW-chapter 10 (4 waste codes)
  - o to include the LoW-code 17 05 08 Track ballast other than those mentioned in 17 05 07\* (which is so far assigned to EWC-Stat section 12.31)
- For systematic reasons a corresponding category for hazardous mineral C&D waste should also be introduced in the breakdown of Annex I.

The detailed composition of the categories “mineral waste from construction and demolition” (12.1) and “other mineral waste” (12.2+ 12.3+12.5) is provided in Annex III.

- *Separate category for soil (12.6)*

As the LoW-code 17 05 04 Soil and stones other than those mentioned in 17 05 03\* is explicitly excluded from the definition of the recycling target, the TF recommended to add a separate category for soil, including the oil spills in addition. The detailed composition of this category is presented in Annex III.

- *Separate category for dredging spoils (12.7)*

At present, non-hazardous and hazardous dredging spoils are assigned to different EWC-Stat categories in Annex III (EWC-Stat 11 “common sludges” and EWC-Stat 12 “mineral waste”). In Annex I, “non-hazardous dredging spoils” is a separate category while “hazardous dredging

spoils" is aggregated with contaminated soils. This is not logical from the viewpoint of a material-based classification. Therefore a separate new category was established as 12.7 dredging spoils. The detailed composition is presented in Annex III.

- *New category for “Mineral Waste from waste treatment and stabilized waste” (12.8 + 13)*

This new category aims to improve the distinction between primary and secondary waste. The category is a combination of the category “solidified, stabilised or vitrified waste” (EWC-Stat Category 13) and the newly introduced category “waste from waste treatment” (EWC-Stat category 12.8). Both categories consist of secondary waste and from the material aspect they are related to each other.

### **Newly introduced category 12.8 (in Annex III)**

The current category 12.4 Combustion waste contains several LoW entries that result from waste incineration or pyrolysis of waste (LoW section 19 01) and are secondary wastes. The new category 12.8 Mineral waste from waste treatment on secondary waste should consist of these LoW:

- all section 19 LoW-codes currently assigned to 12.4 Combustion waste;
- the LoW-code 19 12 09 Minerals (e.g. sand, stones) (from mechanical treatment of waste) which was previously assigned to EWC-Stat 12.3 Waste of naturally occurring materials.

The new category would consist of 15 LoW codes of which 9 are hazardous and 6 are non-hazardous. All 15 waste types are pure secondary wastes. The composition of the newly introduced category 12.8 is presented in Annex III.

### **Combination of Category 12.8 and 13 (in Annex I)**

As both categories 12.8 and 13 mainly consist of secondary waste, the TF proposed to combine the two categories in Annex I.

- *Section 2 (2) Reference to pilot studies on packaging waste*

The pilot studies were carried out by Member States between 2004 and 2007. The programme is closed and therefore the reference is no longer relevant. It is proposed to delete this paragraph.

### **Section 3: Characteristics**

The regional breakdown on NUTS level 2 on waste treatment infrastructure is requested by the DG on Regional Policy and must be maintained. The information on the coverage of the collection scheme should be collected on national level only and should report on the population served.

### **Section 4: Reporting Unit**

- a) The current reporting in 1000 tonne units, with the request in the transmission format to provide the information with three decimal positions, was always a source of error. To reduce these mistakes, the reporting unit shall be 1 tonne.
- b) The reporting of sludges in wet and dry weight complicates the reporting, the handling of data and the presentation and communication of results. Reporting of dry matter only is considered sufficient.

Based on the data reported so far, Eurostat has established dry/wet conversion factors for sludges. In order to update these factors on a regular basis, countries should specify national conversion factors in their quality reports. The reported factor shall be for the

totals per waste category and not sector-specific. Further information and explanation with regard to this will be included in the Manual.

- c) The reporting unit for the coverage of the collection scheme is adjusted according to the changes outlined in Section 3 as described in Section 2.3 above.

### **Section 8 (1.1): Combination of economic activities of division 01 to 03**

In most countries the waste amounts generated by the economic activities of division 03 (fishing and logging) are small. Based on these observations the TF recommends that the NACE Rev. 1.1 sectors A and B (Divisions 01, 02 and 03 acc. to NACE Rev. 2) shall be combined into one reporting item.

## Annex II

### Section 2: Waste Categories

The different breakdowns by waste categories in Annex I and II hamper data validation as well as interpretation and communication of results. Even simple validation checks cannot be made as a result of the different breakdowns.

Hence, it would be very desirable to have a standardised breakdown for all data sets.

The TF confirmed that harmonising the breakdown between Annex I and Annex II is feasible and would result in no extra burden. In addition, the different aggregations in Annex II, Section 2 caused extra calculations which can be dropped if the same breakdown is established. The TF recommends using the breakdown of Annex I in Annex II as well.

Some countries highlighted that this might result in an increase of confidential data on waste treatment which may cause difficulties for the data processing. Moreover, it should be pointed out that the harmonised breakdown will not result in an exact balance between waste generation and waste treatment.

### Section 3: Characteristics

The TF proposes that the following characteristics **be dropped**:

- a) The total waste quantities treated would not be required at NUTS level 1. The waste quantities treated would be required only at national level. Reasoning: there is no documented policy need for the information on waste treatment on NUTS 1 level.
- b) Number and capacity of operation facilities for the disposal operations D2, D3, D4, D6, D7 (re-structured item 5 of Section 8(2), see section 3.4.2) shall be dropped. Reasoning: The information on number and capacities for treatment item 5 does not provide meaningful or relevant information.
- c) Capacity of operation facilities for the recovery operations R2 to R11 (item 3 of Section 8(2)) shall be dropped. Reasoning: In the present form the collected information on recycling facilities are of limited use as:
  - o The spectrum of facilities covered is extremely broad (one figure for R2 to R11);
  - o Data on capacities are difficult to determine, especially for production facilities that use secondary raw materials.
  - o To make the data more relevant and usable, a further breakdown by recycling operations would be required. This would result in an additional burden to the countries which would only be justified by a clear political need of the respective data. Such information needs could come up for instance in the context of future regulations on bio-waste. At present, such changes seem premature.

To harmonise the reporting obligations of WStatR and the “Questionnaire on the implementation of the landfill directive” (2000/738/EC) the following items are proposed **to be added**:

- o Capacity and number of landfills for a) hazardous waste, b) non-hazardous waste and c) inert waste.
- o Number of landfills closed.

This integration of reporting will require some adjustment of the “Questionnaire on the implementation of the landfill directive” (2000/738/EC).

## **Section 4: Reporting Unit**

See related comments for Annex I (2.4 Section 4: Reporting Unit)

## **Section 8 (2): Waste recovery and disposal operations**

### *New item for backfilling*

The Waste Framework Directive (2008/98/EC) excludes from recycling the “reprocessing into materials that are to be used (...) for backfilling operations”. The final treatment operation, i.e. the backfilling itself, is not explicitly excluded from the recycling definition. However, it is assumed that the exclusion refers also to the final destination, i.e. the backfilling operation.

The reprocessing for backfilling operations is a preparatory treatment step and thus not covered by Annex II of WStatR. The backfilling itself is currently covered by treatment item 3. The discussion in the Task Force on the WStatR revision showed that the backfilling has been allocated to different R-codes, to R5 and / or R10 or even R11.

To harmonise the item 3 with the recycling definition in the Waste Framework Directive (2008/98/EC) a separate treatment item for backfilling is required. To keep the order and numbering of the items and to demonstrate that item 3 is split in two separate items, the codes R2 to R11 are summarised under item 3a and the Backfilling is summarised under item 3b.

The proposal has been supported by the TF under the condition that an applicable definition of backfilling is provided by the Commission.

The preliminary definition of backfilling for the purposes of Art 11(2)(b) WFD reads as follows:

Backfilling is a recovery operation where waste is used:

- in excavated areas (such as underground mines, gravel pits) for the purpose of slope reclamation or safety or
- as filling in landscaping or for engineering purposes on landfills

and where waste is substituting other non-waste materials which would have had to be used for that purpose

### *Harmonisation of landfill operations*

Treatment item 4 summarises landfilling operations (D1, D5, D12) together with similar operations (D3, D4). It is recommended to harmonise item 4 with the definition of “landfills” in the Landfill Directive. Therefore the operations D3 and D4 shall be shifted to item 5. The TF supported the proposal.

## **Section 8 (3): Reference to pilot studies on preparatory operations**

The pilot studies were carried out by Member States between 2004 and 2007. The programme is closed and therefore the reference is no longer relevant. It is proposed to delete this paragraph.

## **Section 8 (4): Statistical units**

As stated in Section 1 of Annex II, the statistics are to be compiled for all recovery and disposal facilities which run any of the operations referred to in Section 8(2) and which belong to, or are part of, the economic activities according to the groupings of NACE Rev. 2, mentioned in Annex I, Section 8(1.1).

The current paragraph 4 of section 8 is misleading as it mentions as statistical units *local units* or *kind-of-activity units*. It is proposed to delete the paragraph.

## Annex III

### Reorganisation of the 99 codes

The List of Waste (LoW) contains 69 unspecific non-hazardous waste entries with the ending 99. In general, the 99-codes give information only on the origin of the waste but not on the material. Nevertheless, in Annex III, 56 of the 99-codes are allocated to material-specific categories whereas 13 codes are assigned to EWC-Stat 10.2 “Mixed and undifferentiated waste”.

In order to make Annex III more consistent it is proposed to assign 53 of the 56 99-codes also to the waste category 10.22 ‘Other mixed and undifferentiated wastes’.

The following 99-code shall remain as currently allocated:

- LoW 03 02 99 “Wood preservatives not otherwise specified” gives information on the type of waste and shall remain assigned to EWC-Stat category 02 “Chemical preparation waste”.
- LoW 13 08 99\* (currently EWC-STAT 3.1, hazardous) is hazardous and should be kept separate. It is oil (LoW entry: 13.08 “Oil wastes not otherwise specified”) and should remain with EWC-Stat 03.12 “Oils/water emulsions sludges”.
- LoW 20 03 99 shall remain in EWC-Stat category 35 “Household and similar waste” as it is municipal waste and it would be quite difficult to detect it separately.

### Remark

The current revision of the LoW is ongoing with no distinct time frame for completion. The most recent study on the LoW was published by DG.ENV in November 2008<sup>4</sup>.

It is intended that many or all of the 99 codes will be abolished. At the same time there are proposal to introduce many new codes as well. A fully developed proposal is not yet agreed.

### Code 02.32

The codes currently allocated to the section 02.32 “Chemical wastes mixed for treatment” are moved to others for two different reasons:

- a) Reorganisation of the “Sorting residues” (10.3) as described in Section 4.6 below.
- b) Establishment of a new category “Sludge and liquid wastes from waste treatment” (3.3) as described in chapter 0 below.

As a result, section 02.32 will disappear.

### Introduction of the category “Sludges and liquid waste from waste treatment” (03.03)

As mentioned in Section 2.2.2 the aim here is to distinguish better between primary and secondary waste. The new category “Sludges and liquid wastes from waste treatment” (03.3) would summarise all liquid wastes and sludges from chemical physical treatment (CPT), treatment of landfill leachate, waste oil regeneration, and liquids and digestate of anaerobic digestion of municipal waste or animal/vegetal waste in one category. The new category would consist of 13 purely secondary waste codes. The details of the proposed composition of the category and the allocation of the LoW codes are presented in Annex III, category 03.31. The TF supported the generation of a separate category for these secondary wastes.

### Reorganisation of the category metal waste (06)

As mentioned in Section 02.2.3 another aim of the proposals is to report separately on ferrous, non-ferrous metal and mixed metal waste in Annex I according the current structure of Annex III.

For category 06.1 (ferrous) no reorganisation is required.

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<sup>4</sup> [http://ec.europa.eu/environment/waste/pdf/low\\_review\\_oekopol.pdf](http://ec.europa.eu/environment/waste/pdf/low_review_oekopol.pdf)

During the course of examination it became obvious that some LoW codes allocated under mixed metal waste (06.3) would be better allocated to non-ferrous metal (06.2).

Test calculations demonstrate that the amount of hazardous waste included in categories 06.2 and 06.3 according to the current allocation would be rather small. To avoid extra burden for the countries with limited benefit, the remaining LoW codes for metal wastes, indicated as hazardous, have been newly allocated as shown below.

06.2 Non-ferrous metal waste and scrap			
06.21 Waste precious metal			
1 Hazardous			
09 01 06*	Wastes containing silver from on-site treatment of photographic wastes		Moved to EWC-Stat 10.22
18 01 10*	Amalgam waste from dental care		Moved to EWC-Stat 10.22
06.26 Other metal wastes			
1 Hazardous			
17 04 10*	Cables containing oil, coal tar and other dangerous substances		Moved to EWC-Stat 10.23 "Mixed construction wastes"
06.3 Mixed metal wastes			
06.32 Other mixed metallic wastes			
1 Hazardous			
17 04 09*	Metal waste contaminated with dangerous substances		Moved to EWC-Stat 10.23 "Mixed construction wastes"

Some remarks on the allocation:

09 01 06\*: the "sister" category 09 01 07 "photographic film and paper containing silver or silver compounds" is also allocated to EWC-Stat 10.22.

18 01 10\*: might be also allocated to EWC-STAT 05 "Health care and biological waste" but the hazardous wastes under this category are all infectious wastes for special hygienic treatment.

17 04 10\*: The origin of this waste is construction and demolition wastes (LoW entry 17). The cables containing oil, coal tar or other dangerous substances are the result of an on-site sorting process.

17 04 09\*: The origin of this waste is construction and demolition waste (LoW entry 17). The amount reported for the previous reporting period is rather small except for Spain and Cyprus, where the reported amounts are currently being examined.

### **Reorganisation of the category "Animal and vegetal wastes" (09)**

As mentioned in Section 0 the aim is to provide a distinction between biodegradable waste which is applicable directly (without pre-treatment) for composting or digestion and other waste which requires sterilisation.

Accordingly the following new categories have been added:

09.1 Animal and mixed food waste

09.2 Vegetal Waste

The third category 09.3 Slurry and manure remains unchanged.

The reorganisation requires several changes within the category 09 as shown in Annex III. These include:

- two codes that are purely of animal origin and may fall under Regulation 1774/2002/EC (02 02 03; 02 05 01) shall be moved from EWC-Stat 09.13 to EWC-Stat 09.11.

- three codes that are so far allocated to EWC-Stat 09.13 mixed wastes and are not or only rarely affected by Regulation 1774/2002/EC shall be moved from EWC-Stat 09.13 to EWC-Stat 09.22 (02 06 01, 02 07 04) and to EWC-Stat 09.21 Green wastes (20 03 02) respectively.

Following the consultation of MS the LoW code 20 03 02 Green wastes will be moved to 10.11 Household wastes.

### **Reorganisation of the category “Sorting residues” (10.3)**

The aim of the reorganisation is to improve the distinction between primary waste and waste from waste treatment facilities (secondary waste). The category EWC-Stat 10.3 currently consists of 11 secondary waste types and 3 primary waste types.

The waste codes for the primary waste types are the following:

- 03 03 07 mechanically separated rejects from pulping of waste paper and cardboard.
- 03 03 08 wastes from sorting of paper and cardboard destined for recycling.
- 19 08 01 screenings (from wastewater treatment plants for urban wastewater).

Note: The waste types 03 03 07 and 03 03 08 are considered as primary wastes although they clearly originate from the treatment of waste paper. The reason is that the respective waste types are generated in the course of paper production (allocated to chapter 03 of the List of Waste<sup>5</sup>) and not in waste treatment facilities. The place of generation is considered as the clearest criteria to distinguish between primary and secondary waste in this context; otherwise, one would also have to consider other production wastes that arise in production processes on account of the use of secondary raw materials.

It is proposed:

- to re-allocate the waste codes 03 03 07, 03 03 08 and 19 08 01 to EWC-Stat category 10.22 “other mixed and undifferentiated materials” in order to have a category consisting only of secondary wastes.
- to include additional LoW-codes from LoW-chapter 19 that represent waste types that are sorted out in different waste treatment processes (19 02 03, 19 02 04\*, 19 02 09\*, 19 02 10, 19 04 03).

The restructured EWC-Stat category includes 15 purely secondary waste codes of which 9 are hazardous and 6 are non-hazardous.

### **Reorganisation of the category “Construction and demolition waste” (12.1)**

The main objective for the reorganisation of the category EWC-Stat 12 “mineral waste” is to make use of WStatR-data for the monitoring of the recycling target for construction and demolition waste as laid down in Article 11(2b) of the revised Waste Framework Directive (2008/98/EC). For this purpose the existing category EWC-Stat 12.1 “construction and demolition waste” shall be reorganised in order to cover the waste types relevant for the recycling target.

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<sup>5</sup> LoW-chapter 03: Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard

This reorganisation comprises the following changes:

- to include the LoW-codes for non-hazardous and hazardous track ballast (17 05 07\*, 17 05 08) in category 12.11.
- to move LoW-codes of other origin than construction and demolition activities, i.e. LoW-codes not belonging to LoW-chapter 17, to other categories. This concerns four waste codes from LoW-chapter 10.

Category 12.1 shall not include soils and stones (LoW-code 17 05 04) as this waste type is explicitly excluded from the definition of the recycling target in Article 11(2b) of Directive 2008/98/EC. Soils and stones shall be reported in a separate category (see section 4.8).

### **Reorganisation of the category “Soil” (12.6)**

The current category 12.6 “Contaminated soils and polluted dredging spoils” covers only hazardous soil whereas non-hazardous soil (LoW-code 17 05 04) is assigned to a different category in Annex III (EWC-Stat 12.31). This is not logical from the viewpoint of a material-based classification.

Therefore, the new category 12.6 shall cover non-hazardous and hazardous soils and stones (including oils spills). The hazardous dredging spoils (LoW-17 05 05\*) shall be moved to the newly created category 12.7 (see section 04.9).

Hazardous track ballast (LoW-code 17 05 07\*) shall be moved to category 12.11 in order to be in the same category as the non-hazardous track ballast (LoW-code 17 05 08).

### **Introduction of the category “Dredging spoils” (12.7)**

At present, non-hazardous and hazardous dredging spoils (LoW-codes 17 05 05\*, 17 05 06) are assigned to different EWC-Stat categories in Annex III (EWC-Stat 11 “common sludges” and EWC-Stat 12 “mineral waste”). Similar to the re-structuring of the category 12.6 “soil”, a new separate category 12.7 “dredging spoils” shall be established.

As a consequence, the present category 11.3 “unpolluted dredging spoils” shall be deleted.

### **Introduction of the category “Waste from waste treatment” (12.8)**

The aim of the new category 12.8 is to improve the distinction between primary waste and waste from waste treatment facilities (secondary waste). The new category shall cover all mineral waste for waste treatment facilities. This includes:

- 14 LoW-codes for slag, ashes and flue gas treatment from waste treatment facilities, mainly from waste incineration (LoW-section 19 01).
- the LoW-code 19 12 09 “minerals (e.g. sand, stones)” from mechanical treatment of waste which was up to now assigned to EWC-Stat 12.3 “waste of naturally occurring materials”.

The new category 12.8 consists of 15 purely secondary wastes types of which 9 are hazardous and 6 are non-hazardous.

### **Re-Numbering of Annex III**

For the purpose of traceability the numbering of Annex III has not yet been adopted (except for item 09 Animal and vegetal wastes where the headlines have been changed). After the consultation process and for the final adopted version it is proposed to adjust the numbering on the three and four digit level in order to avoid empty entries. This is with the exception of category 04 which shall remain empty in the adopted version.