

# New waste directive & soil

- New waste directive will enter into force this year.
  - National implementation before end of 2010
- According to Article 2 (*Scope*) para 1 subpara (b) unexcavated contaminated soil is excluded from the scope of WFD.
  - That's fine.
- According to the subpara (c) uncontaminated soil excavated in the course of construction activities where it is certain that the material will be used for the purpose of construction in its natural state on the site which it was excavated is also excluded from the scope.
  - This is fine too.
  - BUT what if it is reused somewhere else?
    - It is either waste - permit / notification needed for the reuse
    - Or not - if no waste status

# Waste status

- According to the recital 9 the waste status of uncontaminated soils which are used on sites other to than the one from which they were excavated should be considered according to the **waste definition** and the **provisions on by-products** or on **the end of waste status** under WFD.
- How do you think this will be interpreted in your country?
  - Will there be changes for recent practices?
- Is there a danger that this will lead to unwanted harmonization of uncontaminated soil using comitology procedures (by-products/end of waste)?

# Directive on wastes from extractive industry – inert waste

- Directive on the management of waste from extractive industry (2006/21/EC)
  - Criteria for "inert waste" will be given in comitology procedure (TAC-committee)
- Draft proposal for the criteria
  - One part of the criteria: **National treshhold values for defining uncontaminated soil / national background values!!**