

Waste-to-Energy

Residues from incineration of non-recyclable waste

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Communication on the role of waste-to-energy in the Circular Economy, COM(2017)34

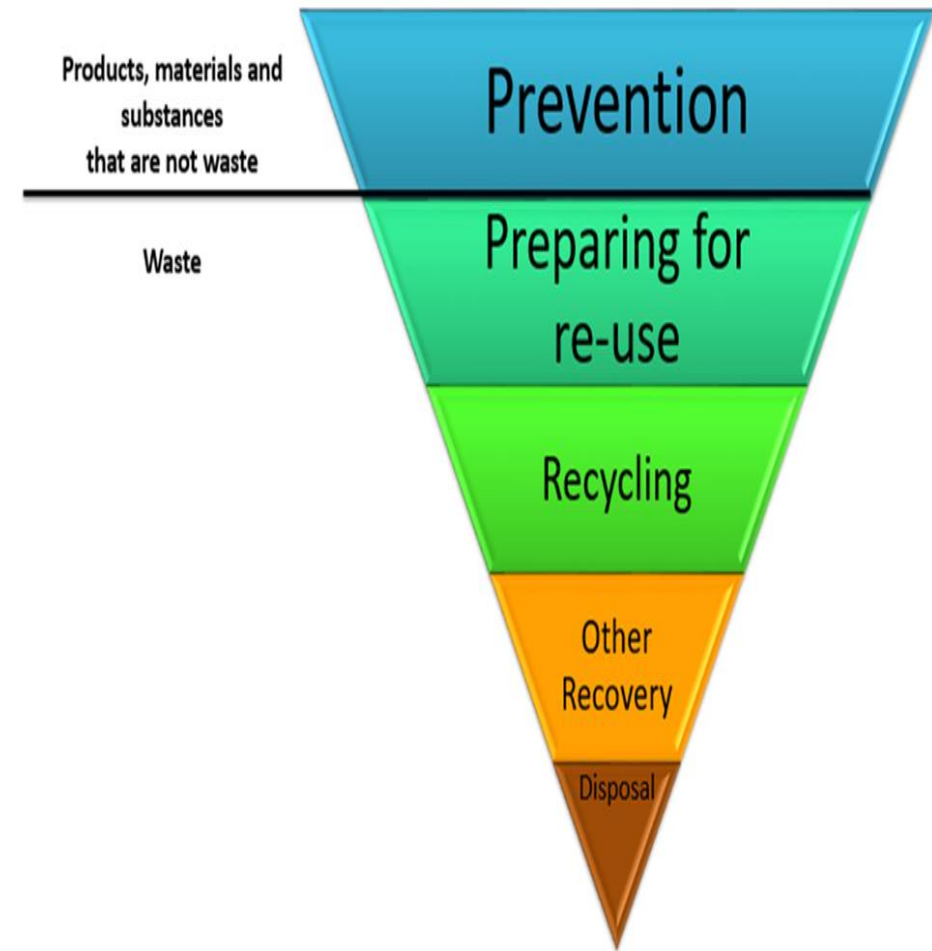
- **Objective:** Ensure that the recovery of energy from waste in the EU supports the objectives of the circular economy action plan and is firmly guided by the EU waste hierarchy.
- **Waste-to-energy processes** can play a role in the transition to a circular economy provided that the EU waste hierarchy is used as a guiding principle and that choices made do not prevent higher levels of prevention, reuse and recycling.

The Waste hierarchy – Article 4 of the Waste framework directive

- **Focus on prevention, preparing for re-use and recycling** as set out by the European Green Deal, Circular Economy Action plan.
- **Incineration with energy recovery** is higher placed in the waste hierarchy than disposal operations such as incineration without energy recovery and landfilling

⇒ weak points:

- **energy efficiency** in Annex II R1 WFD
- ensuring that only truly **non-recyclable waste goes into WtE**



R1 – Energy efficiency formula

- Condition of any permit covering incineration or co-incineration with energy recovery: The recovery of energy shall take place with a high level of energy efficiency - Art. 23(4) Waste Framework Directive
- R 1: ‘Use principally as a fuel or other means to generate energy’
Energy efficiency formula – Footnote to Annex II, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02008L0098-20180705>

Art. 48(1) of the upcoming PPWR

- Packaging that complies with design for recycling criteria ... **shall be collected for recycling.**
- **Incineration and landfill** of such packaging shall be **prohibited**, with the exception of waste resulting from subsequent treatment operations of separately collected packaging waste for which recycling is not feasible or does not deliver the best environmental outcome.

Compliance with EU legal requirements

The authorisation of new incineration projects needs to comply with EU legal requirements for the protection of environment and health:

- Directive 2010/75/EU on industrial emissions, amended by Directive 2024/1785 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02010L0075-20240804>
- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02011L0092-20140515>.

Residues from from non-hazardous waste incineration

- Environmental Delegated Act (**Sustainable finance framework**) recital 15 (mentions ‘bottom ashes from non-hazardous waste incineration’)
[Delegated regulation - EU - 2023/2486 - EN - EUR-Lex \(europa.eu\)](#)
=> The Commission, based on recommendation of the Platform on Sustainable Finance, will assess in due course, which new activities could be added to the EU Taxonomy
- *EoW status of bottom ash?*
- *What secondary raw materials can be recovered?*

Thank you



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