



EU Landfill Policy and LF Directive

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OVAM



EU policy and Landfill Mining

Status February 2019 : no specific legislation at EU-level, but few research initiatives on landfill mining approved.

➤ **ELFM-research in 2016 and 2017:**

- MSCA-project New-Mine approved (first ETN-project on landfill mining);
- Interreg Europe project COCOON approved (first Interreg project on landfill management);
- # EURELCO-members exceeds 50 partners and several set up partnerships to introduce 2 new proposals on landfill mining (Rawfill, Magnolia);
- Interreg NW Europe project Rawfill approved in March 2017

➤ **ELFM-policy making at EU-level in 2016 and 2017:**

- Initiatives on circular economy results in revision and amendements on current EU-legislation;
- Revision of Landfill directive : proposals on ELFM² introduced from:
 - European Parliament : amendement EP-member Mark Demesmaeker;
 - European Council : amendement Belgium (OVAM);

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➤ Amendement 8a art 1 (OVAM-Belgium):

- Introduction and objectives. (...) This reduction on landfilled waste should be accompanied by an incentive on the rehabilitation of former landfills. The estimated number of 500.000 landfills in the EU represent an unaddressed reserve of valuable resources such as materials, energy and land. The sustainable resource management of landfills should focus on a **comprehensive inventorisation of landfills and the management of this stock** in a long-term perspective and the interim use.
- Art. 1: (...) and **in approaching closed landfills from a circular economy perspective**, to identify and manage their potential resources such as materials, energy and land in a sustainable way.
- Justification : Currently, closed landfills are seen as static features which solely need to be managed in terms of potential environmental and health risks. Approaching landfills from a circular economy perspective, however, reveals that these sites have the potential to offer resources such as materials, energy and land. The estimated number of 500.000 landfills in the EU represent an unaddressed reserve. Bringing landfills back in a circular economy as a resource is a main challenge.

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➤ Initial proposal of Amendement introduced by OVAM:

- Article 13 : Closure, and after-care procedures and resource management.
- (...)
- (e) Member states produce an **inventory** of all existing landfills 2 years after entry into force of this Directive. By 2030, the data collection should reach a 90% coverage of the existing landfills. A **decision support tool** and **long-term resource management plan** should be available in 2024, allowing the member states to estimate the resource potential and environmental risks.
- By 2030, the equivalent of 10% of the yearly volume of landfilled waste should be compensated by **the rehabilitation of closed landfills**. In 2040, this rate should reach 25% and 50% in 2050.
- Justification : The first steps in sustainable resource management of landfills should focus on the comprehensive inventorisation of landfills, the management of this stock in a long-term perspective and the interim use. A compensation rule is introduced, resulting in the obligation for rehabilitation (in terms of enhanced landfill mining, sustainable site reuse, energy production) in relation to newly permitted landfill capacity. The ultimate objective is achieving a landfilling rate which is significant lower than the rehabilitation rate.

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➤ **Amendement 8a art 13 (OVAM-Belgium):**

- Article 13 : Closure, after-care procedures and resource management.
- (...)
- (e) Member states produce an **inventory** of all existing landfills 2 years after entry into force of this Directive. By 2030, the data collection should reach a 90% coverage of the existing landfills. A **decision support tool** and **long-term resource management** plan should be available in 2024, allowing the member states to estimate the resource potential and environmental risks.
- Justification : The first steps in sustainable resource management of landfills should focus on the comprehensive inventorisation of landfills, with a view to the management of this stock in a long-term perspective and for interim use.

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➤ **amendement nr 138 art 5.7b (EP-member):**

- the following paragraph 7b is added: In Article 5, the following paragraph is added: 7b. The Commission shall further examine the **feasibility of proposing a regulatory framework for "enhanced landfill mining"** so as to permit the retrieval of secondary raw materials that are present in existing landfills. By 2025 Member States shall **map** existing landfills and indicate their **potential for enhanced landfill mining** and share information.
- Justification : Enhanced Landfill Mining does not only enable the recovery of valuable materials which can be brought back into the cycle, but also allows for recovering land area, taking into account that a large part of the EU's 500.000 historic landfills are situated in a (semi-urban environment.)

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Brussels, 12 May 2017
(OR. en)

8958/17

Interinstitutional File:
2015/0274 (COD)

LIMITE

ENV 418
CODEC 751

NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. prev. doc.:	8483/17 ENV 381 CODEC 645
No. Cion doc.:	14974/15 ENV 770 CODEC 1661 - COM(2015) 594 final
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/31/EC on the landfill of waste - Preparation for the trilogue

With a view to the Permanent Representatives Committee (Part 1) meeting on 19 May 2017, delegations will find in the [Annex](#) a four-column document including a draft Presidency compromise (third column) on the abovementioned proposal.

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COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	DRAFT PRESIDENCY COMPROMISE	COMMENTS
		sent to the European Parliament and the Council.';	
Amendment 34 Article 1 - paragraph 1 - point 2 - point ca (new) Article 5 - paragraph 7a (new)			
	<p><i>(ca) In Article 5, the following paragraph is added:</i></p> <p><i>7a. The Commission shall further examine the feasibility of proposing a regulatory framework for enhanced landfill mining so as to permit the retrieval of secondary raw materials that are present in existing landfills. By 31 December 2025 Member States shall map existing landfills and indicate their potential for enhanced landfill mining and share information.</i></p>		Not acceptable

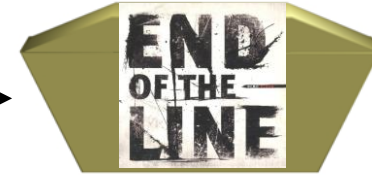
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COMMISSION PROPOSAL	EUROPEAN PARLIAMENT	DRAFT PRESIDENCY COMPROMISE	COMMENTS
Amendment 5 Recital 2			
<p>(2) The targets laid down in Council Directive 1999/31/EC³ setting landfill restrictions should be <i>amended</i> to make them better reflect the Union's ambition to move to a circular economy and make progress in the implementation of the Raw Materials Initiative⁴ by <i>reducing</i> landfilling of waste destined for landfills for non-hazardous waste.</p>	<p>(2) The targets laid down in Council Directive 1999/31/EC¹ setting landfill restrictions should be <i>strengthened</i> to make them better reflect the Union's ambition to move to a circular economy and make progress in the implementation of the Raw Materials Initiative² by <i>gradually minimising</i> landfilling of waste destined for landfills for non-hazardous waste. <i>The Commission and Member States should ensure that this fits into an integrated policy which ensures a sound application of the waste hierarchy, enhances a shift towards prevention, reuse and recycling, and prevents a shift from landfilling towards incineration.</i></p>	<p>(2) The targets laid down in Council Directive 1999/31/EC¹ setting landfill restrictions should be [...] <i>strengthened</i> to make them better reflect the Union's ambition to move to a circular economy and make progress in the implementation of the Raw Materials Initiative² by gradually reducing to a minimum landfilling of waste destined for landfills for non-hazardous waste. The Commission and Member States should ensure that <u>such</u> reduction fits into an integrated policy which ensures a sound application of the waste hierarchy, enhances a shift towards prevention, reuse and recycling, and prevents a shift from landfilling towards incineration.</p>	<p>Partly acceptable.</p>
<p>³ Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.07.1999,</p>	<p>¹ Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.07.1999,</p>	<p>¹ Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.07.1999, p.</p>	

COCOON objective : develop, integrate and improve relevant cross-cutting policy instruments on landfill management in the EU



Landfilling : final waste disposal sites as the end of the line in a linear economy



Is this the end of story ?

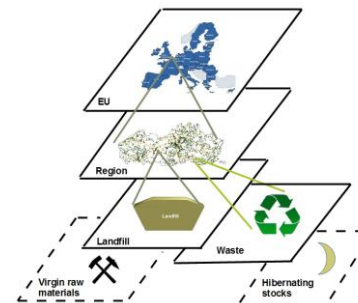


Risk based approach (source – pathway – target) : install a safe infinite containment



guarding the status quo :
Is this static concept robust to environmental changes ?

Transiti **ON** to a dynamic landfill management focusing on Resources and Reserves in order to provide Waste to Materials/Energy/Land & Protection of Resources.



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Input Cocoon ? Yes, based on our objectives :

- Exchange of experience among project partners
- Preparing the implementation of the lessons learnt from the cooperation.
- ...

Actions ? Not within timeframe Revision LF-directive

- Quid Thematic Soil Strategy ? More suitable for 'historical' pollution;
- Initiatives on Circular Economy ?
- New challenges : climate change, water preservation, ... ?



COCOON
Interreg Europe



European Union
European Regional
Development Fund

Thank you!

For more info contact
contact details

Questions welcome



Project smedia