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From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 24 September 2018

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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Subject: COMMISSION STAFF WORKING DOCUMENT  
The early warning report for Bulgaria  
*Accompanying the document*  
REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT,  
THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS on the  
implementation of EU waste legislation, including the early warning report  
for Member States at risk of missing the preparation for re-use/recycling  
target on municipal waste

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Delegations will find attached document SWD(2018) 413 final.

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## COMMISSION STAFF WORKING DOCUMENT

### The early warning report for Bulgaria

#### *Accompanying the document*

### REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

#### on the implementation of EU waste legislation, including the early warning report for Member States at risk of missing the preparation for re-use/recycling target on municipal waste

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## 1. Introduction

This early warning report is part of the Commission's overall implementation report and aims to assist Member States at risk of failing to meet the 2020 target of 50 % preparation for re-use/recycling of municipal waste set out in Article 11(2)(a) of Directive 2008/98/EC. It builds on previous support provided by the Commission to help Member States comply<sup>1</sup> with EU law in the area of municipal waste management. This resulted in country-specific roadmaps<sup>2</sup> being drawn up for the relevant Member States.

The assessment underpinning the early warning report is based on a collaborative and transparent process involving the Member States concerned and an in-depth analysis of their most recent policy developments. This also involved extensive consultation with the authorities in charge of waste management.

The possible actions identified during this process are based on the existing best practices and aim to help Member States in meeting the 2020 municipal waste preparation for re-use/recycling; they therefore focus on policy measures that can be taken forward in the short term. These actions should be seen as complementary to those recommended in the roadmaps that were drawn up as part of the preceding compliance promotion activities and to the recommendations made in the Environmental Implementation Review<sup>3</sup>.

## 2. Key findings of the early warning report for Bulgaria

In 2016, Bulgaria's municipal waste recycling rate (including composting) reported to Eurostat was 32 % while the landfilling rate was at 64 %. Based on an analysis of existing and firmly planned policies in the area of waste management, Bulgaria is considered at risk of missing the 2020 target of 50 % preparation for re-use/recycling of municipal waste.

The assessment<sup>4</sup> that underpins the early warning report concludes that the separate collection of recyclables, including bio-waste, is not yet being carried out effectively, that economic incentives for citizens to separate waste are missing and that the Extended Producer Responsibility schemes in Bulgaria do not fully cover the costs of separate collection. In addition, more investment is needed in projects higher up the waste hierarchy (e.g. recycling) that go beyond treatment of residual waste.

The table below lists possible actions to support Bulgaria's efforts to improve its performance in waste management.

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<sup>1</sup> [http://ec.europa.eu/environment/waste/framework/support\\_implementation\\_1st\\_phase.htm](http://ec.europa.eu/environment/waste/framework/support_implementation_1st_phase.htm)

<sup>2</sup> Roadmap for Bulgaria: [http://ec.europa.eu/environment/waste/framework/pdf/BG\\_Roadmap\\_FINAL.pdf](http://ec.europa.eu/environment/waste/framework/pdf/BG_Roadmap_FINAL.pdf)

<sup>3</sup> [http://ec.europa.eu/environment/eir/country-reports/index2\\_en.htm](http://ec.europa.eu/environment/eir/country-reports/index2_en.htm)

<sup>4</sup> Eunomia Research & Consulting et al. (2018), 'Study to identify Member States at risk of non-compliance with the 2020 target of the Waste Framework Directive and to follow-up phase 1 and 2 of the compliance promotion exercise. The early warning report: Bulgaria.'

## OVERVIEW OF POSSIBLE ACTIONS TO IMPROVE PERFORMANCE

### Extended Producer Responsibility for packaging

- 1) Audits of the data reported by producers or Producer Responsibility Organisations (PROs) on amounts of packaging waste placed on the market, to ensure that it is in line with the data on municipal waste.
- 2) Consider the following alternative options when reviewing the Packaging and Packaging Waste Ordinance:
  - a. re-specify the minimum collection service that PROs are required to provide so that there is a focus on door-to-door collection where this is appropriate; or
  - b. limit the number of PROs dealing with each municipality to only one organisation and entitle the municipalities, which are effectively responsible for compliance with the recycling targets, to procure collection services (funded by the PRO) of a minimum standard required to comply.
- 3) Enforcement of the obligation for the producers to comply with the specific packaging recycling targets by imposing appropriate sanctions.

### Separate collection of bio-waste

- 4) Review of the existing plans on collection and treatment of bio-waste in terms of their assumptions regarding the approach to collection, the capture of material, and the choice of bio-waste treatment, to ensure that they are both reasonable and internally consistent.
- 5) Development of national waste collection guidance for municipalities in the form of minimum service standards (to complement action 2). These standards could for example specify the type and volume of containers, the frequency of collection and the type of vehicle used, taking into account the type of housing stock, how rural the area is, typical climate, etc.
- 6) Roll-out of collection services to those types of premises / municipalities where the yield is likely to be highest.
- 7) Establishment of a quality assurance mechanism to assure the quality of compost or digestate derived from waste.
- 8) In the longer term, modification of the wording of the targets for bio-waste separate collection and recovery in the Waste Management Act so that they do not refer to a fixed amount of bio-waste from 2014. This approach tends to hinder bio-waste prevention, especially if decreases in waste generation can also be linked to other factors, such as decline in population.

### Separate collection – civic amenity sites

- 9) Setting minimum criteria on density of civic amenity sites (i.e. container parks, household waste recycling centres) to ensure sites are located within reasonable distance to citizens, increasing convenience and the likelihood of them being used.

**10)** Establishing key design principles of civic amenity sites, including:

- a.** integration of re-use centres;
- b.** layout of facilities; and
- c.** rationale for high levels of staffing.

**11)** Those sites could first be established in those municipalities where the collection service is most advanced (i.e. for example, where door-to-door separate collection is becoming well established) to maximise the likely effectiveness of these sites. This would also allow 'best practices' to be identified and used as a model for other municipalities.

### **Economic incentives**

**12)** Implementation of relevant changes to the Local Taxes and Fees Act so that Pay-As-You-Throw schemes can be implemented.

**13)** Roll out of pay-as-you-throw schemes first by municipalities where separate collection services of a minimum standard have been implemented (see action 6).

**14)** Effective sanctions for PROs (as per action 3) and for municipalities which fail to meet the targets, under an amendment to Section II of the Waste Management Act to provide a strong incentive to meet targets.

### **Communications and awareness raising**

**15)** Development of a set of national communications materials addressed to the public for use at local level, with clear and consistent messages, and with particular focus on bio-waste. These materials should be used as part of awareness-raising campaigns, in leaflets and at civic amenity sites.

### **Technical support to municipalities**

**16)** Development of a system at national level that provides technical support for municipalities, specifically in the following areas:

- a.** choosing collection services;
- b.** service procurement;
- c.** service management;
- d.** communication campaigns;

coupled with active sharing of good ideas and practices that can improve efficiency in terms of cost reduction and improvement in performance.

### **Efficient spending**

**17)** Review the funding needed to achieve the 50 % target, away from spending on treatment of mixed waste towards separate collection, sorting and recycling infrastructure.