



CEMR Comments on the working document on sludge and biowaste

Preliminary remarks

1. CEMR welcomes the Commission's Working document on sludge and biowaste. We believe that it provides a good overview of the background issues, while presenting in a clear and concise way the questions that need to be discussed.
2. CEMR believes that the future legislation on sludge and biowaste needs to be based on a balanced approach to Soil policy and Waste management. There is a need for a proper balance between the need to dispose of biowaste and strategic soil interests. Any proposal to expand the use of sludge and biowaste needs to be commensurate to local demand and the requirements of the 'proximity principle'.
3. The financial and economic dimensions of the management of sludge and biowaste need to be understood. The processes of converting sludge and biowaste into a product acceptable for use are expensive. On the other hand the final product is generally low-value and expensive to transport.

Revision of the sewage sludge directive

4. CEMR agrees with the Commission's proposal to define the concept of 'sludge' and to extend the scope of the directive to cover sludge other than urban waste water (e.g. industrial sludges).
5. We consider it reasonable that the scope of the Directive should be extended to cover non-agricultural land. However, the threshold values for the different substances (heavy metals and organic compounds) contained in the sludge should vary according to where the sludge is used (e.g. limit values should be more strict for children's play areas) and according to the heavy metal concentration and organic composition of the soil where the sludge is spread. We welcome the proposal to prohibit the use of sludge in natural forests.
6. We also consider it reasonable that the revision should be in line with the nitrates directive so as to limit the maximum amount of nitrogen that can be applied to land in specific areas.
7. We believe that the directive should focus on standards for the end product (i.e. the output) rather than regulating the input and the process. The benefits of advanced versus conventional treatment should be carefully considered, particularly as regards organic compounds, before setting out varying standards for these treatment processes.
8. We generally welcome the long-term objective of making 75% of urban sludge in principle suitable for landspreading, but caution that this objective must not lead to an increase in the concentrations of undesirable substances in soil. In practice such an objective will be difficult to achieve. In this context, we believe that a classification system for contaminated land

should be drawn up in conjunction with the drafting of the directive, so as to ensure that the spreading of sludge on land does not result in an increase in the concentration levels of heavy metals.

9. We very much welcome the Commission's proposal that Member States should be free to restrict the rules regarding the landspreading of sludge, including the prohibition of landspreading on certain types of soils or land uses

Directive on the management of biowaste

10. We welcome the proposal to promote and actively encourage home and community composting. Such initiatives must however stem from local needs and conditions.

11. CEMR does not believe that an obligation should be imposed on all Member States to set up separate collection schemes for biowaste. It should be left up to local authorities to decide whether to set up such schemes based on the local conditions and needs. Furthermore we believe that the diversion targets of the Landfill Directive are sufficient, and that the biowaste directive should not introduce new targets in this regard.

12. CEMR agrees with the Commission that for finished compost to be marketed as a product it should originate from source separated biodegradable waste.

13. We however contend that product standards are the best way to drive forward the market for compost in preference to treatment process requirements (technical requirements of composting and digestion). We therefore believe that the focus of the directive needs to be on setting criteria for the final product, which can be applied according to use. In this way, the different circumstances within the Member States can best be considered and there will be room for innovative solutions. We believe that such an approach focusing on product standards is sufficient to drive the market for quality compost without the need for mandatory separate collection.

14. As is proposed in the working document, the Waste Directive should not cover the use of compost.

15. We agree with the Commission that, at this stage, stabilised biowaste produced from mechanical/biological treatment (MBT) should not be called 'compost' and that it should not be applied to land where food and feed crops are cultivated. We believe that this is the most prudent course of action to take, in view of the environmental risks and limited uses identified so far related to the use of stabilised biowaste, until it can be proved that quality compost can be achieved from MBT.

16. We are also of the view that the landfilling of stabilised biowaste meeting the relevant standards should not count as biodegradable waste within the meaning of Article 5 of the Landfill Directive and should therefore count towards achieving the targets set out therein.

17. As with our above comments on sludge, we believe that the threshold values for the different substances (heavy metals and organic compounds) contained in stabilised biowaste should vary according to where the biowaste is used and according to the heavy metal concentration and organic composition of the soil where the biowaste is spread.

Further issues

18. The forthcoming directives on Sewage Sludge and Biodegradable Waste should not prevent or hinder the combined processing of sewage sludge and biowaste if it is considered justified at the local level and the final product meets the set requirements, and in particular

that attention is paid to the impact on soil of the total amount of nitrate and phosphate in the final product.

19. We welcome a standardisation of the sampling and analysis of sewage sludge and biowaste. Monitoring requirements should not be excessive, but should meet the needs of the different Member States.

SUMMARY

CEMR supports legislation on sewage sludge and biowaste that:

Is based on a balanced approach to soil policy and waste management.

Promotes a market driven approach viewing waste as a resource.

Supports the development of quality compost, from source separated material, to ensure credible markets can be developed.

Focuses on product standards for sludge and biowaste rather than treatment requirements
Establishes rigorous standards for MBT -products', and clarity about the uses to which they can be put.

Does not impose mandatory separate collection or additional recycling targets at EU level
Leaves a large degree of flexibility to Member States.