



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from : Presidency
to : Working Party on Economic Questions (statistics)

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No. Cion prop.: 5751/99 ENV 25 COM(99) 31 final

Subject : Draft Council Regulation on waste management statistics

Delegations will find attached

- in Annex I, the draft Parliament and Council Regulation on waste management statistics as amended by the Presidency;
- in Annex II, an annex related to Annex I (Section 2, paragraph 3) of the draft Regulation.

Explanatory notes on this Presidency amendment are found in 12496/99 ECO 356 ENV 379
CODEC 642.

Draft
~~COUNCIL REGULATION (EC)~~
PARLIAMENT AND COUNCIL REGULATION (EC)
on waste ~~management~~ statistics

(Text with EEA relevance)

[Comment: Preamble should be revised in order to take into account the present co-decision procedure]

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article ~~213~~ [285] thereof,

Having regard to the draft Regulation submitted by the Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³,

- (1) Whereas regular Community statistics on the production and management of waste from businesses and private households are required by the Community for monitoring the implementation of the three principles - waste prevention, maximisation of recovery and safe disposal - governing waste management policy;
- (2) Whereas the terms for the description of waste and waste management need to be defined in order to ensure the comparability of results in waste statistics;
- (3) Whereas waste management policy has led to the establishment of a set of principles to be followed by waste producing units and waste management; whereas this requires the monitoring of waste at different points of the waste stream: at waste production, waste collection and waste treatment and disposal;
- (4) Whereas Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics⁴ constitutes the reference framework for the provisions of this Regulation;

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4 OJ L 52, 22.2.1997, p. 1.

- (5) Whereas, in order to guarantee comparable results, waste statistics should be produced in accordance with the determined breakdown and in an appropriate form and within a fixed period of time from the end of the reference year;
- (6) Whereas, in accordance with the principles of subsidiarity and proportionality as set out in Article 3b of the Treaty, the objectives of the proposed measure, namely to establish a framework for the production of Community statistics on waste management cannot be sufficiently achieved by the Member States, by reason of the need to define terms for description of waste and waste management so as to ensure the comparability of the statistics supplied by the Member States, and can therefore be better achieved by the Community; whereas this Regulation confines itself to the minimum required in order to achieve those objectives and does not go beyond what is necessary for that purpose;
- (7) Whereas Member States may need a transition period for the adaptation or establishment of their statistics on waste;
- (8) Whereas the implementation of this Regulation, and its adaptation to economic and technical progress, require close collaboration between the Commission and the Member States within the Statistical Programme Committee;
- (9) Whereas the Statistical Programme Committee has been consulted by the Commission,

HAS ADOPTED THIS REGULATION:

[All the articles should be checked by legal services]

Article 1

1. The objective of this Regulation is to establish a framework for the production of Community statistics on ~~waste management~~. [generation and treatment of waste.]
2. Member States and the Commission, within their respective fields of competence, shall produce Community statistics on ~~the management of waste~~ [generation and treatment of waste] ~~from businesses and private households~~.
3. The statistics shall cover the following areas:
 - (a) ~~waste production and recovery~~ [generation of waste] by economic activities according to Annex I;
 - (b) ~~household and similar waste collection by businesses and the municipal collection scheme~~ [generation and collection of municipal waste by waste categories] according to Annex II;

- (c) ~~waste incineration, composting and disposal by businesses and municipal authorities~~ [treatment of waste by waste categories and by treatment operations] according to Annex III.

[(d) import and export of waste according to Annex IV.]

In compiling the statistics, Member States and the Commission shall observe the equivalence between the European Waste Catalogue (EWC) established by Commission Decision 94/3/EC¹ and the substance-oriented aggregation, as set out in Annex ~~IV~~ [V] to this Regulation.

Article 2

For the purposes of this Regulation:

- (a) “waste” shall mean any substance or object ~~in the categories set out in Annex I to~~ [as defined in Article 1 (a) of] Council Directive 75/442/EEC on waste², ~~which the holder discards, or intends or is required to discard;~~
- (b) ~~“management” shall mean the production, collection, transport, recovery and disposal of waste, including the supervision of such operations and after-care of disposal sites;~~
- (c) “recycling” shall mean the reprocessing, in a production process, of the waste materials for the original purpose or for other purposes including organic recycling but excluding energy recovery[, as defined in Council Directive 94/62/EC³];
- (d) ~~“recovery” shall mean any waste management operation resulting in a product with a potential economical or ecological benefit including recycling and energy recovery;~~ [shall mean any of the operations provided for in Annex II.B to Directive 75/442/EEC;]
- (e) ~~“disposal” shall mean any waste management operation designed to prepare, or to carry out, the final treatment of waste;~~ [any of the operations provided for in Annex II.A to Directive 75/442/EEC;]
- [() “treatment of waste” shall mean recovery and disposal of waste as a whole;]
- [() “internal recovery”: comment: the definition is still lacking]
- [() “municipal waste” shall mean any substance or object as defined in Article 2 (b) of Council Directive 99/31/EC⁴];

¹ OJ L 5, 7.1.1994, p. 15.

² OJ L 194, 25.7.1975, p. 39.

³ OJ L 365, 31.12.1994, p.10.

⁴ OJ L 182, 16.7.1999, p.1.

- [() “operation facility”: comment: the definition is still lacking]
- (f) “hazardous waste” shall mean any waste defined pursuant to Article 1(4) of Council Directive 91/689/EEC¹; ~~such as listed in Council Decision 94/904/EC² establishing a list of hazardous waste or considered by a Member State to display any of the properties listed in Annex III of Directive 91/689/EEC;~~
- (g) “non-hazardous waste” shall mean waste which is not covered by point (f);
- (h) “landfill” shall mean a waste disposal site [provided for in Council Directive 1999/31/EC.] ~~for the deposit of waste on to or into land, including internal waste disposal sites (i.e. landfill where a producer of waste is carrying out its own waste disposal at the place of production) and excluding facilities where waste is unloaded in order to permit its preparation for further transport for recovery, treatment or disposal elsewhere, and temporary (i.e. less than one year) deposit of waste prior to recovery, treatment or disposal.~~

Article 3

1. Member States shall, whilst complying with conditions as to quality and accuracy, acquire the data necessary for the specification of the characteristics listed in Annexes I, ~~II and III~~ [II, III and IV] by means of:
- compulsory surveys;
 - ~~— use of other sources; [use of administrative or other sources]~~
 - statistical estimation procedures; or
 - a combination of these means

under the condition that quality and accuracy conditions are met.

In order to reduce response burdens, the national authorities and the Community authority shall, subject to the limits and the conditions fixed by each Member State and by the Commission in their respective spheres of competence, have access to administrative data sources.

2. In order to reduce administrative burdens on small enterprises, ~~enterprises with less than 10 employees shall be excluded from compulsory surveys.~~ [small enterprises contributing insignificantly to the generation of waste may be excluded from surveys.]

¹ OJ L 377, 31.12.1991, p. 20.

² OJ L 356, 31.12.1994, p. 14.

3. Member States shall produce statistical results following the breakdown stipulated in ~~Annexes I, II and III~~ [in Annexes I, II, III and IV].
4. Member States shall transmit the results, including confidential data, to Eurostat in an appropriate format and within a period of time from the end of the respective reference periods as laid down in Annexes I, ~~II and III~~. [II, III and IV.]
- [5. The treatment of confidential data and the transmission of such data as provided for in Article 3 (4) shall be carried out in accordance with the existing Community provisions governing statistical confidentiality.]

(i) Article 4

During a transitional period which may not exceed three years from the date of entry into force of this Regulation, the Commission may, at the request of the Member States, grant derogation from the provisions of Annexes I, ~~II and III~~ [II, III and IV] wherever the national statistical systems require major adaptations.

Article 5

The measures necessary for the implementation of this Regulation, ~~including the adjustment to economic and technical developments~~, [including the measures for adjustment to economic and technical developments concerning the collection and statistical processing of data, the processing and the transmission of results,] shall be determined in accordance with the procedure referred to in Article 6.

These measures shall include, in particular:

- (a) the adaptation of the specifications listed in the Annexes; and
- (b) the necessary implementation measures to produce results in accordance with Article 3(2), (3) and (4).

Article 6

1. The Commission shall be assisted by the Statistical Programme Committee.
- ~~2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.~~
~~The Commission shall adopt measures which shall apply immediately. However if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event:~~
~~The Commission shall defer application of the measures which it has decided for a period of three months from the date of referral to the Council.~~
~~The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous subparagraph.~~
- [2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time-limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 205(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.
3. The Commission shall, without prejudice to Article 8 of Council Decision 99/468/EC¹, adopt the measures envisaged if they are in accordance with the opinion of the committee.
4. If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken and shall inform the European Parliament.
5. If the European Parliament considers that a proposal submitted by the Commission pursuant to a basic instrument adopted in accordance with the procedure laid down in Article 251 of the Treaty exceeds the implementing powers provided for in that basic instrument, it shall inform the Council of its position.

¹ OJ L 184, 17.7.1999, 26.

6. The Council may, where appropriate in view of any such position, act by qualified majority on the proposal, within a period to be laid down in each basic instrument but which shall in no case exceed three months from the date of referral to the Council.

If within that period the Council has indicated by qualified majority that it opposes the proposal, the Commission shall re-examine it. It may submit an amended proposal to the Council, re-submit its proposal or present a legislative proposal on the basis of the Treaty.

If on the expiry of that period the Council has neither adopted the proposed implementing act nor indicated its opposition to the proposal for implementing measures, the proposed implementing act shall be adopted by the Commission.]

Article 7

The Commission shall, within three years of the date of entry into force of this Regulation and every three years thereafter, submit a report to the European Parliament and the Council on the statistics compiled pursuant to this Regulation and in particular on their quality and the burden on business.

Article 8

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

The President

For the Council

**WASTE PRODUCTION AND RECOVERY BY ECONOMIC ACTIVITIES
[GENERATION OF WASTE BY ECONOMIC ACTIVITIES]**

Section 1

Coverage

The statistics are to be compiled for all activities classified within the coverage of the sections C to Q, except Division 12, of NACE REV. 1. These Sections cover all economic activities, except agriculture, hunting, forestry (A) [and] fishing (B) ~~and mining of uranium and thorium ores (12)~~, which are outside the domain of this Annex.

[This annex also covers waste arising from waste treatment operations.]

Section 2

Waste categories

[Comment: the text of this Section and the waste list should be further revised later on]

1. The waste categories for which statistics on waste ~~production and recovery~~ [generation] are to be compiled are derived as an aggregation from the European Waste Catalogue (EWC).
2. Each item in the EWC is attributed to the aggregated substance-oriented waste list tabled in paragraph 3 of this Section. The transposition table between EWC and substance-oriented aggregation is listed in Annex ~~IV~~ [V.]
3. Statistics on the following waste categories are to be produced:

Substance aggregation of EWC (The codes are referring to the transposition table listed in Annex 4)			Splitting up between hazardous waste and non-hazardous waste necessary?
Number	Code	Waste type	
1	01.1	spent solvents	No
2, 3	01.2	acid, alkaline or saline wastes	Yes
4	01.3	used oils	No
5, 6	02.1	chemical reaction waste	Yes
7, 8	02.2	sludges from chemical processes	Yes
9	02.3	Contaminated soils	No
10, 11	03.	chemical preparation waste	Yes

12	05.	Infectious waste	No
13	06.1	ferrous metal scrap excluded packaging	No
14	06.2	non-ferrous metal scrap excl. packaging	No
15	06.3	metal packaging waste	No
16	06.4	other mixed metal wastes	No
17	07.11-12	glass packaging waste	No
18	07.13	other glass waste	No
19	07.21	paper and cardboard packaging waste	No
20	07.22-23	other paper and cardboard waste	No
21	07.3	rubber waste	No
22	07.41	plastic packaging waste	No
23	07.42	other plastic waste	No
24	07.51	wood packaging waste	No
25	07.52-53	other wood waste	No
26	07.6	textile waste	No
27	08.2	end-of-life vehicles	No
28	08.3	household equipment excluded vehicles	No
29, 30	08.41	waste batteries and accumulators	Yes
31	08.42	spent catalytic converters	No
32, 33	08 excl. above	Discarded equipment	Yes
34	09	manure and slurry	No
35	10.1-2	animal, crop and food waste	No
36	10.3	park and garden waste	No
37	11.1	mixed household, kitchen and public waste	No
38	11.2	mixed materials	No
39, 40	11.3	treatment residues	Yes
41	12 excl. 12.3	Sewage sludge and cesspit contents	No
42	12.3	Dredging spoil	No
43	13.1 — excl. 13.12	construction and demolition waste	No
44	13.12	asbestos waste	No
45	13.2 + 13.4	mineral waste	No
46, 47	13.3	combustion wastes	Yes
48	14	solidified and vitrified wastes	No

[Comment: A proposal for substance aggregation of Hazardous Wastes based on Hazardous Waste List as defined in Council Decision 94/904/EC¹ is below. The corresponding transposition table is attached to this proposal. The proposal on the new substance aggregation of EWC for non-hazardous wastes is still lacking.]

Number		Classification of hazardous wastes
1		Chemical waste/used chemicals
2		Solvent (containing) waste
3		Acid and alkaline waste
4		Hazardous saline wastes
5		Waste oils, oily wastes, brake fluids
6		Tar wastes
7		Sludges containing hazardous substances
8		Distillation and reaction residues
9		Asbestos
10		Hazardous slags and ashes from thermal metallurgy
11		Hazardous waste from industrial gas treatment
12		Spent filtration materials containing hazardous substances
13		Waste batteries and accumulators
14		Discarded equipment containing hazardous substances
15		Infectious waste
16		Other hazardous waste
17		Possible new additional hazardous wastes due to the amendments to be made to HWL
		Classification of non-hazardous wastes

¹ OJ L 356, 31.12.1994, p.14.

Section 3

Characteristics for the waste categories

The characteristics, for which the statistics are to be compiled, are set out in the table below. Minimum requirement for the breakdown of the listed characteristics is the three-digit level. All characteristics are referring to the waste list defined in Section 2, point 3 of this Annex.

[The characteristic, for which the statistics are to be compiled, is set out in the table below. Data are referring to the waste list defined in Section 2, point 3 of this Annex.]

Code (First digit equals Annex number)	Title
Waste received (including hazardous waste)	
1 11	Quantity of waste received from outside for incineration (including co-combustion of waste in industrial processes like cement production), composting and landfilling
1 12	Quantity of waste received from outside for recovery including recycling (excluded incineration and composting)
Total amount of waste (including hazardous waste) for handling	
1 20	Total amount of waste including waste produced and quantity of waste received from outside for recovery, composting, incineration and landfilling (excluding internal recycling loops)
1 21	Quantity of waste internally recovered
1 22	Quantity of waste internally incinerated (including co-combustion of waste)
1 23	Quantity of secondary waste (resulting from recovery or incineration)
1 24	Quantity of waste internally landfilled
1 25	Quantity of waste carried away for export, external recovery, incineration and disposal
A 1 25 1	Quantity of waste carried away by own resources for export, external recovery, incineration and disposal
A 1 25 2	Quantity of waste handed over and carried away for export, external recovery, incineration and disposal
Destination of waste (including hazardous waste) carried away	
B 1 25 1	Quantity of waste exported
B 1 25 2	Quantity of waste for external recovery (including recycling)
B 1 25 3	Quantity of waste for external incineration
B 1 25 4	Quantity of waste for external disposal

[Code	Title
	Total amount of waste generated
1 10	Quantity of waste generated]

[New Section 3a]

[Reporting unit]

[The reporting unit for all waste categories should be given in *1000 ton* (normal) wet waste. For the waste categories “sludge” an additional figure for *dry matter* should be provided.]

Section 4

First reference year and periodicity

1. The first reference year is the calendar year ~~1999~~ [2000].
2. Member States shall furnish the data every three years.

Section 5

Transmission of results to Eurostat

The results are to be transmitted within 18 months after the end of the reference year.

Section 6

Report on the coverage and quality of statistics

1. For each grouping of activities listed in Section 7, Member States shall indicate the percentage to which this activity is covered by data collection. ~~The coverage can be estimated by external criteria such as employment for which data should be available for the statistical units defined in Section 7 of this Annex. If Member States want to use external criteria not related to the statistical units defined in Section 7 of this Annex they should explain the method elaborated in the quality report according to point 3 of this Section.~~ Minimum requirement for the coverage is 90% for each group of activities.
2. For the ~~obligatory~~ characteristics of the hazardous and non-hazardous waste categories listed in Section 3, Member States shall give a quality report, indicating the degree of precision for the collected data.
3. The Commission shall include the coverage and quality reports in the report provided for in Article 7 of this Regulation.

Section 7

Production of results

1. The results for the characteristics listed in Section 3, are to be compiled for the following groupings of NACE REV. 1:

Grouping of NACE – activities	
Sections, Divisions, Groups and Classes of NACE REV.1	Title
C	Mining and quarrying
DA	Manufacture of food products, beverages and tobacco
DB + DC	Manufacture of textiles, leather and leather and textile products
DD	Manufacture of wood and wood products
DE	Manufacture of pulp, paper, and paper products; publishing and printing
DF (excluded 23.3)	Manufacture of coke and refined petroleum products
DG + DH	Manufacture of chemicals, chemical products, man-made fibres, rubber and plastic products
DI + DJ	Manufacture of other non-metallic mineral products, basic metals and fabricated metal products
DK	Manufacture of machinery and equipment n. e. c.
DL	Manufacture of electrical and optical equipment
DM	Manufacture of transport equipment
DN (excluded: 37)	Manufacturing n. e. c.
37	Recycling
40(part of E)	Electricity, gas, steam and hot water supply
41(part of E)	Collection, purification and distribution of water
F	Construction
G + I (only oil wastes)	Wholesale and retail trade; repair of motor vehicles, motor cycles and personal and household goods; Transport, storage and communication
51.57 (part of G)	Wholesale of waste and scrap
74.81(part of K)	Photographic activities
85.11 (part of N)	Hospital activities
90 (part of O)	Sewage and refuse disposal, sanitation and similar activities
G-Q (excluded: 51.57, 74.81, 85.11 and 90)	Other service activities

[Grouping of NACE – activities]		
	Sections, Divisions, Groups and Classes of NACE REV.1	Title
1	C	Mining and quarrying
2	DA	Manufacture of food products, beverages and tobacco
3	DB + DC	Manufacture of textiles, leather and leather and textile products
4	DD	Manufacture of wood and wood products
5	DE	Manufacture of pulp, paper, and paper products; publishing and printing
6	DF	Manufacture of coke, refined petroleum products and nuclear fuels
7	DG + DH	Manufacture of chemicals, chemical products, man-made fibres, rubber and plastic products
8	DI + DJ	Manufacture of other non-metallic mineral products, basic metals and fabricated metal products
9	DK+DL+DM	Manufacture of machinery and equipment Manufacture of electrical and optical equipment Manufacture of transport equipment
10	DN (excluded: 37)	Manufacturing n. e. c.
11	E	Electricity, gas, steam and hot water and water supply
12	F	Construction
13	G – Q (excluded: 90 and 51.57)	Service activities
14	37, 51.57	Recycling Wholesale of waste and scrap
15	90	Sewage and refuse disposal, sanitation and similar activities]

2. Statistical units are *Local Units* [*Kind of Activity Units (KAUs)*] as defined in Council Regulation (EEC) No 696/93 on the statistical units for the observation and analysis of the production system in the Community¹.

¹ OJ L 76, 30.3.1993, p. 1.

**~~HOUSEHOLD AND SIMILAR WASTE COLLECTION BY BUSINESSES
AND THE MUNICIPAL COLLECTION SCHEME~~**

**[GENERATION AND COLLECTION OF MUNICIPAL WASTE BY WASTE
CATEGORIES]**

Section 1

Coverage

1. The statistics are to be compiled for all *Kind of Activity Units (KAUs)*, defined in the Council Regulation (EEC) No 696/93, within the coverage of the Division 90, the Class 51.57 and the Section I of NACE REV. 1. These Sections cover the activities of transport (I), wholesale of waste and scrap (51.57) and sewage and refuse disposal (90) [public and non-profit organisations and private enterprises acting in the field of organised waste collection.]
2. Waste collection includes mixed and sorted household, public and similar waste[, not reported in Annex 1,] according to the list in the following section.
- ~~3. Waste collection includes besides traditional waste collection by municipalities or on behalf of them also waste collection by businesses.~~

Section 2

Waste categories

1. The waste categories for which the statistics are to be compiled are listed below. The listed waste categories have to be kept separately.

2. List of waste categories:

No	EWG code	Waste category
Mixed household, public and similar waste (collected by municipalities themselves or on behalf of them)		
1	ex. 20 03 01	Mixed household and similar waste
2	ex. 20 03 01	Mixed bulky household waste
3	20 03 02 03	Waste from markets and street cleansing waste
Separately collected fractions of household, public and similar waste (collected by municipalities and private business)		
4	20 02 + 20 01 08	Green park and garden waste (including organic compostable kitchen waste)
5	16 06 + 20 01 20	Batteries and accumulators
6	20 01 01	paper and cardboard
7	15 01 01	packaging of paper and cardboard
8	20 01 02	glass
9	—	glass packaging
10	20 01 03 04	plastics
11	15 01 02	plastic packaging
12	20 01 05 06	metals
13	15 01 04	metallic packaging
14	20 01 07	wood
15	15 01 03	wooden packaging
16	15 01 05	composite packaging
17	15 01 06	mixed packaging
18	20 01 09	oil and fat
19	20 01 10 11	clothes and textiles
20	20 01 12 19	chemicals and medicines
21	20 01 21 24	discarded equipment
22	20 03 05	end of life vehicles
23	————	others

[No	EWC-code	Waste category
Mixed household, public and similar waste		
1	20 03 01	Mixed household and similar waste
2	20 03 02-03	Waste from markets and street cleansing waste
Separately collected fractions of household, public and similar waste		
3	20 02 + 20 01 08	Green park and garden waste (including organic compostable kitchen waste)
4	16 06 + 20 01 20	Batteries and accumulators
5	20 01 01 15 01 01	paper and cardboard, packaging of paper and cardboard
6	20 01 02 -----	glass, glass packaging
7	20 01 03-04 15 01 02	plastics, plastic packaging
8	20 01 05-06 15 01 04	metals, metallic packaging
9	20 01 07 15 01 03	wood, wooden packaging
10	20 01 09	oil and fat
11	15 01 05 15 01 06	composite packaging mixed packaging
12	20 01 10-11	clothes and textiles
13	20 01 21-24	discarded equipment
14	-----	other non-hazardous waste
15	20 01 12-19	hazardous waste (excluding batteries and accumulators)]

Section 3

Characteristics

- For each waste category listed in Section 2, point 2 the characteristics, set out in the table below, have to be compiled.
- Data characteristics for household, public and similar waste collection:

Code (First digit equals Annex number)	Title
Total quantity of waste collected	
2 20	Quantity of waste
[Optional, will be tested in pilot studies:] Sources of waste collected	
2 21 [P]	Quantity of waste collected from small enterprises, craft and service
2 22 [P]	Quantity of waste collected from households
2 23	Quantity of waste imported
Destination of waste [excluding export]	
2 25	Quantity of waste given to recovery and recycling [excl. 2 26]
2 26	Quantity of waste given to incineration with energy utilisation
2 27	Quantity of waste given to incineration without energy utilisation
2 28	Quantity of waste given to landfilling
2 29	Quantity of waste given to export
[2 29	Other]

- On regional level the characteristics listed in the table below have to be compiled:

Regional characteristics of waste collection	
Code (First digit equals Annex number)	Title
2 00	NUTS 2-level: Population served by the municipal collection scheme (referring only to mixed household, public and similar waste)
2 10	NUTS 1-level: Quantity of waste collected of each substance listed in Section 2, point 2

[New Section 3a]

[Reporting unit]

[The reporting unit for all waste categories should be given in *1000 ton* (normal) wet waste. For the waste categories “sludge” an additional figure for *dry matter* should be provided.]

Section 4

First reference year and periodicity

1. The first reference year for which statistics are to be compiled is the calendar year ~~1999~~ [2000.]
2. Member States shall furnish the data every three years.

Section 5

Transmission of results to Eurostat

The results are to be transmitted within 18 months of the end of the calendar year of the reference period.

Section 6

Report on the coverage and quality of statistics

1. For the characteristic “population served by municipal collection scheme” listed in Section 3 to be compiled for NUTS 2 level, Member States shall give a quality report, indicating the degree of precision for the collected data.
2. For the other characteristics listed in Section 3 to be compiled for NUTS 1 or national level, Member States shall indicate the estimated coverage of data collection for each waste category. Minimum requirement 90% for each waste category.
3. For the characteristics listed in Section 3, Member States shall give a quality report, indicating the degree of precision for the collected data.
4. The Commission will include the coverage and quality reports in the report provided for in Article 7 of this Regulation.

Section 7

Production of results

- ~~1. The results for all characteristics, except 2 00, have to be produced by a breakdown into the 3 NACE sections transport (I), wholesale of waste and scrap (51.57) and sewage and refuse disposal (90).~~
- ~~2. Statistical units for all characteristics are the *Kind of Activity Units* (KAUs) as defined in the Council Regulation (EEC) No 696/93. For the characteristics to be produced at NUTS 1 or NUTS 2 level *local KAUs* can be used as statistical units (optional). [deleted]~~

~~WASTE INCINERATION, COMPOSTING AND DISPOSAL BY BUSINESSES
AND MUNICIPAL AUTHORITIES~~
[TREATMENT OF WASTE BY WASTE CATEGORIES AND BY
TREATMENT OPERATIONS]

Section 1

Coverage

The statistics are to be compiled for the whole economy. [Import and export of waste is excluded.]

Section 2

Waste categories

The list of waste categories for which the statistics are to be compiled is the substance-oriented aggregation of EWC as defined in Section 2, paragraph 3 of Annex I.

Section 3

Characteristics

1. The characteristics, for which the statistics are to be compiled, are set out in the table below.
2. List of characteristics for ~~incineration, composting and disposal~~ [treatment] operations:

Code (First digit equal Annex number)	No	Title
Number and capacity of treatment operations per region		
3 00	1	Number of operation facilities at NUTS 2-level
3 10	2	Capacity in tons [as defined in Council Directive 96/61/EC ¹] at NUTS 2-level
Waste treated per treatment operation and geographical source [excl. import]		
3 20	3	Total quantities of wastes received [treated] at NUTS 1-level
[3 xx	4	Total quantities of waste treated, received for treatment from outside]
[3 yy	5	Total quantities of waste treated internally]
3 21	4	Quantities of wastes received from own country
3 22	5	Quantities of wastes received from imports from EU
3 23	6	Quantities of wastes received from imports outside EU
Output of treatment operations		
3 30	7	Gross energy production
3 31	8	Energy utilisation
3 40	9	Waste output

[New Section 3a]

[Reporting unit]

[The reporting unit for all waste categories should be given in *1000 ton* (normal) wet waste. For the waste categories “sludge” an additional figure for *dry matter* should be provided.]

¹ Council Directive concerning integrated pollution prevention and control, 96/61/EC; OJ L 257, 24.9.1996, p. 26.

Section 4

First reference year and periodicity

1. The first reference year for which statistics are to be compiled is the calendar year ~~1999~~ [2000.]
2. Member States shall furnish the data ~~annually~~ [every three years].

Section 5

Transmission of results to Eurostat

1. The results are to be transmitted within ~~12 months~~ [18 months] of the end of the calendar year of the reference period.

Section 6

Report on the coverage and quality of statistics

1. For each type of operation listed in Section 7, paragraph 2, Member States will indicate the percentage to which this activity is covered by data collection. ~~The coverage can be estimated by external criteria such as employment or amount of waste input.~~ Minimum requirement for the coverage is 90% for each type of operation.
2. For the characteristics listed in Section 3, paragraph 2, Member States will give a quality report, indicating the degree of precision for the collected data.
3. The Commission will include the coverage and quality reports in the report provided for in Article 7 of this Regulation.

Section 7

Production of results

- ~~1. The results for the characteristics listed in Section 3, are to be compiled for incineration, composting and disposal operations.~~
- ~~2. List of INCINERATION, COMPOSTING and DISPOSAL OPERATIONS; the codes are referring to the codes in the Annexes of the Council Directive 75/442/EEC on waste adapted by Commission Decision 96/350/EC¹:~~

¹ OJ L 135, 6.6.1996, p.32.

CODES	No	TYPES OF INCINERATION, COMPOSTING and DISPOSAL OPERATIONS (including preparatory activities)
		INCINERATION and COMPOSTING
D10	1	Incineration on land
D11	2	Incineration at sea
R1	3	Use principally as a fuel or other means to generate energy
R3	4	Composting and other biological transformation processes (excluding other forms of recycling of organic substances)
		PREPARATORY ACTIVITIES RELATED TO RECOVERY AND DISPOSAL
	5	Sorting of municipal waste at recycling/sorting centres
D8	6	Biological treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D1 to D12
D9	7	Physico-chemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D1 to D12 (e.g. evaporation, drying, calcination, etc.)
D13	8	Blending or mixing prior to submission to any of the operations numbered D1 to D12
		DISPOSAL
D1	9	Deposit into or onto land (e. g. landfill, etc.)
D2	10	Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
D3	11	Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
D4	12	Surface impoundment (e.g. placement of liquid or sludgy discards into pits, ponds or lagoons, etc.)
D5	13	Special engineered landfill (e. g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)
D6	14	Release into a water body except seas/oceans
D7	15	Release into seas/oceans including sea-bed insertion
D12	16	Permanent storage (e. g. emplacement of containers in a mine, etc.)

- [1. The results for total quantities of wastes treated (total of characteristics 3 xx + 3yy as listed in Section 3) by waste categories listed in Section 2 of Annex I are to be compiled for treatment operations.]

- [2. List of RECOVERY OPERATIONS; the codes are referring to the codes in the Annexes of the Council Directive 75/442/EEC on waste adapted by Commission Decision 96/350/EC¹.]

CODES	No	TYPES OF RECOVERY (including preparatory activities)
		INCINERATION
R01	1	Incineration with energy recovery (=Use principally as a fuel or other means to generate energy)
		RECYCLING / RECOVERY
R02, R03, R09, R10	2	Material recovery
R04, R05, R06, R07, R08, R11	3	Material recycling (for purpose to produce secondary raw material)
		PREPARATORY ACTIVITIES RELATED TO RECOVERY
R12, R13	4	Exchange for submission or temporary storage (incl. sorting of municipal waste)

¹ OJ L 135, 6.6.1996, p.32.

[3. List of DISPOSAL OPERATIONS; the codes are referring to the codes in the Annexes of the Council Directive 75/442/EEC on waste adapted by Commission Decision 96/350/EC¹.]

DISPOSAL		
D10, D11	5	Incineration without energy recovery
D08, D09	6	Preparatory activities Biological treatment not specified elsewhere. Physico-chemical treatment not specified elsewhere.
D01, D03, D04, D05, D12	7	Final deposit: (different types of landfilling operations) Deposit into landfill Deep injection Surface impoundment Special engineered landfill Permanent storage
D02, D06, D07,	8	Other final disposal operations: Land treatment Release into a water body except seas/oceans Release into seas/oceans including sea-bed insertion
D13, D14, D15,	9	Repackaging, blending or mixing, or temporary storage on other site than where waste is generated

3. Statistical units are the *Kind-of-Activity Units* (KAUs).

¹ OJ L 135, 6.6.1996, p.32.

[IMPORT AND EXPORT OF WASTE]
[New Annex]

Section 1

Coverage

The statistics are to be compiled for all activities classified within the coverage of the sections C to Q, except Division 12, of NACE REV. 1. These Sections cover all economic activities, except agriculture, hunting, forestry (A) and fishing (B), which are outside the domain of this Annex.

Section 2

Waste Categories

The list of waste categories for which the statistics are to be compiled is set out in the table below:

Code	No	Title
	1	Wastes supervised in accordance with the Council Regulation 259/93
	2	Paper and cardboard (incl. packaging) waste
	3	Glass (incl. packaging) waste
	4	Metal (incl. packaging) waste
	5	Plastics (incl. packaging) waste
	6	Rubber waste
	7	Cork and wood (incl. packaging) waste
	8	Waste electronic equipment
	9	End of life –vehicles
	10	Textile waste
	11	Other waste

(ii) Section 3

Characteristics

The characteristics, for which the statistics are to be compiled are set out in the table below:

Code	No	Title
	1	Quantity of waste exported
	2	Quantity of waste imported

[Section 3a]

Reporting unit

[The reporting unit for all waste categories should be given in *1000 ton* (normal) wet waste. For the waste categories “sludge” an additional figure for *dry matter* should be provided.]

(iii) Section 4

First reference year and periodicity

1. The first reference year for which the statistics are to be compiled is the calendar year 2000.
2. Member States shall furnish the data every three years.

Section 5

Transmission of results to Eurostat

The results are to be transmitted within 18 months of the end of the calendar year of the reference period.

Section 6

Report on the coverage and quality of statistics

1. For the characteristics listed in Section 3, the Member States shall give a quality report, indicating the degree of precision for the collected data.
2. The Commission will include the coverage and quality reports in the report provided for in Article 7 of this Regulation.

Section 7

Production of results

1. The results for the characteristics listed in Section 3, are to be compiled for import by treatment operations as listed in Section 7, paragraph 2 of Annex III, and for export.
2. Statistical units are the *Kind-of-Activity Units* (KAUs).

ANNEX RELATED TO ANNEX I (Section 2, paragraph 3) OF THE DRAFT REGULATION

Substance aggregation of Hazardous Wastes based on Hazardous Waste List as defined in Council Decision 94/904/EC

1. Chemical waste/used chemicals
2. Solvent (containing) waste
3. Acid and alkaline waste
4. Hazardous saline wastes
5. Waste oils, oily wastes, brake fluids
6. Tar wastes
7. Sludges containing hazardous substances
8. Distillation and reaction residues
9. Asbestos
10. Hazardous slags and ashes from thermal metallurgy
11. Hazardous waste from industrial gas treatment
12. Spent filtration materials containing hazardous substances / from treatment of hazardous substances
13. Waste batteries and accumulators
14. Discarded equipment containing hazardous substances
15. Infectious waste
16. Other hazardous wastes
17. Possible new additional hazardous wastes after the HWL is amended

1. Chemical waste/used chemicals

- 020105 agrochemical wastes
- 030201 non-halogenated organic wood preservatives
- 030202 organochlorinated wood preservatives
- 030203 organometallic wood preservatives
- 030204 inorganic wood preservatives
- 061301 inorganic pesticides, biocides and wood preserving agents
- 070101 aqueous washing liquids and mother liquors
- 070201 aqueous washing liquids and mother liquors
- 070301 aqueous washing liquids and mother liquors
- 070401 aqueous washing liquids and mother liquors
- 070501 aqueous washing liquids and mother liquors
- 070601 aqueous washing liquids and mother liquors
- 070701 aqueous washing liquids and mother liquors
- 080106 sludges from paint or varnish removal containing halogenated solvents
- 080107 sludges from paint or varnish removal free of halogenated solvents
- 080305 ink sludges containing halogenated solvents
- 080306 ink sludges free of halogenated solvents
- 080405 waste adhesives and sealants sludges containing halogenated solvents
- 080406 waste adhesives and sealants sludges free of halogenated solvents

080101 waste paints and varnish containing halogenated solvents
080102 waste paints and varnish free of halogenated solvents
080301 waste ink containing halogenated solvents
080302 waste ink free of halogenated solvents
080401 waste adhesives and sealants containing halogenated solvents
080402 waste adhesives and sealants free of halogenated solvents
090101 water based developer and activator solutions
090102 water based offset plate developer solutions
090104 fixer solutions
090105 bleach solutions and bleach fixer solutions
120301 aqueous washing liquids
160701 waste from marine transport tank cleaning, containing chemicals
160704 waste from railway and road transport tank cleaning, containing chemicals
160705 waste from storage tank cleaning, containing chemicals
200112 paint, inks, adhesives and resins
200117 photo chemicals
200119 pesticides

2. Solvent (containing) waste

040103 degreasing wastes containing solvents without a liquid phase
040211 halogenated wastes from dressing and finishing
070103 organic halogenated solvents, washing liquids and mother liquors
070104 other organic solvents, washing liquids and mother liquors
070203 organic halogenated solvents, washing liquids and mother liquors
070204 other organic solvents, washing liquids and mother liquors
070303 organic halogenated solvents, washing liquids and mother liquors
070304 other organic solvents, washing liquids and mother liquors
070403 organic halogenated solvents, washing liquids and mother liquors
070404 other organic solvents, washing liquids and mother liquors
070503 organic halogenated solvents, washing liquids and mother liquors
070504 other organic solvents, washing liquids and mother liquors
070603 organic halogenated solvents, washing liquids and mother liquors
070604 other organic solvents, washing liquids and mother liquors
070703 organic halogenated solvents, washing liquids and mother liquors
070704 other organic solvents, washing liquids and mother liquors
090103 solvent based developer solutions
140101 chlorofluorocarbons
140102 other halogenated solvents and solvent mixes
140103 other solvents and solvent mixes
140104 aqueous solvent mixes containing halogens
140105 aqueous solvent mixes free of halogens
140106 sludges or solid wastes containing halogenated solvents
140107 sludges or solid wastes free of halogenated solvents
140201 halogenated solvents and solvent mixes
140202 solvent mixes or organic liquids free of halogenated solvents
140203 sludges or solid wastes containing halogenated solvents

140204 sludges or solid wastes containing other solvents
140301 chlorofluorocarbons
140302 other halogenated solvents
140303 solvents and solvent mixes free of halogenated solvents
140304 sludges or solid wastes containing halogenated solvents
140305 sludges or solid wastes containing other solvents
140401 chlorofluorocarbons
140402 other halogenated solvents and solvent mixes
140403 other solvents and solvent mixes
140404 sludges or solid wastes containing halogenated solvents
140405 sludges or solid wastes containing other solvents
140501 chlorofluorocarbons
140502 halogenated solvents and solvent mixes
140403 other solvents and solvent mixes
140404 sludges containing halogenated solvents
140405 sludges containing other solvents
200113 solvents

3. Acid and alkaline waste

060101 sulphuric acid and sulphurous acid
060102 hydrochloric acid
060103 hydrofluoric acid
060104 phosphoric and phosphorous acid
060105 nitric acid and nitrous acid
(060199 wastes not otherwise specified)
060201 calcium hydroxide
060202 soda
060203 ammonia
(060299 wastes not otherwise specified)
100109 sulphuric acid
110101 cyanidic (alkaline) wastes containing heavy metals other than chromium
110102 cyanidic (alkaline) wastes which do not contain heavy metals
110105 acidic pickling solutions
110106 acids not otherwise specified
110107 alkalis not otherwise specified
160606 electrolyte from batteries and accumulators

4. Hazardous saline wastes

060311 salts and solutions containing cyanides
060402 metallic salts
060403 wastes containing arsenic
060404 wastes containing mercury
060405 wastes containing heavy metals
090106 waste containing silver from on-site treatment of photographic waste
100403 calcium arsenate
100605 waste from electrolytic refining

- 110103 cyanide-free wastes containing chromium
- 110108 phosphatizing sludges
- 110202 sludges from zinc hydrometallurgy (including jarosite, gothite)
- 110301 wastes containing cyanide
- 110302 other wastes
- 190201 metal hydroxide sludges and other sludges from metal insolubilisation treatment
- 190807 solutions and sludges from regeneration of ion exchangers

5. Waste oils, oily wastes, brake fluids

- 050103 tank bottom sludges
- 050104 acid alkyl sludges
- 050105 oil spills
- 050804 aqueous liquid waste from oil regeneration
- 120106 waste machining oils containing halogens (not emulsioned)
- 120107 waste machining oils free of halogens (not emulsioned)
- 120108 waste machining emulsions containing halogens
- 120109 waste machining emulsions free of halogens
- 120110 synthetic machining oils
- 120111 machining sludges
- 120112 spent waxes and fats
- 130101 hydraulic oils, containing PCBs or PCTs
- 130102 other chlorinated oils (not emulsions)
- 130103 non-chlorinated oils (not emulsions)
- 130104 chlorinated emulsions
- 130105 non-chlorinated emulsions
- 130106 hydraulic oils containing mineral oil
- 130107 other hydraulic oils
- 130108 brake fluids
- 130201 chlorinated engine, gear and lubricating oils
- 130202 non-chlorinated engine, gear and lubricating oils
- 130203 other machine, gear and lubrication oils
- 130301 insulating or heat transmission oils and other liquids containing PCBs or PCTs
- 130302 other chlorinated insulating and heat transmission oils and other liquids
- 130303 non-chlorinated insulating and heat transmission oils and other liquids
- 130304 synthetic insulating and heat transmission oils and other liquids
- 130305 mineral insulating and heat transmission oils
- 130401 bilge oils from inland navigation
- 130402 bilge oils from jetty sewers
- 130403 bilge oils from other navigation
- 130501 oil/water separator solids
- 130502 oil/water separator sludges
- 130503 interceptor sludges
- 130504 desalter sludges or emulsions
- 130505 other emulsions
- 130601 oil waste not otherwise specified
- 160702 waste from marine transport tank cleaning, containing oil

- 160703 waste from railway and road transport tank cleaning, containing oil
- 160706 waste from storage tank cleaning, containing oil
- 190803 grease and oil mixture from oil/waste-water separation

6. Tar wastes

- 050107 acid tars
- 050108 other tars
- 050601 acid tars
- 050603 other tars
- 050802 acid tars
- 050803 other tars
- 100301 tars and other carbon-containing wastes from anode manufacture

7. Sludges containing hazardous substances

- 050701 sludges containing mercury
- 120302 steam degreasing wastes

8. Distillation and reaction residues

- 070107 halogenated still bottoms and reaction residues
- 070108 other still bottoms and reaction residues
- 070207 halogenated still bottoms and reaction residues
- 070208 other still bottoms and reaction residues
- 070307 halogenated still bottoms and reaction residues
- 070308 other still bottoms and reaction residues
- 070407 halogenated still bottoms and reaction residues
- 070408 other still bottoms and reaction residues
- 070507 halogenated still bottoms and reaction residues
- 070508 other still bottoms and reaction residues
- 070607 halogenated still bottoms and reaction residues
- 070608 other still bottoms and reaction residues
- 070707 halogenated still bottoms and reaction residues
- 070708 other still bottoms and reaction residues

9. Asbestos

- 060701 wastes containing asbestos from electrolysis
- 170601 insulation materials containing asbestos

10. Hazardous slags and ashes from thermal metallurgy

- 100303 aluminium skimmings
- 100304 primary smelting slags/white drosses
- 100308 salt slags from secondary smelting
- 100309 black drosses from secondary smelting
- 100310 waste from treatment of salt slags and black drosses treatment
- 100401 slags (1st and 2nd smelting)

- 100402 dross and skimmings (1st and 2nd smelting)
- 100501 slags (1st and 2nd smelting)
- 100502 dross and skimmings (1st and 2nd smelting)

11. Hazardous waste from industrial gas treatment

- 100104 oil fly ash
- 100404 flue gas dust
- 100406 solid waste from gas treatment
- 100407 sludges from gas treatment
- 100504 flue gas dust
- 100506 solid waste from gas treatment
- 100507 sludges from gas treatment
- 100603 flue gas dust
- 100606 solid waste from gas treatment
- 100607 sludges from gas treatment
- 190103 fly ash
- 190104 boiler dust
- 190106 aqueous liquid waste from gas treatment and other aqueous liquid wastes
- 190107 solid waste from gas treatment
- 190402 fly ash and other flue gas treatment wastes

12. Spent filtration materials containing hazardous substances / from treatment of hazardous substances

- 050401 spent filter clays
- 050801 spent filter clays
- 060702 activated carbon from chlorine production
- 061302 spent activated carbon
- 070109 halogenated filter cakes, spent absorbents
- 070110 other filter cakes, spent absorbents
- 070209 halogenated filter cakes, spent absorbents
- 070210 other filter cakes, spent absorbents
- 070309 halogenated filter cakes, spent absorbents
- 070310 other filter cakes, spent absorbents
- 070409 halogenated filter cakes, spent absorbents
- 070410 other filter cakes, spent absorbents
- 070509 halogenated filter cakes, spent absorbents
- 070510 other filter cakes, spent absorbents
- 070609 halogenated filter cakes, spent absorbents
- 070610 other filter cakes, spent absorbents
- 070709 halogenated filter cakes, spent absorbents
- 070710 other filter cakes, spent absorbents
- 190105 filter cake from gas treatment
- 190110 spent activated carbon from flue gas treatment
- 190806 saturated or spent ion exchange resins

13. Waste batteries and accumulators

- 160601 lead batteries
- 160602 Ni-Cd batteries
- 160603 mercury dry cells

14. Discarded equipment containing hazardous substances

- 160201 transformers and capacitors containing PCBs and PCTs
- 200121 fluorescent tubes and other mercury containing waste

15. Infectious waste

- 180103 other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection
- 180202 other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection

16. Other hazardous wastes

- 100307 spent pot lining
- 160401 waste ammunition
- 160402 fireworks waste
- 160403 other waste explosives
- 190403 non-vitrified solid phase

17. Possible new additional hazardous wastes after the HWL is amended

- Contaminated soils
- Catalytic wastes

