



Notification Number: 2013/433/UK

Quality Protocol Anaerobic digestate End of waste criteria for the production and use of quality outputs from anaerobic digestion of source-segregated biodegradable waste

Date received : 31/07/2013

End of Standstill : 04/11/2013

Message

Message 001

Communication from the Commission - TRIS/(2013) 01990

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2013/0433/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201301990.EN)

1. Structured Information Line

MSG 001 IND 2013 0433 UK EN 31-07-2013 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
Innovation & Enterprise Group
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department

Department for Environment, Food and Rural Affairs



17 Smith Square, London SW1P 3JR

4. Notification Number

2013/0433/UK - S20E

5. Title

Quality Protocol

Anaerobic digestate

End of waste criteria for the production and use of quality outputs from anaerobic digestion of source-segregated biodegradable waste

6. Products Concerned

Anaerobic Digestate

7. Notification Under Another Act

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8. Main Content

This is a renotification of the technical regulation first notified in 2009/0124/UK

The end-of-waste protocol for the production and use of quality outputs from anaerobic digestion of source-segregated biodegradable waste has three main purposes:-

- (1) to clarify the point at which waste management controls are no longer required;
- (2) to provide users with confidence that the anaerobic digestate they purchase conforms to an approved standard; and
- (3) to protect human health and the environment (including soil) by describing acceptable good practice for the use of anaerobic digestate in agriculture, forestry, soil/field-grown horticulture and in land restoration.

The outputs from anaerobic digestion will normally be regarded as having ceased to be waste, and therefore no longer subject to waste management controls, provided they

- a) have been produced using only those source-segregated input materials listed in Appendix B to the protocol, subject to any restrictions stated,
- b) meet the requirements of an approved standard (described in section 3 of the protocol),
- c) are destined for appropriate use in one of the designated market sectors,
- d) require no further processing including maturation or re-screening for use in the designated market sector for which it is destined; and
- e) meet any additional customer specifications, as agreed between the supplier and the customer.

Quality digestate must not be used in such a way as to adversely affect human health or the environment.

Producers must demonstrate that these criteria have been met. They must do this in the ways set out in Section 3.

9. Brief Statement of Grounds



The Waste Framework Directive requires Member States to encourage the use of waste as a resource, and sets out the grounds for end of waste criteria in Article 6. The Landfill Directive (Directive 1999/31/EC) sets stringent targets to reduce the amount of municipal waste that is disposed of by landfilling. The interpretation of EU legislation is ultimately a matter for the European Court of Justice (ECJ) and there is now a substantial body of case law on the interpretation of the definition of waste in Article 3(1) of the Waste Framework Directive. Subject to ECJ case law, it rests with Member States' competent authorities to determine on a case-by-case basis when substances or objects are discarded and become waste, and when waste has been fully recovered and ceases to be waste. Based on the principles set by the ECJ in case law, the anaerobic digestate end-of-waste Protocol seeks to identify with greater certainty the point at which source-segregated biodegradable waste has been fully recovered and ceases to be waste. In so doing, the anaerobic digestate end-of-waste Protocol's objective is to provide greater certainty for both establishments or undertakings producing anaerobic digestate under the terms of a permit issued by the competent authority under Article 23 of the Waste Framework Directive, or a permit exemption registered under Article 24 of the Directive, and to users of anaerobic digestate produced by such waste recovery operations. The greater certainty provided by the anaerobic digestate end-of-waste Protocol will fulfil not only the objectives of the Waste Framework Directive by making more effective use of waste as a resource, but also those of the Landfill Directive by reducing the amount of waste disposed of by landfilling.

10. Reference Documents - Basic Texts

No Basic Text exists

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

An impact assessment was provided with the original notification of this regulation (2009/0124/UK)

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft has no significant impact on international trade



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