

**COUNCIL RESOLUTION****of 7 May 1990****on waste policy****(90/C 122/02)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Commission's communication on a Community strategy for waste management,

Having regard to the existing Community Directives in the field of waste management, in particular Council Directive 75/442/EEC of 15 July 1975 on waste <sup>(1)</sup>, Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste <sup>(2)</sup>, as last amended by the Act of Accession of Spain and Portugal, Council Directive 84/631/EEC of 6 December 1984 on the supervision and control within the European Community of the transfrontier shipment of hazardous waste <sup>(3)</sup>, as last amended by Council Directive 86/279/EEC <sup>(4)</sup>, and to the Council resolution of 21 December 1988 concerning transfrontier movements of hazardous waste to third countries <sup>(5)</sup>;

Whereas, in the interest of environmental protection, there is a need for a comprehensive waste policy in the Community which deals with all waste, regardless of whether it is to be recycled, reused or disposed of;

Whereas economic growth may lead to the production of more waste; whereas the amount of waste produced in the Community is in fact steadily increasing;

Whereas the production of waste should, where possible, be prevented or reduced at source, particularly by the use of clean or low waste technologies and products;

Whereas waste that cannot be recycled or reused has to be disposed of in the most environmentally safe manner;

Whereas it is important for the Community as a whole to become self-sufficient in waste disposal and it is desirable

for Member States individually to aim at such self-sufficiency <sup>(6)</sup>;

Whereas cooperation within the Community for the establishment and implementation of waste disposal plans can be environmentally beneficial and more cost-effective;

Whereas movements of waste should be reduced to the minimum necessary for environmentally safe disposal and should be subject to proper controls,

1. WELCOMES AND SUPPORTS the Commission's communication;

considers that measures for the prevention of waste at source, the recycling and reuse of waste and the safe and adequate disposal of waste are essential and complementary components of an efficient waste management system and that harmonization of measures at Community level should be encouraged and rendered consistent with the development of the internal market, taking into account the special economic characteristics of waste;

2. WELCOMES the efforts undertaken in different international fora, notably the OECD and the United Nations Environment Programme, to improve waste management and to ensure the disposal of waste in the safest possible conditions;

3. URGES the Commission and the Member States to promote further the development of clean technologies and clean products so as to minimize the production of waste;

notes the Commission's intention to put forward proposals for the continuation and the strengthening, on a permanent basis, of action by the Community on the environment (ACE), as established by Regulation (EEC) No 2242/87 <sup>(7)</sup>, in the field of clean technologies and to promote the development of codes of good practice;

<sup>(1)</sup> OJ No L 194, 25. 7. 1975, p. 39.

<sup>(2)</sup> OJ No L 84, 31. 3. 1978, p. 43.

<sup>(3)</sup> OJ No L 326, 13. 12. 1984, p. 31.

<sup>(4)</sup> OJ No L 181, 14. 7. 1986, p. 13.

<sup>(5)</sup> OJ No C 9, 12. 1. 1989, p. 1.

<sup>(6)</sup> It is noted that self-sufficiency in waste disposal does not apply to recycling.

<sup>(7)</sup> OJ No L 207, 29. 7. 1987, p. 8.

invites the Commission and the Member States to intensify the exchange of information on clean technologies in the framework of appropriate instruments such as ACE and the European Information Network on Environmental Technologies;

4. CONSIDERS that products placed on the market should be designed so as to make the smallest possible contribution, by their manufacture, use or final disposal to increasing the amount or harmfulness of waste and pollution hazards;

invites the Commission therefore to come forward as soon as possible with proposals for ecological criteria for products, taking into account best available technology not entailing excessive cost and including as appropriate the use of recyclable, reuseable or bio-degradable materials, and for a supplementary Community-wide eco-labelling system covering the environmental impact during the life cycle of the product;

5. RECOGNIZES the need for Community-wide data on the volume and type of waste produced in the Community, the availability of approved disposal facilities and the methods of treatment and final disposal and

considers that in the future the European Environment Agency could make an important contribution in this regard;

6. CONSIDERS that, where the production of waste is unavoidable, recycling and reuse of waste should be encouraged provided that such recycling or reuse is carried out in environmentally acceptable conditions;

supports the Commission's intention to continue and strengthen its action for the promotion of reuse and recycling technologies, particularly within the ACE programme;

invites the Commission to bring forward as soon as possible specific proposals on packaging;

considers that additional measures may be necessary including, where appropriate, the development of collection and treatment systems;

stresses that all measures for promotion of recycling or reuse must be accompanied by adequate environmental control measures including normative legislation and codes of good practice;

7. UNDERLINES that there is a short and medium term priority to ensure an adequate infrastructure for waste disposal;

considers that an adequate and integrated network of disposal facilities, meeting Community standards and taking into account best available technologies not entailing excessive cost, should be developed in the Community on a regional or zonal level;

considers that such an infrastructure will facilitate the disposal of waste in one of the nearest suitable facilities, making use of the most appropriate methods and technologies to guarantee a high level of protection for the environment and public health;

considers that efficient waste collection and monitoring systems are an important part of this infrastructure;

recognizes that, in view of the responsibilities of Member States under Directives 75/442/EEC and 78/319/EEC in relation to waste management planning, the building up of such a network is primarily a matter for Member States, as necessary in collaboration with other Member States and with the Commission;

8. CONSIDERS that both the quantity and the toxicity of waste for landfill should be reduced where appropriate and to this end pre-treatment processes should be encouraged;

notes that, provided it is subject to adequate standards, incineration can be a useful means of reducing the volume of waste and recovering energy;

invites the Commission to complete its proposals on incinerators for industrial waste, as a matter of urgency; to consider additional standards for municipal waste incinerators and to propose criteria and standards for disposal by landfill, including post-closure supervision;

9. CONSIDERS that it is desirable, from the point of view of prevention, recycling and reuse, as well as final disposal, to establish action programmes for particular types of waste and therefore

invites the Commission to establish proposals for action at Community level;

10. CONSIDERS that, in evaluating the different prevention, recycling and disposal options, the full economic, social and environmental implications should be taken into account and that the principle of the polluter pays should be fully applied;

11. CONSIDERS that movements of waste should be minimized and that the prevention of waste at source and the establishment of an adequate disposal network, as envisaged under paragraph 7, will play a vital role in this respect;

underlines that movements of waste must be subject to proper controls;

invites the Commission to submit proposals for consideration by the Council in June 1990 for the amendment of Directive 84/631/EEC notably in the light of the need to implement as soon as possible the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and the provisions of the Fourth ACP-EEC Convention banning the export of toxic and dangerous waste to ACP States <sup>(1)</sup>;

12. RECALLS its resolution of 16 October 1989 on guidelines to reduce technological and natural hazards <sup>(2)</sup>, in particular in so far as it relates to transport, and

notes the Commission's intention to continue its actions in the appropriate fora with a view to improving conditions of transport of waste;

13. CONSIDERS that action for rehabilitation of waste disposal sites, including those already undertaken under

the ACE programme and in the R & D field (Step programme) should be continued and further developed;

14. CONSIDERS that financial and economic measures can play a useful role in implementing effective waste management policies;

notes that the Community's regional development policy can contribute to establishing optimal waste management policies;

15. UNDERTAKES, in the light of this resolution, to accelerate work upon the different proposals relating to waste management currently before it <sup>(3)</sup> and in particular

aims to reach agreement upon the proposals for the amendment of Directives 75/442/EEC and 78/319/EEC by June 1990 and December 1990 respectively;

16. INVITES the Commission to report to the Council on the progress made in the areas covered by this resolution by the end of 1992.

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<sup>(1)</sup> The Council underlines, in this connection, the desirability of operating a complete ban on exports of dangerous waste to ACP States, pending the entry into force of the Fourth ACP-EEC Convention, provided that the Commission agrees to the non-application of Directive 84/631/EEC in this respect.

<sup>(2)</sup> OJ No C 273, 26. 10. 1989, p. 1.

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<sup>(3)</sup> Proposal for the modification of Directive 75/442/EEC on waste (OJ No C 295, 19. 11. 1988, p. 3).

Proposal for the modification of Directive 78/319/EEC on hazardous waste (OJ No C 295, 19. 11. 1988, p. 8).

Proposal for a Directive on civil liability for damage caused by waste (OJ No C 251, 4. 10. 1989, p. 3).

Proposal for a Directive on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (OJ No C 319, 12. 12. 1988, p. 57).

Proposal for a Directive on batteries and accumulators containing dangerous substances (OJ No C 11, 17. 1. 1990, p. 6).