

# National factsheet on separate collection

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## Belgium

**Note:** This 'National factsheet' has been prepared within the EC study "**Assessment of separate collection schemes in the 28 capitals of the EU**". The document represents the status-quo of the EU Member State (MS) in September 2015. The information included in this document has been elaborated for all 28 EU-MS based on publically available documents, i.e. national legislation, Waste Management Plans, Waste Prevention Programmes, strategies, implementation reports, and statistics. All information is cited in the factsheet, a complete list of information sources can be found at the end of this document.

For quality assurance purposes the 'National factsheet' has been sent to the EU Technical Advisory Committee (TAC) Members on waste for verification and commenting, the comments received are included in this final version.

# 1 General requirements on separate collection based on national legislation

The implementation of the WFD varies between the three regions in Belgium Brussels Capital Region, Flanders and Wallonia since they have different legal transpositions. The relevant transposing laws are the [BE Brussels waste 2012], the [BE Flanders DECR 2011] and [BE Flanders VLAREMA 2012] for Flanders as well as [BE Wallonia waste 2012] for Wallonia. To provide a concise overview the legal transposition is described for each region separately.

## **Brussels Capital Region:**

**Most of the requirements are transposed one:one** into the Ordinance on waste prevention and management [BE Brussels waste 2012] including the definition of separate collection, implementation of separate collection if technically, environmentally and economically feasible as well as the engorgement of the separate collection of bio-waste.

The requirements of quality standards for recycling and measures to promote high quality recycling **are included deviating**. Further **deviating transpositions** have been assessed for the non-mixing obligation of separately collected waste which is only mandatory in Brussels Capital Region if it is technically, environmentally and economically feasible and the implementation of a separate collection system for the relevant waste streams does not refer to the target by 2015 as this has been already implemented.

## **Flanders:**

The Material decree [BE Flanders DECR 2011] that was implemented in 2012 is the main law transposing the requirements of the separate collection provisions in the WFD into Flemish federal law. The Material Decision VLAREMA [BE Flanders VLAREMA 2012] is the executive law of the Material decree and specifies the requirements for (separate) waste management in detail.

**Most of the requirements have been transposed into national law.** About half of the requirements on separate collection were transposed one:one, without additional provisions. The other half deviates. The definition (Art. 11(3) WFD) of separate collection deviates from the WFD by saying that waste streams are to be separated instead of are kept separate. Flemish law neither elaborates on relevancy of separate collection for 'recycling sectors' (Art. 11(1) WFD).

The executive law VLAREMA [BE Flanders VLAREMA 2012] elaborates further on some elements from the Material decree. A distinction was made between household waste and company waste when separate streams glass, paper, metal and plastic are described for separate collection. The provision of **separating plastic waste was not implemented for companies**, except for plastic bottles, flasks and agricultural foils. Bio-waste is taken up in the Flemish federal legislation, but not with a 'view on the composting and digestion' purposes.

## **Wallonia:**

In Wallonia **all legal** requirements deriving from the WFD have been **transposed one:one** in [BE Wallonia waste 2012] except the encouragement of separate bio-waste collection with a view to digestion and composting.

**Table 1: Overview of national law(s) that implement separate collection**

Year and Abbreviation	Title of the law (translation)
[BE Brussels waste 2012]	14 juin 2012 - Ordonnance relative à la prévention et à la gestion des déchets (Ordinance on waste prevention and management)
[BE Flanders DECR 2011]	Ontwerp van decreet betreffende het duurzaam beheer van materiaalkringlopen en afvalstoffen. Tekst aangenomen door de plenaire vergadering. Vlaams Parlement, 14 december 2011 (2011-2012). Stuk 1233 (2010-2011) – Nr. 6. (Material decree concerning the sustainable management of material cycles and wastes)
[BE Flanders VLAREMA 2012]	Besluit van de Vlaamse Regering to vaststelling van het Vlaams reglement betreffende het duurzaam beheer van materialenkringlopen en afvalstoffen. 17/02/2012. (The Flemish regulations regarding the sustainable management of material cycles and waste )
[BE Wallonia waste 2012]	10 mai 2012 - Décret transposant la Directive 2008/98/CE du Parlement européen et du Conseil du 19 novembre 2008 relative aux déchets et abrogeant certaines directives (Decree transposing Directive 2008/98 / EC on waste and repealing certain Directives)

**Table 2: Overview on evaluation categories**

Evaluation	Explanation
<b>additional</b>	The requirements of the WFD have been transposed and additional information or requirements are set out in the national legal requirement, i.e. additional definition, precision of requirement that goes beyond the text of the WFD
<b>one:one</b>	The requirement of the WFD has been transposed exactly / literally or transposed analogously. No additional requirements or explanations are set out.
<b>deviating</b>	The requirements of the WFD have been implemented into national legal requirements but have been adjusted, left out or deviated
<b>not included</b>	The requirement of the WFD is not transposed into national law

**Table 3: Assessment on national transpositions**

Law & Article	Evaluation	English text	Original text
<b>1. Article 3 (11) WFD: Definition separate collection: "separate collection' means the collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment"</b>			
[BE Brussels waste 2012] Article 3(16)	one:one	3(16) "Separate collection" means the collection under which a waste stream is kept separately by its type and nature so as to facilitate a specific treatment	3 (16) " collecte séparée " : une collecte dans le cadre de laquelle un flux de déchets est conservé séparément en fonction de son type et de sa nature afin de faciliter un traitement spécifique;
[BE Flanders DECR 2011] Article 3(12)	one:one	3(12) Separate collection means the collection where a waste stream is kept separately by type and nature of the waste in order to facilitate a specific treatment	3(12) gescheiden inzameling: de inzameling waarbij een afvalstroom gescheiden wordt naar soort en aard van het afval om een specifieke behandeling te vergemakkelijken
[BE Wallonia waste 2012] Article 3(34)	one:one	3(34) separate collection: a collection under which a waste stream is kept separately by its type and nature so as to facilitate a specific treatment;	3(34) collecte sélective: une collecte dans le cadre de laquelle un flux de déchets est conservé séparément en fonction de son type et de sa nature afin de faciliter un traitement spécifique;
<b>2. Article 10 (2) WFD: "waste shall not be mixed with other waste/material with other properties"</b>			
[BE Brussels waste 2012] Article 19 §3(2)	deviating	19 §1. Waste undergoes recovery operations in accordance with Articles 6 and 17. § 3. <b>As far as it is technically, environmentally and economically practicable:</b> (2) they are not mixed with other wastes or materials with different properties.	19. § 1er. Les déchets subissent des opérations de valorisation conformément aux articles 6 et 17. § 3. Pour autant que cette opération soit réalisable d'un point de vue technique, environnemental et économique: (2) ils ne sont pas mélangés à d'autres déchets ou matériaux aux propriétés différentes.
[BE Flanders DECR 2011] Article 9 §1	one:one	9 §1 [...] to collect wastes separately and not mixed with waste streams or with materials which do not contain the same properties	9 §1 [...] afvalstoffen gescheiden worden ingezameld, en niet gemengd worden met afvalstoffen of materialen die niet dezelfde eigenschappen hebben.
[BE Wallonia waste 2012] Article 10 6° §4	one:one	10 6° §4 In case of separate collection, waste is not mixed before treatment with other waste or other material with different properties	10 6° §4 En cas de collecte sélective, les déchets ne sont pas mélangés avant leur traitement à d'autres déchets ou matériaux aux propriétés différentes

Law & Article	Evaluation	English text	Original text
<b>3. Article 11 (1) WFD: “measures to promote high quality recycling”</b>			
Brussels	deviating	<p><b>REMARK:</b></p> <p>[Brussels waste 2012] does not mention expressly that the measures adopted by the Region should promote high quality recycling. However, the relevant legislative measures mentioned in the next column are seen as measures to promote high quality recycling by [BE Brussels TAC 2015]</p>	<p><b>Comment</b> [BR Brussels TAC 2015]:</p> <p><i>Article 11 (1) is evaluated as « not included » since the transposition does not mention expressly that the measures adopted by the Region should promote high quality recycling. The Brussel Region does not share this view. First of all, the parliamentary work expressly mentions that high quality recycling requires separate collection where feasible and desirable from a technical, environmental and economic point of view.</i></p> <p><i>Furthermore, the article 11§1 of the waste framework directive gives the Member State some room to assess the necessity of the measures to be taken. The relevant legislative measures promoting high quality recycling are the following:</i></p> <ol style="list-style-type: none"> <li>1. <i>For the separate collection of households waste:</i> <ul style="list-style-type: none"> <li>o <i>Règlement du 19 DECEMBRE 2008 relatif à l'enlèvement par collecte des immondices.</i></li> </ul> </li> <li>2. <i>For the separate collection of waste streams from other origins similar to household waste:</i> <ul style="list-style-type: none"> <li>o <i>Arrêté du 21 JUIN 2012 du Gouvernement de la Région de Bruxelles-Capitale déterminant les règles de mise en oeuvre de l'obligation de tri pour les producteurs ou détenteurs de déchets autres que ménagers</i></li> <li>o <i>arrêté du 16 mars 1995 du Gouvernement de la Région de Bruxelles-Capitale relatif au recyclage obligatoire de certains déchets de construction ou de démolition</i></li> </ul> </li> <li>3. <i>The taxes on incineration and on waste not collected separately by the Regional Agency collecting municipal waste ( article 40 to 45 of the Ordonnance)</i> <ul style="list-style-type: none"> <li>• <i>The relevant non-legislative measures are</i></li> </ul> </li> </ol>

Law & Article	Evaluation	English text	Original text
			<i>mostly measures adopted in the waste prevention and management plan. One of the measure aims to improve the recycling quality and treatment capacities of separately collected paper, plastic and metal to meet international standards.</i>
[BE Flanders DECR 2011] Article 9 §1	one:one	9 §1 The Flemish government takes the necessary measures to make sure that [...] 3) high quality recycling is promoted	9 §1 De Vlaamse Regering neemt de nodige passende maatregelen om ervoor te zorgen dat: [...] 3° recyclage van een hoge kwaliteit wordt bevorderd.
[BE Wallonia waste 2012] Article 16 Section 2bis	one:one	16 "Section 2bis. - Specific provisions for reuse and recycling  In respect to the powers of the Region, the Government (...) <b>is also taking steps to promote high quality recycling</b> and to this end, sets up separate collections of waste where feasible and desirable from a technical, environmental and economic point of view in order to meet the necessary quality standards for the relevant recycling sectors. It may also impose a sorting obligation for the relevant waste.	Art. 16 « Section 2bis. - Dispositions particulières à la réutilisation et au recyclage  Dans le respect des compétences dévolues à la Région, le Gouvernement (...) prend également des mesures pour promouvoir <b>un recyclage de qualité et, à cet effet, met en place des collectes sélectives des déchets</b> lorsqu'elles sont réalisables et souhaitables d'un point de vue technique, environnemental et économique afin de respecter les normes de qualité nécessaires pour les secteurs concernés du recyclage. Il peut également imposer une obligation de tri pour les déchets concernés.
<b>4. Requirement WFD: 11 (1) "separate collection if technically practicable"</b>			
[BE Brussels waste 2012] Article 19 §3(1)	one:one	19 § 1. Waste undergoes recovery operations in accordance with Articles 6 and 17.  <b>§ 3. As far as it is technically, environmentally and economically practicable:</b>  1. waste is collected separately, where this is necessary for waste management in conformity with Articles 6, 17, 21 or 22 and when it facilitates or improves recovery;	19. § 1er. Les déchets subissent des opérations de valorisation conformément aux articles 6 et 17.  § 3. Pour autant que cette opération soit réalisable d'un point de vue technique, environnemental et économique :  1° les déchets sont collectés séparément, lorsque cela est nécessaire pour une gestion des déchets conforme aux articles 6, 17, 21 ou 22 et lorsque cela facilite ou améliore la valorisation;

Law & Article	Evaluation	English text	Original text
[BE Flanders DECR 2011] Article 9 §1	one:one	[..] if <b>technically</b> , environmentally and economically practicable, wastes are collected separately [..]	[..] als dat haalbaar is op <b>technisch</b> , milieu- en economisch gebied, afvalstoffen gescheiden worden ingezameld [..]
[BE Wallonia waste 2012] Article 10 6° §4	one:one	10 6° § 4 Waste management operations are carried out with respect for the hierarchy referred to in Article 1, § 2, and in accordance with Article 6bis.  When necessary for the respect of the preceding paragraph and to facilitate or improve recovery, the Government takes the necessary measures to ensure that the <b>waste to be recovered are subject to separate collection, as far as is technically, environmentally and economically practicable</b> . In case of selective collection, waste is not mixed before processing with other wastes or materials with different properties.	10 6° §4. Les opérations de gestion des déchets sont effectuées dans le respect de la hiérarchie visée à l'article 1er, §2, et conformément à l'article 6bis.  Lorsque cela est nécessaire pour le respect de l'alinéa précédent et pour faciliter ou améliorer la valorisation, le Gouvernement prend les mesures nécessaires pour que les déchets à valoriser fassent l'objet d'une collecte sélective, pour autant que cette opération soit réalisable d'un point de vue technique, environnemental et économique. En cas de collecte sélective, les déchets ne sont pas mélangés avant leur traitement à d'autres déchets ou matériaux aux propriétés différentes.
<b>5. Requirement WFD: 11 (1) "separate collection if economically practicable"</b>			
[BE Brussels waste 2012] Article 19 §3(1)	one:one	19 § 1. Waste undergoes recovery operations in accordance with Articles 6 and 17.  § 3. <b>As far as it is technically, environmentally and economically practicable:</b>  1. waste is collected separately, where this is necessary for waste management in conformity with Articles 6, 17, 21 or 22 and when it facilitates or improves recovery;	19. § 1er. Les déchets subissent des opérations de valorisation conformément aux articles 6 et 17.  § 3. Pour autant que cette opération soit réalisable d'un point de vue technique, environnemental et économique :  1° les déchets sont collectés séparément, lorsque cela est nécessaire pour une gestion des déchets conforme aux articles 6, 17, 21 ou 22 et lorsque cela facilite ou améliore la valorisation;
[BE Flanders DECR 2011] Article 9 §1	one:one	[..] if technically, environmentally and <b>economically</b> practicable, wastes are collected separately [..]	[..] als dat haalbaar is op <b>technisch</b> , milieu- en <b>economisch</b> gebied, afvalstoffen gescheiden worden ingezameld [..]
[BE Wallonia waste 2012] Article 10 6° §4	one:one	10 6° § 4 Waste management operations are carried out with respect for the hierarchy referred to in Article 1, § 2, and in	10 6° §4. Les opérations de gestion des déchets sont effectuées dans le respect de la hiérarchie visée à

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		<p>accordance with Article 6bis.</p> <p>When necessary for the respect of the preceding paragraph and to facilitate or improve recovery, the Government takes the necessary measures to ensure that the <b>waste to be recovered are subject to separate collection, as far as is technically, environmentally and economically practicable.</b></p> <p>In case of selective collection, waste is not mixed before processing with other wastes or materials with different properties.</p>	<p>l'article 1er, §2, et conformément à l'article 6bis.</p> <p>Lorsque cela est nécessaire pour le respect de l'alinéa précédent et pour faciliter ou améliorer la valorisation, le Gouvernement prend les mesures nécessaires pour que les déchets à valoriser fassent l'objet d'une collecte sélective, pour autant que cette opération soit réalisable d'un point de vue technique, environnemental et économique. En cas de collecte sélective, les déchets ne sont pas mélangés avant leur traitement à d'autres déchets ou matériaux aux propriétés différentes.</p>
<b>6. Requirement WFD: 11 (1) "separate collection if environmentally practicable"</b>			
[BE Brussels waste 2012] Article 19 §3(1)	one:one	<p>19 § 1. Waste undergoes recovery operations in accordance with Articles 6 and 17.</p> <p>§ 3. <b>As far as it is technically, environmentally and economically practicable:</b></p> <p>1. waste is collected separately, where this is necessary for waste management in conformity with Articles 6, 17, 21 or 22 and when it facilitates or improves recovery;</p>	<p>19. § 1er. Les déchets subissent des opérations de valorisation conformément aux articles 6 et 17.</p> <p>§ 3. Pour autant que cette opération soit réalisable d'un point de vue technique, environnemental et économique :</p> <p>1° les déchets sont collectés séparément, lorsque cela est nécessaire pour une gestion des déchets conforme aux articles 6, 17, 21 ou 22 et lorsque cela facilite ou améliore la valorisation;</p>
[BE Flanders DECR 2011] Article 9 §1	one:one	[..] if technically, <b>environmentally</b> and economically practicable, wastes are collected separately [..]	[..] als dat haalbaar is op technisch, <b>milieu-</b> en economisch gebied, afvalstoffen gescheiden worden ingezameld [..]
[BE Wallonia waste 2012] Article 10 6° §4	one:one	<p>10 6° § 4 Waste management operations are carried out with respect for the hierarchy referred to in Article 1, § 2, and in accordance with Article 6bis.</p> <p>When necessary for the respect of the preceding paragraph and to facilitate or improve recovery, the Government takes the necessary measures to ensure that the <b>waste to be recovered are subject to separate collection, as far as is</b></p>	<p>10 6° §4. Les opérations de gestion des déchets sont effectuées dans le respect de la hiérarchie visée à l'article 1er, §2, et conformément à l'article 6bis.</p> <p>Lorsque cela est nécessaire pour le respect de l'alinéa précédent et pour faciliter ou améliorer la valorisation, le Gouvernement prend les mesures nécessaires pour que les déchets à valoriser fassent l'objet d'une collecte</p>



Law & Article	Evaluation	English text	Original text
		<b>technically, environmentally and economically practicable.</b> In case of selective collection, waste is not mixed before processing with other wastes or materials with different properties.	sélective, pour autant que cette opération soit réalisable d'un point de vue technique, environnemental et économique. En cas de collecte sélective, les déchets ne sont pas mélangés avant leur traitement à d'autres déchets ou matériaux aux propriétés différentes.
<b>7. Article 11 (1) WFD: "separate collections (...) appropriate to meet the necessary quality standards for the relevant recycling sectors"</b>			
Brussels	deviating	See remark and Comment [BE Brussels TAC 2015] at requirement 3	
Flanders	not included		
[BE Wallonia waste 2012] Article 16 Section 2bis	one:one	16 "Section 2bis. - Specific provisions for reuse and recycling In respect to the powers of the Region, the Government (...) is also taking steps to promote high quality recycling and to this end, sets up separate collections of waste where feasible and desirable from a technical, environmental and economic point of view <b>in order to meet the necessary quality standards for the relevant recycling sectors.</b> It may also impose a sorting obligation for the relevant waste.	Art. 16 « Section 2bis. - Dispositions particulières à la réutilisation et au recyclage Dans le respect des compétences dévolues à la Région, le Gouvernement (...) prend également des mesures pour promouvoir <b>un recyclage de qualité et, à cet effet, met en place des collectes sélectives des déchets</b> lorsqu'elles sont réalisables et souhaitables d'un point de vue technique, environnemental et économique afin de respecter les normes de qualité nécessaires pour les secteurs concernés du recyclage. Il peut également imposer une obligation de tri pour les déchets concernés.
<b>8. Article 11 (1) WFD "by 2015 separate collection shall be set up for at least the following: paper, metal, plastic and glass"</b>			
[BE Brussels waste 2012] Article 19 §4	deviating	Art. 19 § 4. Subject to paragraph 3, the separate collection is mandatory for paper, cardboard, metal, plastic and glass	Art. 19 § 4. Sous réserve du paragraphe 3, la collecte séparée est obligatoire pour le papier, le carton, le métal, le plastique et le verre.
[BE Flanders VLAREMA 2012] Article 4.3.1	deviating	At least the following <b>household</b> wastes must be separated and being kept separated when collected: [...] 2. glass bottles. 3. Paper and cardboard [...] 11. Pmd (Plastic bottles and flasks, Metal packaging, Drink cartons)-waste.  At least the following <b>household</b> wastes must be separated	Ten minste de volgende <b>huishoudelijke</b> afvalstoffen moeten gescheiden worden aangeboden en verder afzonderlijk worden gehouden bij de ophaling of inzameling: [...] 2. <b>Glazen</b> flessen en bokalen. 3. <b>Papier-</b> en <b>kartonafval</b> [...] 11. <b>pmd</b> -afval.

Law & Article	Evaluation	English text	Original text
		and being kept separated when collected, or, if demonstrably impossible, afterwards sorted: 1. Wood wastes. 2. <b>Metal wastes</b>	Ten minste de volgende <b>huishoudelijke</b> afvalstoffen moeten gescheiden worden aangeboden en verder afzonderlijk worden gehouden bij de ophaling of inzameling, of, indien aantoonbaar niet mogelijk, naderhand uitgesorteerd worden: 1° houtafval; 2° <b>metaalafval</b> .
[BE Flanders VLAREMA 2012] Article 4.3.2	deviating	At least the following <b>company</b> wastes must be separated and being kept separated when collected: [...] 2. <b>glass</b> bottles. 3. <b>Paper</b> and <b>carton</b> [...] 14. Agricultural foils [...] 16 PMD-waste  At least the following wastes must be separated and being kept separated when collected, or, if demonstrably impossible, afterwards sorted: 1. Wood wastes. 2. <b>Metal wastes</b>	Ten minste de volgende <b>bedrijfsafvalstoffen</b> moeten gescheiden worden aangeboden en afzonderlijk worden gehouden bij de ophaling of inzameling: [...] 2. <b>Glasafval</b> . 3. <b>Papier- en kartonafval</b> [...] 14 Afvallandbouwfolies [...] pmd-afval  Ten minste de volgende afvalstoffen moeten gescheiden worden aangeboden en verder afzonderlijk worden gehouden bij de ophaling of inzameling, of, indien aantoonbaar niet mogelijk, naderhand uitgesorteerd worden: 1° houtafval; 2° <b>metaalafval</b> .
[BE Wallonia waste 2012] Article 16 Section 2bis	one:one	Art. 16. "Section 2bis. - Specific provisions for reuse and recycling  Subject to Article 7, § 4, paragraph 2, <b>waste paper, metal, plastic, glass are subject to separate collection by 2015.</b>	Art. 16. « Section 2bis. - Dispositions particulières à la réutilisation et au recyclage  Sous réserve de l'article 7, §4, alinéa 2, les déchets de papier, de métal, de plastique, de verre font l'objet de collectes sélectives d'ici 2015.
<b>9. Article 22 WFD: Bio-waste - Member States shall take measures, as appropriate (...) to encourage: "a) the separate collection of bio-waste with a view to the composting and digestion of bio-waste"</b>			
[BE Brussels waste 2012] Article 34(1)	one:one	34. The Government is taking measures, in line with Articles 6 and 17, to encourage:  <b>1 separate collection of bio-waste with a view to composting and digestion of bio-waste;</b>	34. Le Gouvernement prend des mesures, conformément aux articles 6 et 17, pour encourager :  1° la collecte séparée des biodéchets à des fins de compostage et de digestion des biodéchets;
[BE Flanders VLAREMA 2012] Article 4.3.1	deviating	At least the following <b>household</b> wastes must be separated and being kept separated when collected: [...] <b>organic waste</b>	Ten minste de volgende <b>huishoudelijke</b> afvalstoffen moeten gescheiden worden aangeboden en verder afzonderlijk worden gehouden bij de ophaling of

Law & Article	Evaluation	English text	Original text
			inzameling: [...] 5. <b>groenafval</b>
[BE Flanders VLAREMA 2012] Article 4.3.2	deviating	At least the following <b>company</b> wastes must be separated and being kept separated when collected: [...] <b>organic waste</b>	Ten minste de volgende <b>bedrijfsafvalstoffen</b> moeten gescheiden worden aangeboden en afzonderlijk worden gehouden bij de ophaling of inzameling: [...] 5. <b>Groenafval</b>
- <b>Comment</b> [BE Wallonia TAC 2015]: [BE Wallonia waste 1996] Article 21 §5	Not included	- <b>Comment</b> [BE Wallonia TAC 2015]: 27 June 1996 - Decree on waste (MB of 02/08/1996, p 20685). Section 4 - Specific provisions for household waste  <i>Art. 21. §5. The Government may specify the general rules of household waste management and organize the separate collection of certain waste that are designated - Decree of 22 March 2007, Art. 16).</i>  <i>Regarding Article 22 of the Directive 2008/98/EC, the Walloon Region believes it has been correctly transposed into its legislation (by the Article 21§5 of the decree of 27 June 1996 on waste). Article 19 § 3 of the Decree of 27 June 1996 also stipulates that biodegradable organic waste must be banned from landfills no later than 1 January 2010. Moreover, the Region also believes that the transposition of this article must be considered as optional (article 22 states "where appropriate"). Moreover, during the transposition of Directive 2008/98 / EC, the European Commission has made no comment on the fact that the content of Article 22 does not explicitly appear in the walloon Decree transposing Directive 2008/98/EC.</i>	- <b>Comment</b> [BE Wallonia TAC 2015]: 27 juin 1996. – Décret relatif aux déchets (M.B. du 02/08/1996, p. 20685) Section 4 — Dispositions particulières aux déchets ménagers  <i>Art. 21. §5. Le Gouvernement peut préciser les règles générales de gestion des déchets ménagers et organiser la collecte sélective de certains déchets qu'il désigne – Décret du 22 mars 2007, art. 16).</i>

## 2 General requirements on separate collection based on main strategies

<b>Belgium</b>	<b>456 kg MSW/capita 57.24% recycling</b>
<p><b>Definition of Municipal solid waste (MSW):</b></p> <p><b>Brussels Region:</b> Article 3 (6) of the Ordinance on waste prevention and management states that "municipal waste means household waste and wastes that are assimilated by order of the Government, due to their nature, composition, origin, quantity or their management [BE Brussels waste 2012].</p> <p><b>Flanders:</b> MSW is not defined in Flemish legislation. Household waste (huishoudelijk afval) is understood as MSW that contains several wastes from different sources including residual waste, municipality wastes and separately collected waste fractions such as bio-waste, plastic, paper, metal, glass, construction and demolition waste [BE Flanders OVAM 2013].</p> <p><b>Wallonia:</b> MSW is defined in the waste catalogue from Wallonia as follows "Municipal wastes (household waste and similar waste from commerce, industries and administrations) including separately collected fractions [BE Wallonia Code 1997].</p>	
<b>Main strategies implementing separate collection</b>	
<p>In Belgium waste management is incumbent upon the three regions Brussels Capital Region, Flanders and Wallonia that are responsible for the waste management planning as well as the statistical reporting. To get an impression of the situation in Belgium it can be stated that Brussels Capital Region represents only 9% of the total MSW generated in Belgium while Flanders represents 60% and Wallonia 31% (total MSW generated in 2010 is about 5 million tonnes). [BE EEA 2013]</p> <p>Therefore, each of the regions has its own strategies regarding the implementation of separate collection that are summarised below.</p> <p><b>Brussels Capital Region:</b></p> <p>The most important strategy regarding separate collection in this region is the <i>waste prevention and management plan</i> [BE Brussels WMP 2010]. In general the Brussels Capital Region has a very high population density and a high degree of urbanisation which can create problems for waste management, e.g. lack of space for container parks. In addition the region is dependent on the waste management of the two other regions since they do not have sufficient treatment and disposal capacities.</p> <p>Regarding the implementation of separate collection the WMP focuses on several problems and priorities:</p> <ul style="list-style-type: none"> <li>• Missing space for separate collection and storage in apartment buildings which leads to higher collection frequencies needed;</li> <li>• The involvement of the commerce and the Horeca sector for separate collection is very important in the region since they are a big producer of municipal waste, especially plastic, metal and composite material is not sufficiently separately collected</li> <li>• Reduction of bio-waste in the residual waste amounts by improving separate collection of green garden wastes by 2011 on the whole territory</li> <li>• Improvement of the recycling quality and treatment capacities of separately collected paper, plastic and metal to meet international standards</li> </ul>	

**The most important aim regarding separate collection is the achievement of 50% separately collected waste by 2020.** Several sectorial objectives are defined to reach this target, e.g. simplification of separation information for inhabitants, raise the recycling amount of paper and glass, develop the separate collection of bio-waste, better cooperation with municipalities to adapt actions for separation to their needs and providing separate collection waste bags free of charge.

Compared to the two other regions the Brussels Capital Region has the lowest overall recycling (material and organic recycling) rate due to the high urban density and a resulting lack of container parks infrastructure [BE EEA 2013].

#### **Flanders:**

The most important strategy implementing separate collection is the Flemish Waste Management Plan for households [BE Flanders WMP 2008]. This plan emphasises the need for separate collection of commercial wastes similar to household wastes by improving **separate collection structures** [BE Flanders MBP 2011]. One priority of the WMP is to separately collect **75% of the relevant** household waste fractions by 2010 and this level shall be maintained during the period of planning (i.e. until 2015).

Separate collection of the relevant waste streams varies within the Flemish municipalities. Hence, one strategy is to align the door-to-door collection systems throughout the region for paper, metal, plastic and glass. An exception is made for bio-waste where differences in the collection system within municipalities can be kept. Also for other waste types differences between municipalities remain e.g. regarding tariffs, collection frequency and the collection system. The polluter pays principle is a measure for the implementation of separate collection the objective is that taxes and fees for households shall be coordinated federally. The waste tax paid by the citizens shall cover the waste processing costs in e.g. maintenance of container parks, and implementation of door-to-door separate collection.

In the last years Flanders has consistently had the highest level of material and organic recycling compared to the other two Belgian regions (65% overall recycling rate in 2009). The separate collection of bio-waste and green garden waste with subsequent bio-treatment was already implemented in 1991 in Flanders. In 2002 the maximum of 145,08 kg/cap of separately collected bio-waste was reached [BE EEA 2013], which decreased steadily to 110,4 kg/cap in 2013, mainly due to stimulation of home-composting and introducing the PAYT taxation system.

#### **Wallonia:**

The waste management strategy including the implementation of separate collection is laid down in the WMP of Wallonia [BE Wallonia WMP 1998]. Nevertheless, it has to be noted that the WMP is relatively old since it is from 1998 and covered the period until 2010. A new WMP is under development, which should be finalized before the end of 2015 (and therefore officially adopted in September 2016). Already in 1991 the development of separate collection was a priority of the WMP: it included the need to (i) better inform citizens and raise awareness about separate collection, (ii) further develop door-to-door collection, bring points in streets (for glass and textile) and container parks [BE EEA 2013]. Still only 15% of the source separated waste in 1998 was sent to recycling and composting leaving space for improvement. This percentage reached approximately 50% in 2012.

The current WMP focuses especially on the reduction of waste being sent to landfills (36% in 2000; 2% in 2012) and therefore predicts a significant increase of MSW being incinerated (26% in 2000 ; 47% in 2012). These predictions are confirmed by data reported to EUROSTAT [BE EEA 2013]. The overall objective related to separate collection is to collect a maximum of waste that is recyclable as far as technically and economically practicable. The WMP sets the following separate collection targets for the entire territory per waste stream (for 2010): Glass 80%, Paper 55%, Composite materials 20%, Plastic 25%, Metal 90%, organic waste 60% and green waste 60% [BE Wallonia WMP 1998].

Since 1997, the share of municipal waste collected separately in Wallonia has more than doubled (60% in 2012), which is in line with the objectives set by the WMP-2010 [BE Wallonia TAC 2015]. This evolution is mainly explained by several organisational measures :

- the development of take-back obligations (for about 10 different types of waste) ;
- the ban on disposing of certain types of waste to landfill (AGW of 18 March 2004) ;
- the adaptation of the municipal regulations regarding waste management and the imposition of separate collection scenarios for municipalities that do not attain their collection targets ;
- the implementation of a more incentive taxation system (Decree of 22 March 2007) reinforcing the application of the polluter pays principle ;
- the allocation of subsidies to better organize separate collection and intensify the extension of container parks (with more flexible opening hours) and bring points (for glass and textile) ;
- the ability of commerce, small businesses and administrative organisations to access container parks (for limited amounts of waste) ;
- the development of the transfer and sorting infrastructure for separately collected materials ;
- the support of publicity campaigns praising sorting efforts.

However, in 2012, there was still a significant margin progress as regards the organic kitchen waste (SCR <20%) and to a lesser extent, textiles (SCR <45%). These two types of wastes have been identified as priority flows regarding future actions to be taken in prevention (organic waste) and reuse (textile).

The evaluation of the WPM-2010 [BE Wallonia results 2010] also identifies potential sources of improvement with an interest in (i) minimizing waste sorting at source (by developing new recycling channels, particularly for plastics), (ii) amplifying the separate collection of biowaste and the separate collection of Pmd (plastic bottles/flasks, metal packaging and drink cartons) "out of home", (iii) developing the collection of new waste streams (from households and small businesses) in container parks (35 waste types to study have been identified).

### 3 Implementation of separate collection

#### Overview on separate collection systems in place

As already mentioned above each of the three regions has its own autonomous waste management system, for this reason the separate collection systems vary and are individually described below.

#### Brussels Capital Region:

For the whole region the door-to-door collection of household waste is organised by the agency of the region (Agence Bruxelles Propreté) that is also in charge of waste management including sorting and treatment. Commercial waste producer can sign a contract with the agency but are not obliged and might choose private operators. Since 2010 the separation of household waste in three differently coloured waste bags is mandatory in the Brussels Capital Region. Paper is separately collected in yellow bags, while plastic, composite materials and metals are co-mingled collected in blue bags. Glass is only collected at bring points, whilst there are a few apartment buildings that have glass containers for separate door-to-door collection. The region has a dual system of separate door-to-door collection the main system is the door-to-door collection of waste bags (around 70-80%) and the second one is the collection of containers/bins in apartment buildings (around 20-30%). In addition the region has two civic amenity sites where the citizens can bring all waste streams including bulky waste, WEEE and hazardous wastes up to 3m<sup>3</sup> free of charge.

Green garden waste is also collected separately door-to-door in green waste bags. In 2013 a pilot project for the separate collection of kitchen waste was successful therefore in 2016 the separate door-to-door collection of kitchen waste will be introduced for the whole Brussels region in an orange bag. [BE Brussels report 2013]

#### Flanders:

As described in chapter 2 the Flemish WMP [BE Flanders WMP 2008] has the priority aim to harmonise the separate collection systems throughout the region. The following collection systems have to be implemented by the municipalities:

- Separate door-to-door collection of bio-waste (=garden waste + kitchen waste) biweekly (in 2/3 of Flemish municipalities)
- Separate door-to-door collection of paper monthly
- Co-mingled door-to-door collection of plastic, metal and composite material
- Glass is generally collected at bring points

Civic amenity sites additionally collect all waste streams mentioned above. The separate collection of metals, textiles, asbestos, WEEE, small hazardous wastes, batteries etc. has to be free of charge at civic amenities. A **retailer take back system** is implemented in Belgium for refillable glass beverage bottles (beer, soda, water, milk, etc.) via a deposit system. Currently, there is a discussion on implementing such a system also for (non-refillable) plastic beverage bottles and cans [BE Flanders Deposit 2014].

#### Wallonia:






Based on the evaluation of the first Walloon WMP [BE Wallonia results 2010], three different types of separate collection systems are established: a) separate collection of glass and textile at bring points, b) civic amenity sites for the collection of green waste, paper, metals, plastic, glass, textiles, asbestos, WEEE, bulky waste, oils, tyres, small hazardous wastes,... and c) separate door-to-door collection of paper, PMD, organic waste (only implemented in 25% of the Walloon municipalities) and bulky waste (implemented in approximately 80% of municipalities) . Wallonia sees **bring points and civic amenity sites as primary**

**collection separate collection system** whereas **door-to-door collection is an additional secondary system of collection** [BE Wallonia WMP 1998].

In 2012, altogether 39.8% of the total municipal waste generated in Wallonia was still collected as mixed residual waste. The other 60.2% were separately collected by one of the three collection types mentioned above, the share of the collection systems is as follows [BE Wallonia TAC 2015]:

- Door-to-door collection amounts to 15.1% (paper and bio-waste are separately collected and plastic, metal and composite material is co-mingled collected),
- Bring points amount to 5.4% (separate collection of glass and textiles)
- 39.7% is collected via civic amenity sites (all waste streams)

**Table 4: Overview of main separate collection systems in Belgium<sup>1</sup>**

Collection type	Paper	Glass	Plastic	Metal	Bio-waste
<b>Door-to-door collection</b> 	Primary	Very rare (only in Brussels and Wallonia)			Primary
<b>Co-mingled (door-to-door)</b> 			Primary (plastic and metal and composite material)		
<b>Bring points</b> 	Secondary	Primary	Secondary	Secondary	
<b>Civic amenities</b> 	Tertiary for all waste streams (but primary for hazardous waste, bulky waste, C&D waste etc.)				
<b>Producer/retail take-back</b> 		Glass beverage bottles deposit system (Belgium)	Planned for plastic bottles and metal cans (Flanders)		

<sup>1</sup> This overview is based upon the population distribution in the three regions in order to provide an overall picture of the varying situation in Belgium. Applied population distribution Brussels 10%, Flanders 58%, Wallonia 32%



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