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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 Estonia <i>Accompanying the document</i> 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 2020 preparation for re- use/recycling target on municipal waste
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Delegations will find attached document SWD(2018) 416 final.

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COMMISSION STAFF WORKING DOCUMENT

The early warning report for Estonia

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 2020 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 comply¹ with EU law in the area of municipal waste management. This resulted in country-specific roadmaps² 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 Review³.

2. Key findings

In 2016, Estonia's municipal waste recycling rate (including composting) reported to Eurostat was 28 %, while its landfilling rate was 10 %. Based on an analysis of existing and firmly planned policies in the area of waste management, Estonia is considered at risk of missing the 2020 target of 50 % preparation for re-use/recycling of municipal waste.

The assessment⁴ that underpins the early warning report concludes that there are some structural problems in Estonia leading to slow progress in recycling. These structural problems include regulatory barriers that cause uncertainty (for example, the fact that municipalities can choose between tendering for the market and competition in the market) and the lack of effective instruments in place to force municipalities to comply with the recycling targets. Separate collection is not yet being carried out efficiently, the extended producer responsibility (EPR) schemes for packaging are not sufficiently integrated with municipal collection services, and there are insufficient incentives for households to separate waste. Moreover, there is no incineration tax to shift waste disposal towards recycling.

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

¹ http://ec.europa.eu/environment/waste/framework/support_implementation_1st_phase.htm

² Roadmap for Estonia: http://ec.europa.eu/environment/waste/framework/pdf/EE_Roadmap_FINAL.pdf

³ http://ec.europa.eu/environment/eir/country-reports/index2_en.htm

⁴ 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: Estonia.'

OVERVIEW OF POSSIBLE ACTIONS TO IMPROVE PERFORMANCE

Economic incentives

- 1) Setting mandatory targets at municipal level either for recycling or potentially for residual waste (depending on the availability of data) with financial penalties for municipalities that fail to meet the targets.
- 2) Removing regulatory uncertainty around the potential ways in which municipalities can operate waste services. This would help the municipalities implement waste recycling targets. Different solutions will be required in the 'free market' approach where households can choose the waste collection company, and in the 'tender-based' approach where all households within one municipality are served by one contractor selected via tender.
- 3) Implementation of a residual waste tax to increase costs of disposal and provide a clear economic incentive to introduce recycling services. The tax should include landfill, incineration and any other mixed waste treatment activity in order to support re-use, preparation for re-use, recycling and composting of separately collected bio-waste.

Extended producer responsibility

- 4) Clear distribution of responsibilities for the management of packaging waste between municipalities and producer responsibility organisations (PROs). The contractual arrangements between them should allow the municipalities to influence decisions regarding the packaging collection systems' performance (which is the responsibility of the PROs).
- 5) Ensuring the fees paid by producers cover the full cost of collection of packaging waste. This will provide the price signal to those running the collection service to increase recycling performance, and thus avoid taxes on residual waste (implemented in line with action 3).

Separate collection

- 6) Further implementation of pay-as-you-throw through national legislation. Research studies and trials should be carried out to ensure the most effective schemes are designed and operated.
- 7) Development of national minimum service standards for waste collection to specify, for example, the type and volume of containers, frequency of collection and type of vehicle used, taking into account the type of housing stock, how rural the area is, typical climate, etc.
- 8) Setting up civic amenity sites (using national/EU funds), starting in municipalities where the collection service is most advanced (for example, where door-to-door separate collection is becoming well established) to maximise the likely effectiveness of the sites. This would also allow best practices to be identified and used as a model for other municipalities.

Communication and awareness-raising programmes

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

Technical support to municipalities

- 10) 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.