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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive of the European Parliament of the Council amending Directive 1999/31/EC on the landfill of waste. - Outcome of the European Parliament's first reading (Strasbourg, 13 to 16 March 2017)

I. INTRODUCTION

The Committee on the Environment, Public Health and Food Safety presented a report consisting of 46 amendments (amendments 1 - 46) to the proposal for a Directive. In addition:

- the ENF political group submitted three amendments (amendments 47-49);
- the EUL/NGL political group submitted one amendment (amendment 50); and
- the EPP political group submitted two amendments (amendments 51-52).

II. DEBATE

The debate, which took place on 14 March 2017, was a joint debate, which is summarised in document 7273/17.

III. VOTE

When it voted later on the same day of 14 March 2017, the plenary adopted 46 amendments (amendments 1-3, 5-21, 23-46 and 51-52) to the proposal for a Directive.

Following an oral intervention from the Rapporteur, the plenary then approved her request for the proposal to be referred back to the Committee on the Environment, Public Health and Food Safety with a view to entering into inter-institutional negotiations.

The text of the amendments adopted by the plenary is set out in the annex to this document.

ANNEX

Landfill of waste ***I

Amendments adopted by the European Parliament on 14 March 2017 on the proposal for a directive of the European Parliament and of the Council amending Directive 1999/31/EC on the landfill of waste (COM(2015)0594 – C8-0384/2015 – 2015/0274(COD))[1]

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a directive
Recital -1 (new)

Text proposed by the Commission	*Amendment*
	(-1) In view of the Union's dependence on the import of raw materials and the rapid depletion of a significant amount of natural resources in the short-term, it is a key challenge to reclaim as many resources as possible within the Union and to enhance the transition towards a circular economy.

Amendment 2

Proposal for a directive
Recital -1 a (new)

Text proposed by the Commission	*Amendment*
	(-1a) Waste management needs to be transformed into sustainable material

[1] The matter was referred back for interinstitutional negotiations to the committee responsible pursuant to Rule 59(4), fourth subparagraph (A8-0031/2017).

management. The revision of the Landfill Directive offers an opportunity to that end.

Amendment 3

Proposal for a directive
Recital 1

Text proposed by the Commission	*Amendment*
(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources ***and*** promoting a more circular economy**.**	(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources**,** promoting a more circular economy**,** ***increasing energy efficiency and reducing the Union´s resource dependence***

Amendment 51

Proposal for a directive

Recital 1 a (new)

Text proposed by the Commission	*Amendment*
	(1 a) The circular economy should implement explicit provisions of the 7th Environment Action Programme, which calls for the development of non-toxic material cycles so that recycled waste can

	be used as a major and reliable source of raw material for the Union.

Amendment 5

Proposal for a directive
Recital 2

Text proposed by the Commission	*Amendment*
(2) The targets laid down in Council Directive 1999/31/EC[14] setting landfill restrictions should be ***amended*** 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 Initiative[15] by ***reducing*** landfilling of waste destined for landfills for non-hazardous waste.	(2) The targets laid down in Council Directive 1999/31/EC[14] setting landfill restrictions should be ***strengthened*** 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 Initiative[15] by ***gradually minimising*** landfilling of waste destined for landfills for non-hazardous waste. ***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.***
[14] Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.07.1999, p. 1).	[14] Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.07.1999, p. 1).
[15] COM(2008) 699 and COM(2014) 297.	[15] COM(2008) 699 and COM(2014) 297.

Amendment 6

Proposal for a directive
Recital 4

Text proposed by the Commission	*Amendment*
(4) In order to ensure greater coherence in waste legislation, the definitions in Directives 1999/31/EC should be aligned to those of Directive 2008/98/EC of the European Parliament and of the Council[16].	(4) In order to ensure greater coherence in waste legislation, the definitions in Directives 1999/31/EC should be aligned***, where relevant,*** to those of Directive 2008/98/EC of the European Parliament and of the Council[16].
[16] Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).	[16] Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Amendment 7

Proposal for a directive
Recital 5

Text proposed by the Commission	*Amendment*
(5) Clear environmental, economic and social benefits would be derived from further restricting landfilling, starting with waste streams that are subject to separate collection (e.g. plastics, metals, glass, paper, bio-waste). Technical, environmental or economical feasibility of recycling or other recovery of residual waste resulting from separately collected waste should be taken into account in the implementation of these landfill restrictions.	(5) Clear environmental, economic and social benefits would be derived from further restricting landfilling, starting with waste streams that are subject to separate collection (e.g. plastics, metals, glass, paper, bio-waste), ***with the objective to accept only residual waste. Long-term investments in infrastructure and in research and innovation will play a crucial role in reducing the amount*** of residual waste from separately collected waste***, the recycling or other recovery of which is not technically, environmentally or economically feasible at the present time.***

Amendment 8

Proposal for a directive

Recital 5 a (new)

Text proposed by the Commission	*Amendment*
	(5a) A political and societal incentive to restrict further landfilling as a sustainable way to handle natural resources within a circular economy should respect the waste management hierarchy laid down in Article 4 of Directive 2008/98/EC and strictly apply an approach where prevention takes priority and the precautionary principle is respected.

Amendment 9

Proposal for a directive
Recital 6

Text proposed by the Commission	*Amendment*
(6) Biodegradable municipal waste accounts for a large proportion of municipal waste. Landfilling of untreated biodegradable waste poses significant negative ***enviornmental*** effects in terms of greenhouse gas emissions and pollution of surface water, groundwater, soil and air. While Directive 1999/31/EC already sets landfill diversion targets for biodegradable waste it is appropriate to put in place further restrictions on the landfilling of biodegradable waste by prohibiting the landfilling of biodegradable waste ***that has been*** separately collected in accordance with Article 22 of Directive 2008/98/EC.	(6) Biodegradable municipal waste accounts for a large proportion of municipal waste. Landfilling of untreated biodegradable waste poses significant negative ***environmental*** effects in terms of greenhouse gas emissions and pollution of surface water, groundwater, soil and air. While Directive 1999/31/EC already sets landfill diversion targets for biodegradable waste it is appropriate to put in place further restrictions on the landfilling of biodegradable waste by prohibiting the landfilling of biodegradable waste ***to be*** separately collected in accordance with Article 22 of Directive 2008/98/EC.

Amendment 10

Proposal for a directive
Recital 7

Text proposed by the Commission	*Amendment*
(7) Many Member States have not yet completely developed the necessary waste management infrastructure. The setting of landfill reduction targets will further facilitate separate collection, sorting and recycling ***of waste*** and avoid locking potentially recyclable materials at the ***bottom*** of the waste hierarchy.	(7) Many Member States have not yet completely developed the necessary waste management infrastructure. The setting of ***clear and ambitious*** landfill reduction targets will further ***encourage investments to*** facilitate separate collection, sorting and recycling and avoid locking potentially recyclable materials at the ***lowest level*** of the waste hierarchy.

Amendment 11

Proposal for a directive
Recital 8

Text proposed by the Commission	*Amendment*
(8) A progressive ***reduction*** of landfilling is necessary to prevent detrimental impacts on human health and the environment and to ensure that economically valuable waste materials are gradually and effectively recovered through proper waste management and in line with the waste hierarchy. This ***reduction*** should avoid the development of excessive capacity for the treatment of residual waste ***facilities***, such as through energy recovery ***or low grade mechanical biological treatment of untreated municipal waste***, as this could result in undermining the achievement of the Union's long-term preparation for reuse and recycling targets for municipal waste as laid down in Article 11 of Directive 2008/98/EC. Similarly, and to prevent detrimental impacts on human health and the environment, while Member States should take all necessary measures to ensure that only waste that has been subject to treatment is landfilled, compliance with such obligation should not lead to the	(8) A progressive ***minimization*** of landfilling is necessary to prevent detrimental impacts on human health and the environment and to ensure that economically valuable waste materials are gradually and effectively recovered through proper waste management and in line with the waste hierarchy ***as laid down in Directive 2008/98/EC.*** This ***progressive minimization of landfilling will require major changes in waste management in many Member States. With improved statistics on waste collection and treatment and improved traceability of waste streams it*** should ***be possible to*** avoid the development of excessive capacity for the treatment of residual waste, such as through energy recovery, as this could result in undermining the achievement of the Union's long-term preparation for reuse and recycling targets for municipal waste as laid down in Article 11 of Directive 2008/98/EC. Similarly, and to prevent detrimental impacts on human health and the environment, while Member

creation of overcapacities for the treatment of residual municipal waste. In addition, in order to ensure consistency between the targets laid down in Article 11 of Directive 2008/98/EC and the landfill reduction target defined in Article 5 of this Directive and to ensure a coordinated planning of the infrastructures and investments needed to meet those targets, Member States which may obtain additional time for the attainment of the municipal waste recycling targets should also be given additional time to attain the landfill reduction target for 2030 as laid down in this Directive.	States should take all necessary measures to ensure that only waste that has been subject to treatment is landfilled, compliance with such ***an*** obligation should not lead to the creation of overcapacities for the treatment of residual municipal waste***. In light of recent investments made in some Member States that led to overcapacities for energy recovery or the establishment of mechanical biological treatment, it is essential to give a clear signal to the waste operators and to Member States to avoid investments that are incompatible with the long-term targets set in the Landfill and Waste framework Directives. For those reasons, a limit on the incineration of municipal waste in line with the preparation for reuse and recycling targets in Article 11 of Directive 2008/98/EC and Article 5 of Directive 1999/31/EC could be considered.*** In addition, in order to ensure consistency between the targets laid down in Article 11 of Directive 2008/98/EC and the landfill reduction target defined in Article 5 of this Directive and to ensure a coordinated planning of the infrastructures and investments needed to meet those targets, Member States which may obtain additional time for the attainment of the municipal waste recycling targets should also be given additional time to attain the landfill reduction target for 2030 as laid down in this Directive.

Amendment 12

Proposal for a directive
Recital 8 a (new)

Text proposed by the Commission	*Amendment*
	(8a) In order to help achieve the objectives of this Directive, and to boost the transition to a circular economy, the Commission should promote the coordination and exchange of information and best practices among Member States and different sectors of the

economy. That exchange could be facilitated through communication platforms that could help raise awareness of new industrial solutions and allow for a better overview of available capacities and would contribute to connecting the waste industry and other sectors and to support industrial symbiosis.

Amendment 13

Proposal for a directive
Recital 8 b (new)

Text proposed by the Commission	*Amendment*
	(8b) The Commission should promote the coordination and exchange of information and best practices among Member States, regional and, in particular, local authorities, involving all relevant civil society organizations, including the social partner and environmental and consumer organisations.

Amendment 14

Proposal for a directive
Recital 8 c (new)

Text proposed by the Commission	*Amendment*
	(8c) To implement and enforce the objectives of this Directive in an adequate manner, it is necessary to ensure that the local authorities of the territories where landfills are located are recognised as relevant actors, as they suffer directly the consequences of landfilling. Consequently, public and democratic consultation should be ensured in the localities and supra-municipal areas

	where a landfill is going to be established in advance and appropriate compensation should be established for the local population.

Amendment 15

Proposal for a directive
Recital 8 d (new)

Text proposed by the Commission	*Amendment*
	(8d) The Commission should guarantee that every landfill in the Union is audited in order to ensure the proper implementation of Union and national law.

Amendment 16

Proposal for a directive
Recital 9

Text proposed by the Commission	*Amendment*
(9) In order to ensure better, timelier, and more uniform implementation of this Directive and anticipate implementation weaknesses, an early warning system should be established to detect shortcomings and allow taking action ahead of the deadlines for meeting the targets.	(9) In order to ensure better, timelier, and more uniform implementation of this Directive and anticipate implementation weaknesses, an early warning system should be established to detect shortcomings and allow taking action ahead of the deadlines for meeting the targets ***and the exchange of best practices among the various stakeholders should be promoted***.

Amendment 17

Proposal for a directive
Recital 11

Text proposed by the Commission	*Amendment*
(11) ***Statistical data*** reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of ***statistics*** should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the reports on compliance with the targets set out in Directive 1999/31/EC, Member States ***should be required to*** use the ***most recent*** methodology developed by the Commission ***and*** the national statistical offices of the Member States.	(11) ***Data and information*** reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of ***reported data*** should be improved by ***establishing a common methodology for collection and processing of data based on reliable sources and by*** introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the reports on compliance with the targets set out in Directive 1999/31/EC, Member States ***should*** use the ***common*** methodology developed by the Commission ***in cooperation with*** the national statistical offices of the Member States ***and the national authorities responsible for waste management***.

Amendment 18

Proposal for a directive
Recital 12

Text proposed by the Commission	*Amendment*
(12) In order to ***supplement or*** amend Directive 1999/31/EC, ***in particular with the view to adapting its Annexes to scientific and technical progress,*** the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of	(12) In order to amend Directive 1999/31/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission ***with regard to the adaptation of the Annexes to scientific and technical progress***. It is ***of*** particular importance that

Article 16. It is particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level***. The Commission, when preparing and drawing-up delegated acts, should*** ensure ***a simultaneous, timely and appropriate transmission of relevant*** documents ***to the European Parliament and to the Council***. Any amendments to the Annexes should only be made in line with the principles laid down in this Directive. To this end, as regards Annex II, the Commission should take into account the general principles and general procedures for testing and acceptance criteria as set out in Annex II. Moreover, specific criteria and test methods and associated limit values should be set for each class of landfill, including if necessary specific types of landfill within each class, including underground storage. Proposals for the standardisation of control, sampling and analysis methods in relation to the Annexes should be considered for adoption by the Commission where appropriate within two years after the entry into force of this Directive.	the Commission carry out appropriate consultations during its preparatory work, including at expert level***, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to*** ensure ***equal participation in the preparation of delegated acts, the European Parliament and the Council receive all*** documents ***at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts***. Any amendments to the Annexes should only be made in line with the principles laid down in this Directive. To this end, as regards Annex II, the Commission should take into account the general principles and general procedures for testing and acceptance criteria as set out in Annex II. Moreover, specific criteria and test methods and associated limit values should be set for each class of landfill, including if necessary specific types of landfill within each class, including underground storage. ***Where appropriate, proposals*** for the standardisation of control, sampling and analysis methods in relation to the Annexes should be considered for adoption by the Commission where appropriate within two years after the entry into force of this Directive.

Amendment 19

Proposal for a directive
Recital 13

Text proposed by the Commission	*Amendment*
(13) In order to ensure uniform conditions for the implementation of Directive 1999/31/EC, implementing powers should be conferred on the Commission in respect	(13) In order to ensure uniform conditions for the implementation of Directive 1999/31/EC, implementing powers should be conferred on the Commission ***with***

of ***Articles 3(3), Annex I, paragraph 3.5 and Annex II, paragraph 5***. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[17].	***regard to the definition of deposit of non-hazardous waste, the method to be used for the determination of the permeability coefficient for landfills under certain conditions and, because the sampling of waste is able to pose serious problems with respect to representation and techniques due to the heterogeneous nature of different types of waste, the development of a European standard for the sampling of waste.*** Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[17].
[17] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.02.2011, p. 13).	[17] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.02.2011, p. 13).

Amendment 20

Proposal for a directive
Recital 16 a (new)

Text proposed by the Commission	*Amendment*
	(16a) The Commission and Member States should ensure the development of plans for the sustainable recovery and sustainable alternative usage of landfills and landfill-damaged areas.

Amendment 21

Proposal for a directive
Recital 16 b (new)

Text proposed by the Commission	*Amendment*
	(16b) This Directive has been adopted taking into account the commitments set out in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making and it should be implemented and applied in accordance with the guidance contained in the same Agreement.

Amendment 52/rev

Proposal for a directive

Article 1 – paragraph 1 – point -1 (new)

Directive 1999/31/EC

Article 1 – paragraph -1 (new)

Text proposed by the Commission	*Amendment*
	(-1) In Article 1, the following paragraph is inserted:
	'-1. A progressive phasing-out of landfilling recyclable and recoverable waste is a fundamental condition to support the Union's transition towards a circular economy.'

Amendment 23

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point a

Directive 1999/31/EC

Article 2 – point a

Text proposed by the Commission	*Amendment*
(a) the definitions of 'waste', 'municipal waste', 'hazardous waste', 'waste producer', 'waste holder', 'waste management', 'separate collection', 'recovery', 'recycling' and 'disposal' laid down in Article 3 of Directive 2008/98/EC of the European Parliament and of the Council(*) shall apply;	(a) the definitions of 'waste', 'municipal waste', 'hazardous waste', '***non-hazardous waste', '***waste producer', 'waste holder', 'waste management', 'separate collection', 'recovery', 'recycling' and 'disposal' laid down in Article 3 of Directive 2008/98/EC of the European Parliament and of the Council(*) shall apply;
_____	_____
(*) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).';	(*) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).';

Amendment 24

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point a a (new)

Directive 1999/31/EC

Article 2 – point a a (new)

Text proposed by the Commission	*Amendment*
	(aa) the following point aa is inserted:

	"(aa) 'residual waste' means waste resulting from a treatment or a recovery operation, including recycling, which cannot be recovered further and, as a result, has to be disposed of;"

Amendment 25

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point b a (new)

Directive 1999/31/EC

Article 2 – point m

Present text	*Amendment*
	(ba) point m is amended as follows:
(m) 'biodegradable waste' means ***any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food and garden waste, and paper and paperboard***;	"(m) 'biodegradable waste' means ***food and garden waste, paper, paperboard, wood and any other waste that can undergo anaerobic or aerobic decomposition***;"

Amendment 26

Proposal for a directive
Article 1 – paragraph 1 – point 1 a (new)

Directive 1999/31/EC

Article 3 – paragraph 3

Present text	*Amendment*
	(1a) In Article 3, paragraph 3 is amended as follows:
3. Without prejudice to Directive	***'***3. Without prejudice to Directive

75/442/EEC Member States may declare at their own option, that the deposit of non-hazardous waste, ***to be defined by the committee established under Article 17 of this Directive,*** other than inert waste, resulting from prospecting and extraction, treatment and storage of mineral resources as well as from the operation of quarries and which are deposited in a manner preventing environmental pollution or harm to human health, can be exempted from the provisions in Annex I, points 2, 3.1, 3.2 and 3.3 of this Directive.	75/442/EEC Member States may declare at their own option, that the deposit of non-hazardous waste, other than inert waste, resulting from prospecting and extraction, treatment and storage of mineral resources as well as from the operation of quarries and which are deposited in a manner preventing environmental pollution or harm to human health, can be exempted from the provisions in Annex I, points 2, 3.1, 3.2 and 3.3 of this Directive. ***The Commission shall adopt implementing acts which set out what constitutes a deposit of non-hazardous waste. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2).'***

Amendment 27

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point -a (new)

Directive 1999/31/EC

Article 5 – paragraph 1

Present text	*Amendment*
	(-a) paragraph 1 is replaced by the following:
1. Member States shall set up a national strategy for the implementation of the ***reduction*** of biodegradable waste going to landfills, not later than two years after the date laid down in Article 18(1) and notify the Commission of this strategy. This strategy should include measures to achieve the targets set out in paragraph 2 by means of in particular, recycling, composting, biogas production ***or materials/energy*** recovery. Within 30 months of the date laid down in Article 18(1) the Commission shall provide the European Parliament and the Council with	1. Member States shall set up a national strategy ***in collaboration with regional and local authorities responsible for waste management*** for the implementation of the ***phasing-out*** of biodegradable waste going to landfills, not later than two years after the date laid down in Article 18(1) and notify the Commission of this strategy. This strategy should include measures to achieve the targets set out in paragraph 2 by means of in particular, recycling, composting, biogas production***, materials recovery or when the already mentioned are not possible energy*** recovery. Within

a report drawing together the national strategies.	30 months of the date laid down in Article 18(1) the Commission shall provide the European Parliament and the Council with a report drawing together the national strategies.

Amendment 28

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b

Directive 1999/31/EC

Article 5 – paragraph 3 – point f

Text proposed by the Commission	*Amendment*
(f) waste that has been separately collected pursuant to Article 11(1) and 22 of Directive 2008/98/EC**.**	(f) waste that has been separately collected pursuant to Article 11(1)***,*** and ***Article*** 22 of Directive 2008/98/EC ***and packaging or packaging waste as defined in Article 3 of Directive 94/62/EC;***

Amendment 29

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c

Directive 1999/31/EC

Article 5 – paragraph 5

Text proposed by the Commission	*Amendment*
5. Member States shall take the necessary measures to ensure that by 2030 the amount of municipal waste landfilled is reduced to ***10%*** of the total amount of	5. Member States shall take the necessary measures to ensure that by 2030 the annual amount of municipal waste landfilled is reduced to ***5%*** of the total

municipal waste generated.	amount of municipal waste generated.

Amendment 30

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c

Directive 1999/31/EC

Article 5 – paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. By 31 December 2030, Member States shall accept only residual municipal waste in landfills for non-hazardous waste.

Amendment 31

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c

Directive 1999/31/EC

Article 5 – paragraph 6 – subparagraph 1

Text proposed by the Commission	*Amendment*
Estonia, Greece, Croatia, Latvia, Malta, Romania and Slovakia may ***obtain*** five ***additional years for the attainment of*** the target referred to in paragraph 5***. The Member State shall notify the Commission of its intention to make use of this provision at the latest 24 months before the deadline laid down in paragraph 5. In the event of an extension, the Member State shall take the necessary measures to reduce by 2030 the amount of municipal waste landfilled to 20% of the total amount of municipal waste generated.***	***A Member State*** may ***request a*** five-***year extension*** to ***attain*** the target referred to in paragraph 5***, if it has landfilled more than 65 % of its municipal waste in 2013.***

The Member State shall submit a request to the Commission to obtain such an extension by 31 December 2028.

Amendment 32

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c

Directive 1999/31/EC

Article 5 – paragraph 6 – subparagraph 2

Text proposed by the Commission	*Amendment*
The ***notification*** shall be accompanied by an implementation plan presenting the measures needed to ensure compliance with the ***targets*** before the new deadline. The plan shall also include a detailed timetable for the implementation of the proposed measures and an assessment of their expected impacts.	The ***request for extension*** shall be accompanied by an implementation plan presenting the measures needed to ensure compliance with the ***target*** before the new deadline. The plan shall ***be drafted on the basis of an evaluation of the existing waste management plans and shall*** also include a detailed timetable for the implementation of the proposed measures and an assessment of their expected impacts. ***In addition, the plan referred to in the third subparagraph shall comply at least with the following requirements:*** ***(a) it uses appropriate economic instruments to provide incentives for the application of the waste hierarchy as referred to in Article 4(1) of Directive 2008/98/CE;*** ***(b) it demonstrates an efficient and effective use of Structural and Cohesion Funds through demonstrable long-term investments which aim at financing the development of the waste management infrastructures needed to meet the relevant targets.*** ***(c) it provides high quality statistics and generates clear forecasts of waste management capacities and of the distance to the targets specified in paragraph 5 of this Article, Articles 5 and***

	6 of Directive 94/62/EC and Article 11(2) of Directive 2008/98/EC;
	(d) it has set out waste prevention programmes as referred to in Article 29 of Directive 2008/98/CE.
	The Commission shall assess whether the requirements set out in points (a) to (d) of the fourth subparagraph are fulfilled.
	Unless the Commission raises objections to the presented plan within five months of the date of receipt, the request for the extension shall be deemed to be accepted.
	If the Commission raises objections to the presented plan, it shall require the Member State concerned to submit a revised plan within two months of receipt of those objections.
	The Commission shall assess the revised plan within two months of its receipt and accept or reject the request for the extension in writing. In the absence of a decision from the Commission within that deadline, the request for the extension shall be deemed to be accepted.
	The Commission shall inform, within two months from the date of the decision, the Council and the European Parliament of its decisions within two months of taking those decisions.

Amendment 33

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c

Directive 1999/31/EC

Article 5 – paragraph 7

Text proposed by the Commission	*Amendment*
7. By 31 December ***2024*** at the latest, the Commission shall examine the ***target***	7. By 31 December ***2018*** at the latest, the Commission shall examine the

laid down in paragraph 5 with a view to reducing it and introducing restrictions to the landfilling of non-hazardous waste other than municipal waste. To this end, a report of the Commission accompanied by a proposal, if ***appropriate***, shall be sent to the European Parliament and the Council.	***possibility to introduce a target and*** restrictions to the landfilling of non-hazardous waste other than municipal waste. To this end, a report of the Commission accompanied by a ***legislative*** proposal, if appropriate, shall be sent to the European Parliament and the Council.

Amendment 34

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c a (new)

Directive 1999/31/EC

Article 5 – paragraph 7 a (new)

Text proposed by the Commission	*Amendment*
	(ca) In Article 5, the following paragraph is added:
	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.

Amendment 35

Proposal for a directive
Article 1 – paragraph 1 – point 3

Directive 1999/31/EC

Article 5 a – paragraph 2 – introductory sentence

Text proposed by the Commission	*Amendment*
2. The reports referred to in paragraph 1 shall include the following:	2. The reports referred to in paragraph 1 shall ***be made publicly available and shall*** include the following:

Amendment 36

Proposal for a directive
Article 1 – paragraph 1 – point 3

Directive 1999/31/EC

Article 5 a – paragraph 2 – point b a (new)

Text proposed by the Commission	*Amendment*
	"(ba) examples of best practices that are used throughout the Union and that can provide guidance for progressing towards achieving the targets laid down in Article 5."

Amendment 37

Proposal for a directive
Article 1 – paragraph 1 – point 3 a (new)

Directive 1999/31/EC

Article 5 b (new)

Text proposed by the Commission	*Amendment*
	(3a) the following Article 5b is added:
	Article 5b
	Exchange of best practices and information
	The Commission shall establish a platform for a regular and structured exchange of best practices and information between the Commission and

	the Member States on the practical implementation of the requirements of this Directive. That exchange will contribute to ensure adequate governance, enforcement, cross-border cooperation, the exchange of best practices such as innovation deals and peer review. Furthermore, the platform shall incentivise frontrunners and enable leapfrogging. The Commission shall make the results of the platform available to the public.

Amendment 38

Proposal for a directive
Article 1 – paragraph 1 – point 3 b (new)

Directive 1999/31/EC

Article 6 – point a

Present text	*Amendment*
	(3b) In Article 6, point a is amended as follows:
"(a) only waste that has been subject to treatment is landfilled. This provision may not apply to inert waste for which treatment is not technically feasible, nor to any other waste for which such treatment does not contribute to the objectives of this Directive, as set out in Article 1, by reducing the quantity of the waste or the hazards to human health or the environment;"	"(a) only waste that has been subject to treatment is landfilled. This provision may not apply to inert waste for which treatment is not technically feasible, nor to any other waste for which such treatment does not contribute to the objectives of this Directive, as set out in Article 1, by reducing the quantity of the waste or the hazards to human health or the environment, ***provided that the reduction targets of Article 5(2) of this Directive and the recycling targets of Article 11 of Directive 2008/98/EC are met by the respective Member State***;"

Amendment 39

Proposal for a directive
Article 1 – paragraph 1 – point 4

Directive 1999/31/EC

Article 6 – point a – second subparagraph

Text proposed by the Commission	*Amendment*
(4) in Article 6***(a)***, the following ***sentence*** is added:	(4) in Article 6***, point a,*** the following ***subparagraph*** is added:
'Member States shall ensure that measures taken in accordance with this point do not compromise the achievement of the objectives of Directive 2008/98/EC, notably on the increase of ***preparing for*** re-use and recycling as set out in Article 11 of that Directive.'	'Member States shall ensure that measures taken in accordance with this point do not compromise the achievement of the objectives of Directive 2008/98/EC, notably on the ***waste hierarchy and on the*** increase of preparing for re-use and recycling as set out in Article 11 of that Directive.'

Amendment 40

Proposal for a directive
Article 1 – paragraph 1 – point 6

Directive 1999/31/EC

Article 15 – paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall report the data concerning the implementation of Article 5(2) and (5) for each calendar year to the Commission. They shall report this data electronically within ***18*** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5. The first reporting shall cover the data for the period from 1 January [enter year of transposition	1. Member States shall report the data concerning the implementation of Article 5(2) and (5) for each calendar year to the Commission. They shall report this data electronically within ***12*** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 5. The first reporting ***with respect to the target in Article 5(5)*** shall cover the data for the

of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].	period from 1 January [enter year of transposition of this Directive + 1 year] to 31 December [enter year of transposition of this Directive + 1 year].

Amendment 41

Proposal for a directive
Article 1 – paragraph 1 – point 6 a (new)

Directive 1999/31/EC

Article 15a (new)

Text proposed by the Commission	*Amendment*
	(6a) the following Article is inserted:
	"Article 15a
	Instruments to promote a shift to a more circular economy
	In order to contribute to the objectives laid down in this Directive, Member States shall make use of adequate economic instruments and shall take other measures to provide incentives for the application of the waste hierarchy. Such instruments and measures may include those indicated in Annex IVa to Directive 2008/98/EC."

Amendment 42

Proposal for a directive
Article 1 – paragraph 1 – point 6 b (new)

Directive 1999/31/EC

Article 15 b (new)

Text proposed by the Commission	*Amendment*
	(6b) the following Article is inserted:
	'Article 15b
	Determination of the permeability

	coefficient for landfills
	The Commission shall develop and approve the method to be used for the determination of the permeability coefficient for landfills, in the field and for the whole extension of the site, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2).'

Amendment 43

Proposal for a directive
Article 1 – paragraph 1 – point 6 c (new)

Directive 1999/31/EC

Article 15 c (new)

Text proposed by the Commission	*Amendment*
	6c. the following Article 15 c is inserted:
	'Article 15 c
	European standard for sampling of waste
	The Commission shall develop a European standard for sampling of waste by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2). Until those implementing acts have been adopted, the Member States may apply national standards and procedures.'

Amendment 44

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 1999/31/EC

Article 17a – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

Amendment 45

Proposal for a directive
Article 1 – paragraph 1 – point 9 a (new)

Directive 1999/31/EC

Annex I – point 3.5

Text proposed by the Commission	*Amendment*
	(9a) in Annex I, point 3.5 is deleted

Amendment 46

Proposal for a directive
Article 1 – paragraph 1 – point 9 b (new)

Directive 1999/31/EC

Annex II – point 5

Text proposed by the Commission	*Amendment*
	(9b) in Annex II, point 5 is deleted