



EUROPOL 2ND EU CONFERENCE ON METAL THEFT ...THE ENVIRONMENTAL ASPECT...

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BIR – REPRESENTING THE FUTURE LEADING RAW MATERIAL SUPPLIERS

DIRECTIVES

DIRECTIVE 2008/98/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 19 November 2008
on waste and repealing certain Directives
(Text with EEA relevance)

CHAPTER IV

PERMITS AND REGISTRATIONS

*Article 23***Issue of permits**

1. Member States shall require any establishment or undertaking intending to carry out waste treatment to obtain a permit from the competent authority.

*Article 24***Exemptions from permit requirements**

Member States may exempt from the requirement laid down in Article 23(1) establishments or undertakings for the following operations:

*Article 25***Conditions for exemptions**

1. Where a Member State wishes to allow exemptions, as provided for in Article 24, it shall

Article 26

Registration

Where the following are not subject to permit requirements, Member States shall ensure that the competent authority keeps a register of:

- (a) establishments or undertakings which collect or transport waste on a professional basis;
- (b) dealers or brokers; and
- (c) establishments or undertakings which are subject to exemptions from the permit requirements pursuant to Article 24.

A SMALL SIZED FACILITY



In the EU the collection; sorting and processing of scrap including consumption in metal-works (smelters and refineries) and foundries are fully regulated legitimate activities

A MEDIUM SIZED SCRAP PROCESSOR



In the EU the collection; sorting and processing of scrap including consumption in metal-works (smelters and refineries) and foundries are fully regulated legitimate activities

A LARGE SIZED SCRAP PROCESSOR

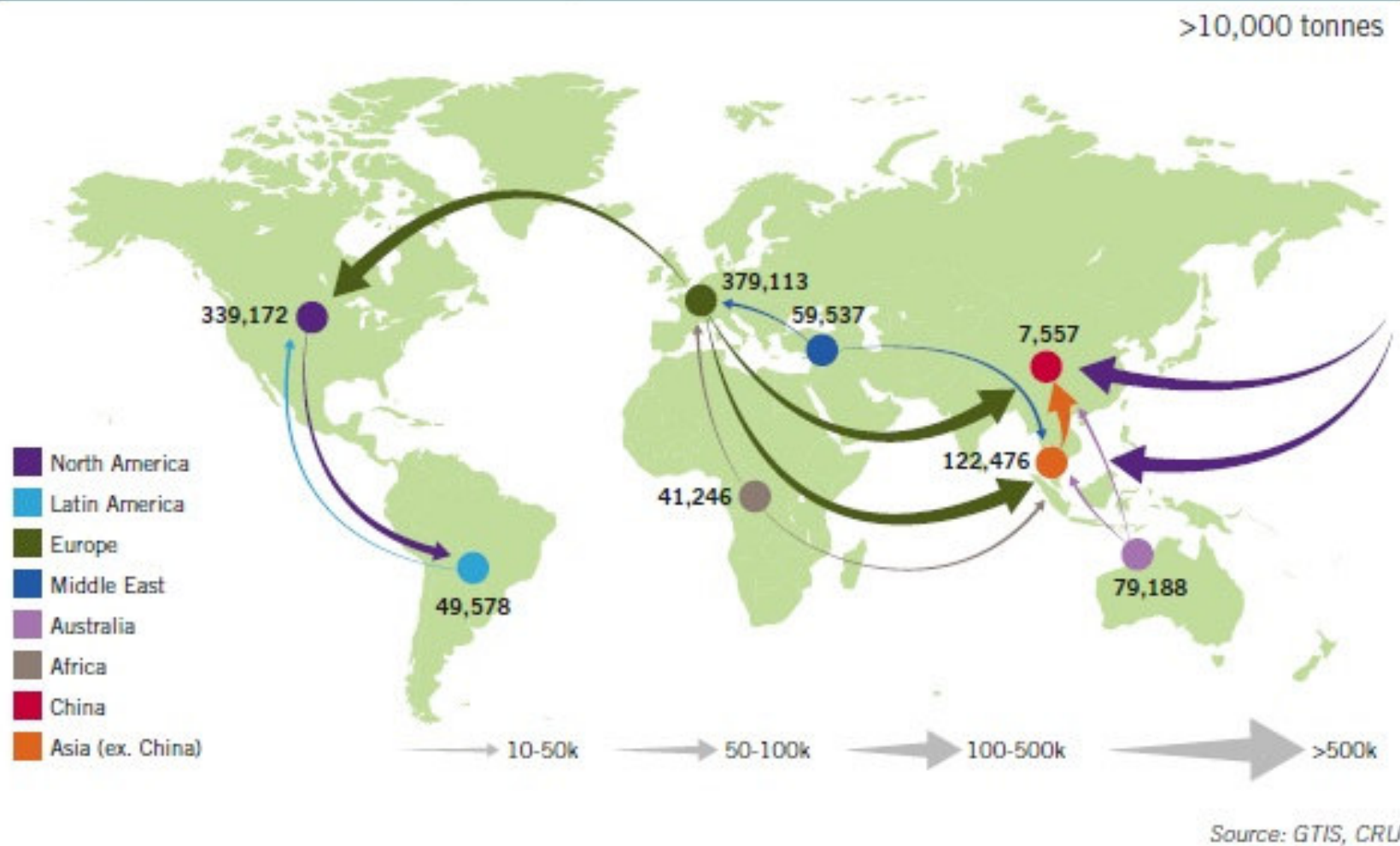


In the EU the collection; sorting and processing of scrap including consumption in metal-works (smelters and refineries) and foundries are fully regulated legitimate activities

ILLEGAL SCRAP YARDS?

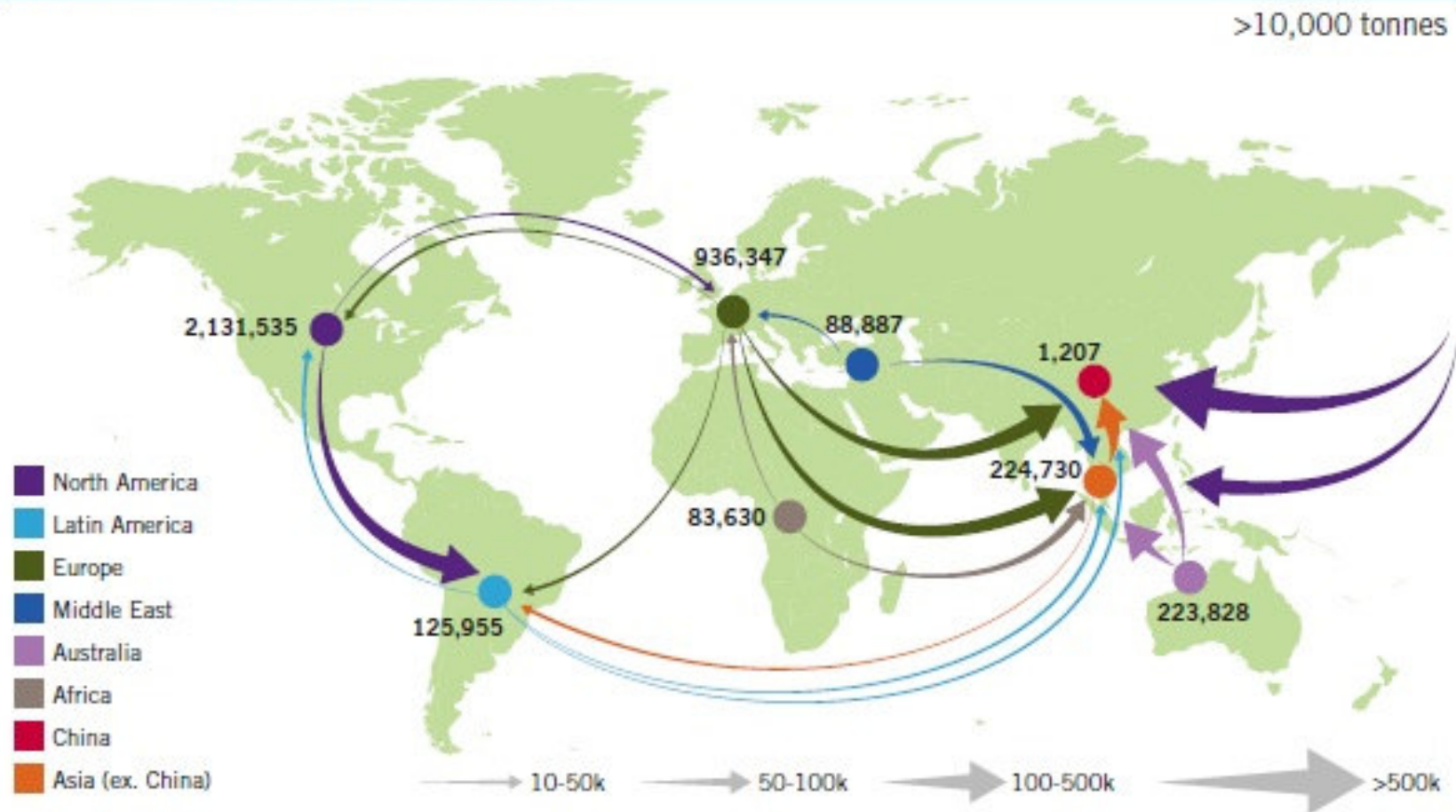


MAJOR GLOBAL ALUMINIUM SCRAP TRADE FLOWS – 2000 WITH ANNUAL EXPORTS SHOWN (TONNES)⁴



The international trade in metal scrap and waste is regulated inter alia through UN rules, OECD rules, EU rules and national laws

MAJOR GLOBAL ALUMINIUM SCRAP TRADE FLOWS – 2011 WITH ANNUAL EXPORTS SHOWN (TONNES)⁶



Source: GTIS, CRU

The international trade in metal scrap and waste is regulated inter alia through UN rules, OECD rules, EU rules and national laws

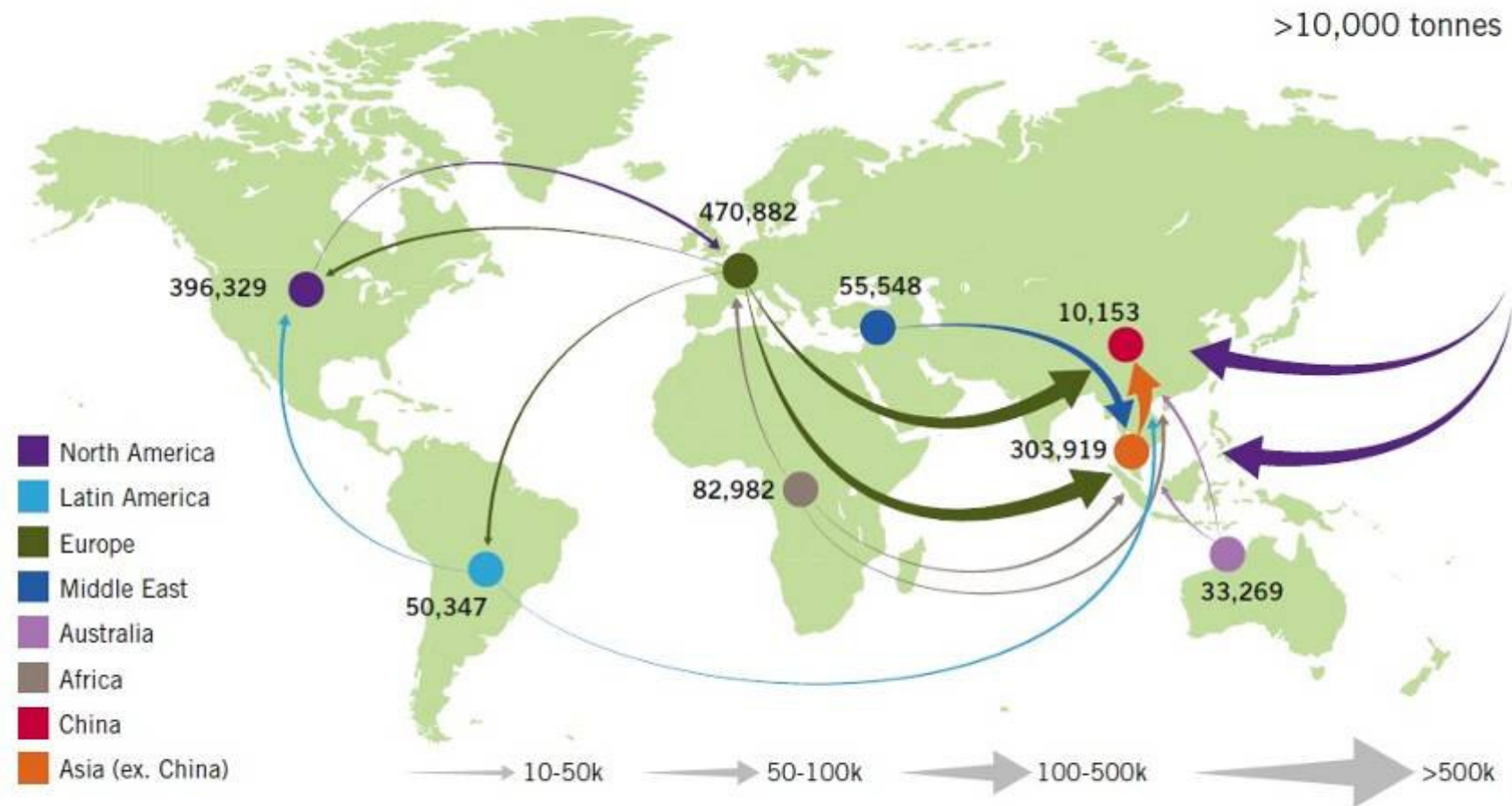
Countries and their numbers of Secondary Aluminium Smelters

KEY OF CONTROL SYSTEMS INTRA-OECD & FOR EXPORT FROM EU OF WASTE & SCRAP OF ALUMINIUM:

- Intra-OECD - Normal Commercial Transactions [Intra-EU with Annex VII]
- EU Export - Normal Commercial Transactions
- EU Export – Prior Informed Consent
- EU Export – Banned

327 Intra-OECD - Normal Commercial Transactions [Intra-EU with Annex VII] 185 EU Export - Normal Commercial Transactions 24 EU Export – Prior Informed Consent 1 EU Export – Banned

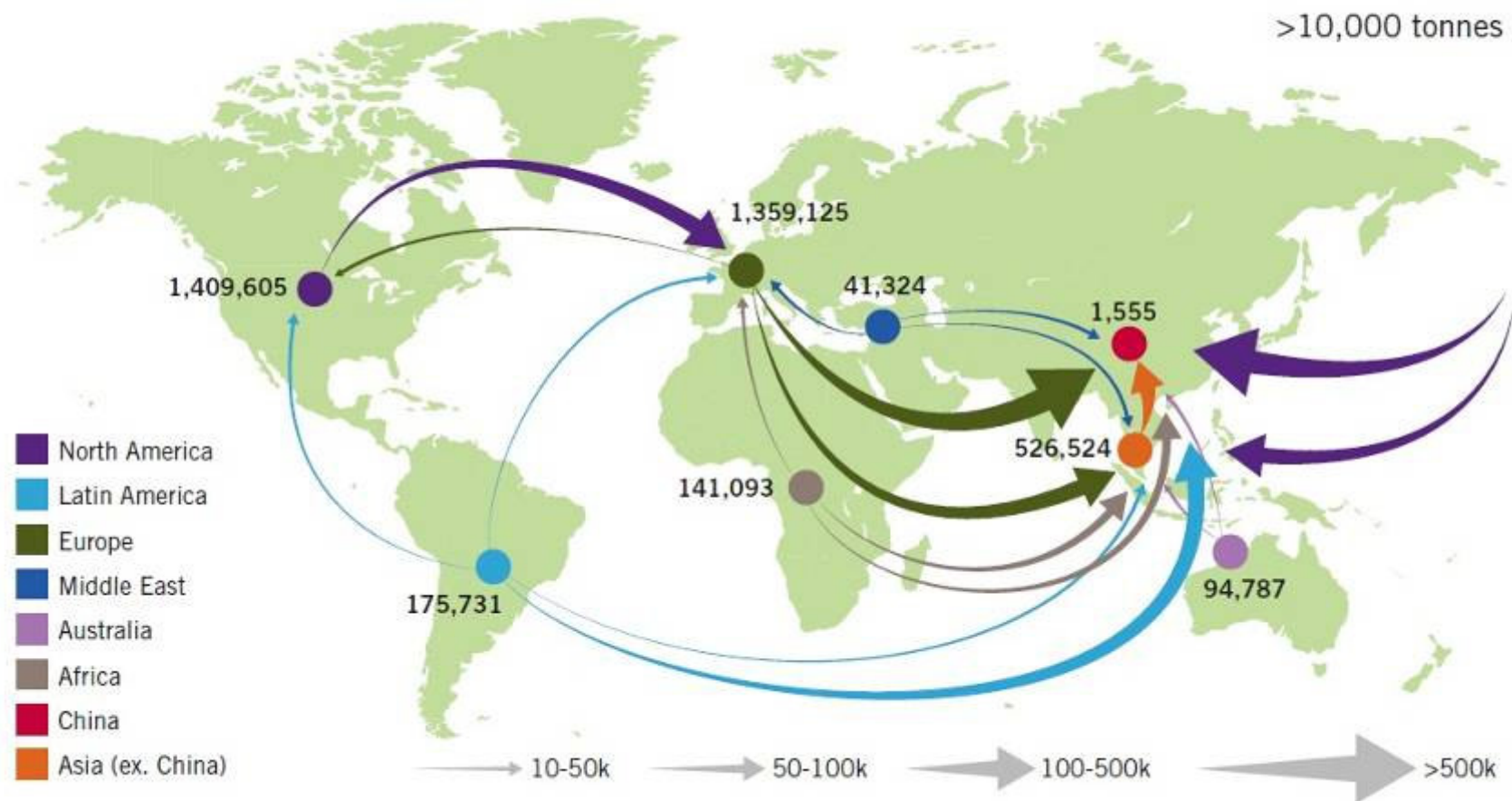
MAJOR GLOBAL COPPER SCRAP TRADE FLOWS – 2000 WITH ANNUAL EXPORTS SHOWN (TONNES)



Source: GTIS, CRU

The international trade in metal scrap and waste is regulated inter alia through UN rules, OECD rules, EU rules and national laws

MAJOR GLOBAL COPPER SCRAP TRADE FLOWS – 2011 WITH ANNUAL EXPORTS SHOWN (TONNES)



Source: GTIS, CRU

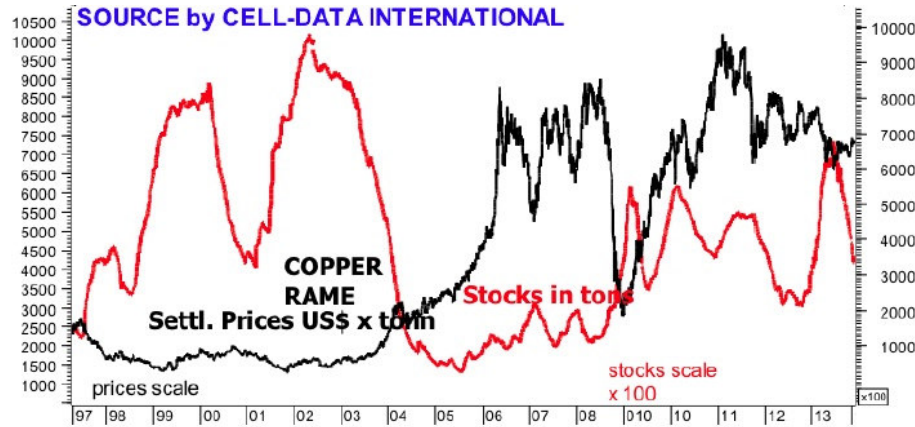
The international trade in metal scrap and waste is regulated inter alia through UN rules, OECD rules, EU rules and national laws

METAL WORKS (REFINERS / SMELTERS) – VS. - FOUNDRIES

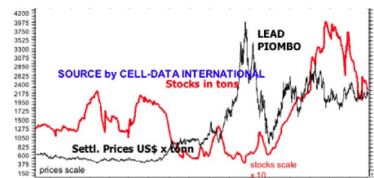
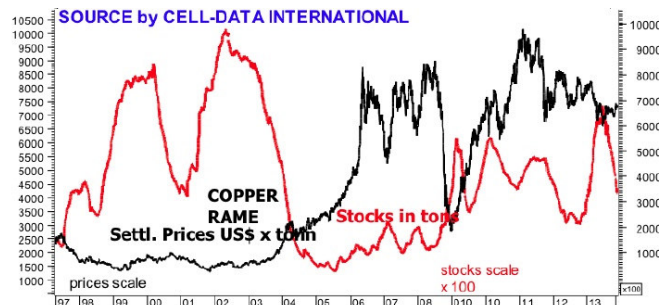


**In the EU the collection;
sorting and processing
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regulated legitimate
activities**

THE MARKETS



THE MARKETS



Waste Framework
Directive
(Includes Municipal and Construction
Demolition waste)

Obligatory Targets
for Recycling

Waste Shipment
Regulation

Incineration
Directive

Landfill
Directive

Industrial
Emissions
Directive

Extended Producer Responsibility

Packaging &
Packaging Waste

Obligatory
Targets for
Recycling

Batteries &
Accumulators

Obligatory
Targets for
Recycling

WEEE &
RoHS

Obligatory
Targets for
Recycling

End-of-Life
Vehicles

Obligatory
Targets for
Recycling

...

...

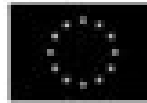
Thematic Strategy on Waste
Prevention & Recycling

REVIEW in 2014

VAT Fraud

Metal Theft

Radioactivity



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 26 November 2008

16340/08

ENV 889

NOTE

from :	General Secretariat
to :	Delegations
Subject :	Waste – The fall in demand for recycle materials

What happens
when obligatory
recycling targets
meet a market
reality

Delegations will find annexed a note from the Irish delegation on the above subject, which will be dealt with under "other business" at the meeting of the Council (Environment) on 4 and 5 December 2008.



EUROPEAN PARLIAMENT

2009 - 2014

Committee on the Environment, Public Health and Food Safety

2013/0239(COD)

14.11.2013

***I

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council
amending Regulation (EC) No 1013/2006 on shipment of waste
(COM(2013)0516 – C7-0217/2013 – 2013/0239(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Bart Staes

**ENVI. VOTED 22 JAN
2014**

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PE522.903v03-00

EN

United in diversity

EN

Amendment 1

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste¹³ lays down requirements for shipments of waste both within the Union and between the Member States and third countries, in order to protect the environment. *However*, gaps have been identified in the enforcement and inspections carried out by the authorities in Member States due to, inter alia, a lack of clear provisions in the Regulation on these matters.

¹³ OJ L 190, 12.7.2006, p.1

ENVI. COMPROMISE AMENDMENTS

Amendment

(1) Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste¹³ lays down requirements for shipments of waste both within the Union and between the Member States and third countries, in order to protect the environment. *Whereas co-ordinated inspections in Member States between 2003 and 2010 have found between 20 % and 51 % of inspected waste shipments to be illegal, significant divergences and* gaps have been identified in the enforcement and inspections carried out by the *relevant* authorities in Member States due to, inter alia, a lack of clear provisions *and concrete obligations* in the Regulation on these matters.

¹³ OJ L 190, 12.7.2006, p.1

Or. en

Justification

It is important to refer to the very high degree of illegal shipments that has been found consistently over the last years so as to highlight the need for legislative changes.

Amendment 2 – Inspection plans

Consolidated amendment replacing Amendments 14-20, 55-68, 70, 71, 72 first part, 73, 74

Karl Heinz Florenz

on behalf of the PPE Group

Marusya Lyubcheva

on behalf of the S&D Group

Gerben-Jan Gerbrandy

on behalf of the ALDE Group

Bart Staes

on behalf of the Verts/ALE Group

Sabine Wils

on behalf of the GUE/NGL Group

ENVI. COMPROMISE AMENDMENTS

Proposal for a regulation

Article 1 – point 3 – point b

Regulation (EC) No 1013/2006

Article 50 – paragraph 2a

Text proposed by the Commission

'2a. Member States shall *ensure that their competent authorities* establish plans for inspections aimed at checking compliance with this Regulation. The plans shall cover the entire geographical *area* of the Member State concerned and shall apply to *all waste shipment* inspections carried out pursuant to paragraph 2, *including inspections of establishments and undertakings road and railway*

Amendment

'2a. Member States shall establish plans for inspections aimed at checking compliance with this Regulation. The plans shall cover the entire geographical *territory* of the Member State concerned and shall apply to inspections carried out pursuant to paragraph 2. Those plans shall include the following:

inspections of establishments and undertakings, road- and railway transports and consignments in ports.

Those plans shall include the following:

(a) strategy and objectives for waste shipment inspections referring to the necessary human, financial and other resources;

(b) a risk assessment covering specific waste streams and sources of illegal shipments, and *considering* intelligence-based data, such as police investigations and analyses of criminal activities;

(c) priorities and a description of how these priorities have been selected based on the strategies, objectives and risk assessment;

(d) information on the numbers and types of planned inspections concerning waste sites, road and railway transports and consignments in ports;

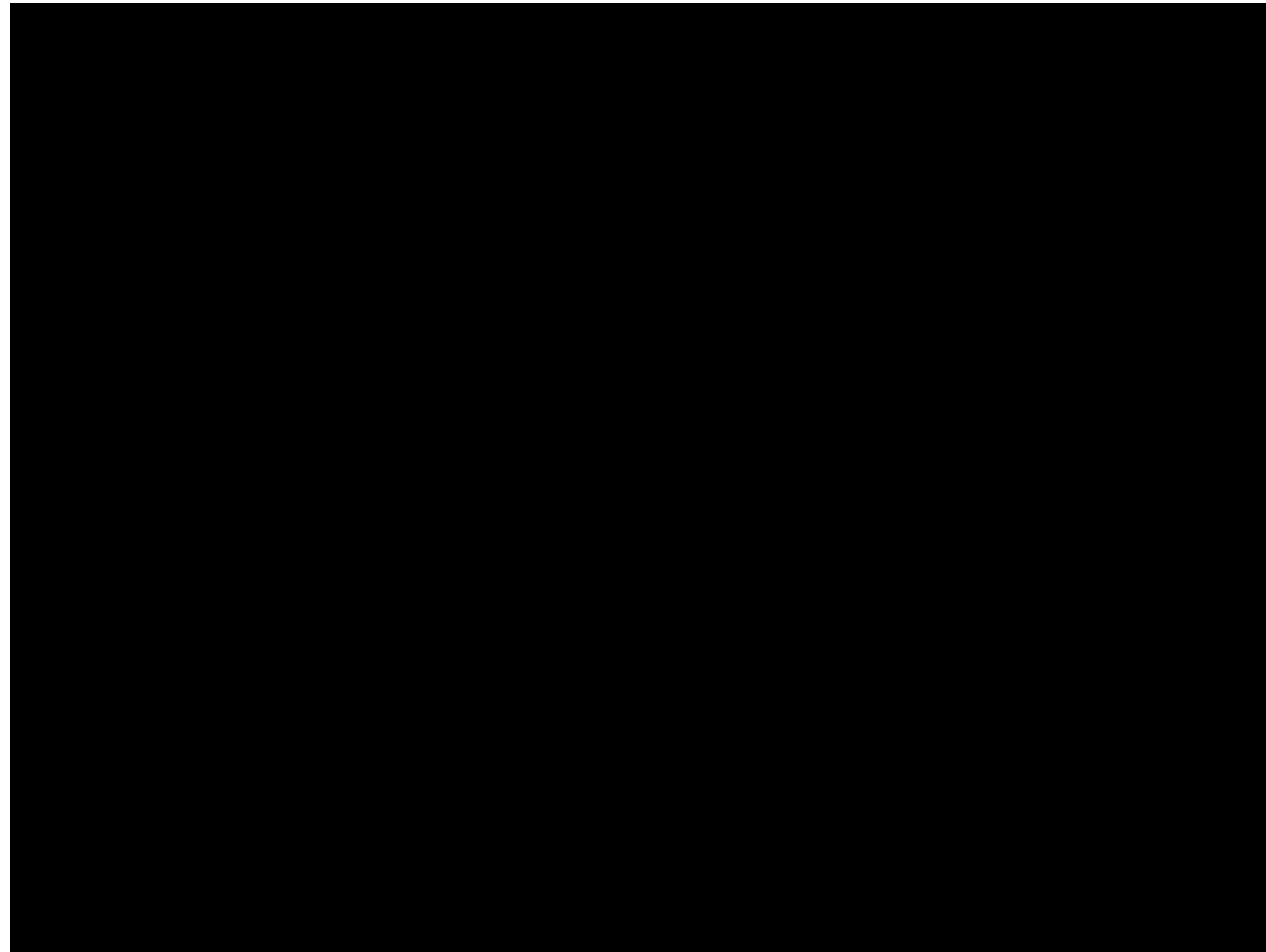
(a) strategy and objectives for waste shipment inspections referring to the necessary human, financial and other resources;

(b) a risk assessment covering specific waste streams and sources of illegal shipments, and, *where relevant, taking into account* intelligence-based data such as police investigations and analyses of criminal activities. *Details of the risk assessment shall be presented in such a way as to avoid compromising the sources of intelligence-based data.*

(c) priorities and a description of how these priorities have been selected based on the strategies, objectives and risk assessment;

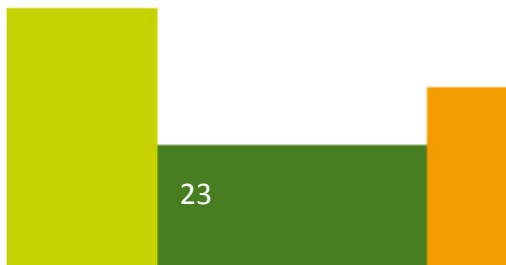
(d) information on the numbers and types of planned inspections concerning *establishments, undertakings, brokers and dealers in accordance with Article 34 of Directive 2008/98/EC*, waste sites, road, air, waterway and railway transports and consignments in ports, *including the number of planned physical checks of*

17 APRIL 2014 – EUROPARL, STRASBOURG



In the EU the collection; sorting and processing of scrap including consumption in metal-works (smelters and refineries) and foundries are fully regulated legitimate activities

The recycling industries expect the comprehensive EU laws to be fully enforced.





Laws are expected to provide a “level playing field”