

Circular Economy Proposal for a Directive amending Directive 2008/98/EC on Waste

Over the last 10 to 15 years, the European Aggregates Industry has embraced the imperative of achieving maximum efficiency in all stages of the life-cycle of material production and consumption. UEPG Members are already contributing to the Circular Economy through excellence in daily operations, optimising the use of the primary aggregate reserves, maximising recycling and seeking to move it up the value chain and achieving high quality restoration of extraction sites to 'recycle land' and protect and enhance nature. Whilst these behaviours demonstrate the industry's commitment to sustainable development and the Circular Economy, primary resources and reserves will continue to supply the vast majority of future demand for aggregates, as even those Member States who have virtually maximised the use of recyclable material have demonstrated. UEPG, the European Aggregates Association, supports the European Commission's ongoing project to develop an EU protocol for C&DW and is actively contributing to it.

- ▶ UEPG supports recycling when environmentally, economically and technically feasible.
- ▶ Recycled Aggregates need to be fit for purpose.
- ▶ Experience demonstrates that even highest recycling rates achieved substitute up to 20% of the total aggregates demand.

UEPG welcomes the European Commission's Action Plan for the Circular Economy and would like to suggest amendments to the proposal for a Directive amending Directive 2008/98/EC on waste:

Amendment 1

(3) In Article 4, paragraph 3 (page 14)

Text proposed by the Commission

Member States shall make use of adequate **economic instruments** to provide incentives for the application of the waste hierarchy.

UEPG proposed amendment

Member States shall make use of adequate instruments to provide incentives for the application of the waste hierarchy.

Justification

UEPG supports the waste hierarchy and promotes the long life-span of its products used in construction lasting for more than 100 years. At the end of the product life, the construction material should be recycled when environmentally, economically and technically feasible. Recycling rates can be further increased through quality assurance, material flow analysis, sustainable transport policies, knowledge transfer and other tools. Some of the EU Member States with the highest recycling rates for construction and demolition waste have achieved this without economic instruments. UEPG encourages its Members and the European Commission to learn from good practice examples.

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Amendment 2

(10) Article 11, paragraph 1, new sub-paragraph (page 18)

Text proposed by the Commission

Member States shall take measures to promote sorting systems for construction and demolition waste and for at least the following: wood, **aggregates**, metal, glass and plaster.

UEPG proposed amendment

Member States shall take measures to promote sorting systems for construction and demolition waste and for at least the following: wood, metal, glass, **plastics**, plaster **and hazardous wastes**.

Justification

UEPG has long been advocating for a more efficient deconstruction and sorting of construction and demolition waste to obtain higher quality and purer recycled aggregates. However, "aggregates" should be deleted from the materials listed in this paragraph, as aggregates are according to the European standard EN 933-11, table 2 do not belong to that category. Natural aggregates are usually mixed with recycled aggregates to improve the grading curve and constitute a product in line with product standards (mainly EN 12620). While aggregates are produced through a production process, the materials listed in this paragraph do refer to construction and demolition waste with the exception of unbound base layers. Sorting systems of plastics from construction and demolition waste are very relevant for their recovery and for making recycled aggregates production possible increasing their quality. To separate hazardous waste is a key issue to avoid mixtures with the other construction and demolition wastes that could make waste recycling more complex or even environmental and technically impossible.

Amendment 3

(2) Article 3, (f) new 17b (page 13)

Text proposed by the Commission

"backfilling" means any recovery operation where **suitable waste** is used for reclamation purposes in excavated areas or **for engineering purposes in landscaping or construction** instead of other non-waste materials which would otherwise have been used for that purpose.

UEPG proposed amendment

"backfilling" means any recovery operation where suitable waste is used for reclamation purposes in excavated areas instead of other non-waste materials which would otherwise have been used for that purpose.

Justification

For the European Aggregates Industry, "backfilling", which is the filling of an excavation void, remains an essential element to restore or rehabilitate active or former extraction sites. For the non-energy extractive industry, there are strict procedures to define projects, rehabilitation and closure of sites under Impact Assessment Schemes with the permanent supervision of Extractive Industry Authorities and/or Environmental Authorities, preventing the risk of bad management.

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Union Européenne des Producteurs de Granulats
Europäischer Gesteinsverband
European Aggregates Association

The Commission Decision (2011/753/EU) of 18 November 2011 establishing rules and calculation methods for verifying compliance with the targets set in Article 11(2) of Directive 2008/98/EC reiterates that backfilling is rightly inserted in the 70% target of construction and demolition waste recycling, showing it has a high ranking in the waste hierarchy. UEPG welcomes this definition of “backfilling” but suggest clarifying the ambiguous term “suitable”.

Amendment 4

(2) Article 3, (f) new 17c

Text proposed by the Commission

UEPG proposed amendment

“inert waste” means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health.

Justification

UEPG suggest, for clarity, adding the definition of “inert waste”. This definition is relevant and necessary since inert rocky materials are a significant part of construction and demolition wastes.

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Circular Economy

Proposal for a Directive amending Directive 1999/31/EC on the Landfill of Waste

Amendment 1

(1) Article 2, (e)

Text proposed by the Commission

(e) "inert waste" means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. **The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater;**

UEPG proposed amendment

"inert waste" means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health.

Justification

UEPG suggest deleting the last sentence which is redundant with the first two ones already outlining the characteristics. The last sentence is highly technical and subject to interpretation and such considerations should not be in the Directive but developed at a later stage.

Facts & Figures

Aggregates are sand, gravel and crushed rock and may be natural, manufactured or recycled. Natural aggregate are from mineral sources which have been subjected to nothing more than mechanical processing. Manufactured aggregates are of mineral origin resulting from an industrial process involving thermal or other modification. Recycled aggregates are resulting from the processing of inorganic material previously used in construction. Aggregates are used to construct Europe's essential infrastructure including homes, roads, railways, schools and hospitals. More than 2.6 billion tonnes per year of aggregates are produced by 15,000 companies (the majority of which are SMEs) on 25,000 extraction sites, providing jobs for more than 230,000 direct and indirect employees. UEPG now represents national aggregates associations and producers in 29 European countries.