

**Conference on the implementation of the Landfill Directive**  
**30 November, Brussels**  
**Speech Peter Carl**  
**‘The Landfill Directive – an integral part of the EU waste prevention and recycling policy’**

(Presentation as new Director General of DG Environment)

Let me begin by thanking the Committee of the Regions for their cooperation in organising this conference. Working with the Committee of the Regions on this dossier is particularly appropriate as much work will need to be done at the local level as well as the EU level to make the Landfill Directive work in practice.

It is true that the Landfill Directive may not always be perceived as the most glamorous of topics, but it is very important for the environment. In my intervention today I would like to set out why it is important that the Landfill Directive is properly implemented, and what we can do to arrive at that result.

First I would like to put the Directive in its context. It is one part of an extensive network of legal coverage which ensures that EU citizens are protected from environmental damage from waste. But of course each element in the chain is only as good as the weakest link. The strength of the EU waste legislation is the way that it fits together to avoid loopholes.

This legislation has helped us to make considerable progress. Let us look back briefly to where we were in the 70s and 80s in the EU. We had regular waste scandals – barrels of hazardous waste from the Seveso industrial disaster were ‘lost’ and then found in an abandoned abattoir, for example. Incinerators often pumped dioxins into the local air and environment. Large chunks of the waste

management business operated on the fringes of legality. And as for landfill standards, well the traditional image of burning waste or birds picking over an open pit of mixed waste was more or less the reality.

All of this has changed remarkably and for the better. We still have infringement proceedings, and there are still several areas where aspects still need to be improved, either with a new policy approach, or simply through implementing better what we have. I will come to both those issues later on in my speech. However, it is clear that the overall situation is now much more satisfactory.

#### Waste Legislation:

This improvement can be put down to several factors, but an important element has been the strong lead at the EU level, both in policy and in law. The very first European Directives in the field of the environment dealt with waste issues.

In the last thirty years we have adopted an extensive set of legislation on waste beginning with setting the basic standards and concepts in the Waste Framework Directive and the Waste Shipment Regulation, setting waste treatment standards for landfill and incineration and finally putting in place systems for the recycling and recovery of specific waste streams, such as packaging, end-of-life vehicles and electronic waste.

However, legislation is only as good as its implementation, and this is the topic that I want to come to next. There is no doubt that the implementation of waste legislation is a big challenge and will require efforts from Member States, the Commission and the concerned stakeholders.

## Better implementation of legislation

At present there are a very high number of infringement proceedings against Member States for incorrect application of environmental legislation. They represent a high percentage of all the proceedings for infringement of Community law. And within the environment sector around 20% concern waste legislation.

In the field of waste the biggest problems with implementation concern landfills. This brings us on to the specific topic of today's conference, the Landfill Directive.

Landfills can have a negative impact on the environment if they are not well managed. This can be on the local environment – smell, noise, water pollution and on the global environment as the methane that comes off contributes significantly to climate change. To tackle these, the Landfill Directive sets out technical requirements to ensure the safe management of the waste being landfilled. The Directive also sets targets for the reduction of biodegradable waste going to landfills. For all of these reasons, it is therefore crucial to ensure that it is well implemented.

We receive numerous complaints from citizens about landfills that operate without authorisation and that cause pollution of the environment. On the basis of these complaints and other available information we have started many infringement proceedings against Member States. In several cases the European Court of Justice has issued judgments stating that the Member State in question had failed to take the necessary measures of implementation.

However, infringement proceedings alone are not sufficient to ensure a broad improvement of the situation all over the Community. They are very slow and resource intensive. That is why we are also taking other measures to improve implementation, and in particular to try and deal with problems earlier in the cycle before we have to go to Court.

First of all we are collecting as much information as possible to identify potential problems. Through work with the Committee of the Regions, studies and reports we will soon have a much more complete picture of what is happening on the ground.

Secondly we are organising meetings with Member States to discuss problems of implementation and how these could be solved. We have regular meetings with all the Member States but we have also bilateral meetings if necessary.

I will be following this process and I will keep in close contact with my counterparts in the Member States to ensure that any problems of implementation are tackled as quickly as possible.

#### Further development of waste policy

One other way we can try to avoid implementation problems is to adapt future legislation to take account of the experience we have acquired. The Thematic Strategy on Waste Prevention and Recycling will be adopted by the Commission in the next weeks, and two of its main themes are very relevant to this process:

- Firstly, we will be modernising and simplifying the existing waste legislation. The definition of waste, for example, has led to some uncertainty about when waste ceases to be waste. We will be proposing a

clear procedure to set environmental criteria defining this point for those waste streams where it would be useful. Possible candidates for this exercise are compost or aggregates from construction and demolition.

- Secondly, we will be focusing both existing and new measures on the main environmental impacts throughout the life cycle. So, as the waste oil Directive no longer matches the real environmental issues, we will repeal it as part of the thematic strategy package. On waste prevention, we are tailoring the measures to the situation on the ground, and allowing for flexibility in the way that the obligation must be complied with.

So, in conclusion, I would like to make the following points:

- Waste legislation, and the landfill Directive in particular, has had very positive effects on the environment and the protection of EU citizens.
- However, we will never reap the full benefits of this legislation if we do not improve the way that it is implemented.
- I intend to maintain the focus on implementation, and one of the priority areas will be landfills, and I am hopeful that we will see measurable improvements over 2006.

As I have just started as Director General for Environment you can imagine that my calendar is very full at the moment. I hope you understand that I will not be able to stay for the rest of the conference. I have come to this conference because the topic is important for me. Even without knowing all the technical details of landfilling, it is clear to me that this is an area where we can achieve important improvements of the environment. I hope that this conference will contribute to this. With this I hand over to Timo Makela, Director for Sustainable Development and Integration in my Directorate General.

Thank you.