

EU biogas and biomethane inventory of regulatory framework



Number of regulatory act	Directive 2008/98/EC
Name of regulatory act	Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives
Link	http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008L0098
Date of Publication	19/11/2008
Date of Implementation	12/12/2008
Purpose	Waste generation used to be an unavoidable and unfortunate by-product of economic activity and growth. With modern technology and careful husbandry, that cyclical link can be broken.
Relevance for the biomethane sector	Article 2: Exclusions from the scope: 2. The following shall be excluded from the scope of this Directive to the extent that they are covered by other Community legislation: (b) animal by-products including processed products covered by Regulation (EC) No 1774/2002, except those which are destined for incineration, landfilling or use in a biogas or composting plant;
Scope	The Directive establishes a legal framework for treating waste in the European Union (EU). This is designed to protect the environment and human health by emphasising the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use.
Targets	<ul style="list-style-type: none"> — The legislation establishes a waste hierarchy: prevention, re-use, recycling, recovery for other purposes such as energy and disposal. — It confirms the 'polluter pays principle' whereby the original waste producer must pay for the costs of waste management. — It introduces the concept of 'extended producer responsibility'. This may include an onus on manufacturers to accept and dispose of products returned after use. — It makes a distinction between waste and by-products (*). — Waste management must be carried out without any risk to water, air, soil, plants or animals, without causing a nuisance through noise or smells, or harming the countryside or places of special interest. — Producers or holders of waste must treat it themselves or have it handled by an officially recognised operator. They require a permit and are inspected periodically. — Competent national authorities must establish waste management plans and waste prevention programmes. — Special conditions apply to hazardous waste, waste oils and bio-waste. — It introduces recycling and recovery targets to be achieved by 2020 for household waste (50 %) and construction and demolition waste (70 %). — The legislation does not cover certain types of waste such as radioactive elements, decommissioned explosives, faecal matter, waste waters and animal carcasses.
Sustainability Criteria	
Mass-balance	
Support Systems (subsidies, feed in tariffs, etc)	
Non-discriminatory access to the grid	
Transport sector	
Waste regulation	See first sections.
Emission Regulation	