

One in eight deaths is linked to pollution. It is the ruthless analysis from the European Environment Agency¹. Today, more than ever, we can't ignore the detrimental effects of pollution on our environment and health. All our actions are interlinked and we all have to act responsibly to protect our planet and our own lives, as pollution is not only just the industries, but also the acts of everyone (cf. the number of used surgical masks thrown in nature for instance). At all levels (local, regional, national, EU and worldwide) **we should ensure that our legislation and principles meet the zero pollution ambition for a non toxic environment**. Pollution has effects on air, water and ocean, soils and materials - and consequently secondary raw materials (SRM). In an EU economy that aspires to circularity, addressing the issue of pollution in a global manner is of utmost importance especially because of the interdependence of all elements.

As an EU federation representing operators of hazardous waste, **our main objective is to limit the dispersion of pollutants and destroy toxicity to ensure non toxic material cycles**. Hazardous waste management activities (recycling, recovery, decontamination, incineration/landfills dedicated to hazardous waste) are enablers that contribute to reduce pollution of other industrial activities. For this reason, we consider that the overall impact of our activities very much helps reducing pollution.

We see the Zero pollution Action Plan as an umbrella initiative which touches almost the whole EU environmental legislative framework, with topics being treated in different DG of the Commission, and with different levels of revision of some texts. The action plan will have the delicate role to deal with existing pieces of legislation that aim at controlling and reducing pollution in the EU and it will require horizontal measures, objectives, principles and definitions to ensure a comprehensive and consistent approach to deliver results.

→ **The zero pollution action plan should promote non toxic material cycles**

- **It demands mapping of substances of concern (SoC) in materials or products to be recycled to improve information and traceability**

Many more substances like endocrine disruptors, PFAS, POP, microplastics, beyond the current 209 SVHC need specific attention because of their detrimental effects to health and the environment. This may in some cases require including new hazards in the relevant Reach and CLP legislation. This is an important topic to be regulated at horizontal level to ensure that all sectoral legislation will guarantee the same requirements. Databases, like SCIP or passport of information are then a valuable tool to ensure knowledge and sharing of information among the different stakeholders, from industrial operators, waste operators to consumers.

- **It requires decontamination of streams to ensure clean material cycles**

Ensuring a zero pollution ambition with regards to SRM will demand that SoC identified in streams or materials to be recycled are extracted and treated in order not to be reincorporated in the recycling loops if they are present above the regulatory thresholds. Separation of contaminated parts very upstream in the process will ensure clean cycles and avoid substances of concern to be spread in the loops - recycling loop, water streams, exhaust gases. Separating contaminated waste from clean waste may result in additional costs. But destroying the pollutants after dilution may be either impossible or incomparably more costly. And worst of all, if not destroyed, these pollutants are still harmful to human health and the environment.

- **It demands the same requirements between virgin and SRM materials**

To avoid that recycled products harm health, it is very important to ensure that the same strict requirements are applied between virgin and SRM. Principle of high quality recycling and equivalent standards will generate the trust in recycled materials and avoid presence of contaminants in recycled products, condition sine qua non of a sustainable circular economy.

¹ September 2020, "Healthy environment, healthy lives: how the environment influences health and well-being in Europe".

- **It demands equivalent requirements between imported products and EU products.**

This is an important point to ensure consistency of the EU political action with regards to the environment and health objectives to ensure that products entering the EU markets comply with the rules applicable to products produced within the EU and that at the point of end of life of the products, substances they contain would not jeopardize the EU efforts to ensure non toxic material cycles.

As a general statement it is also essential to keep in mind that moving towards more quality recycling/recovery will inevitably generate residues that will have to be adequately treated, underlining the importance of final treatment operations. It is also important to keep in mind that if coherence among legislation is a key principle, the interface between chemicals, products and waste legislation may remain separate when dealing with classification. For a full protection of environment and health, as we can never predict the final route of waste and consequently the scenarios of use, the precautionary principle demands to base waste classification on the intrinsic properties of the waste.

The zero pollution action plan should also ensure that waste is treated - in the EU and outside the EU - in accordance with equivalent technical minimum standards for treatment activities, and this point is currently reflected in the discussions on the WSR, also under review.

→**The zero pollution action plan should ensure that current legislation and regulation aiming at monitoring and reducing air and water releases evolves towards a more cost-effective framework**

- **Focus on the most contributive economic sectors**

The Industrial emissions with the IED directive - currently under review - covers many industrial activities giving rise to pollution. The sectors covered have to be compliant with their respective BREF and its related BAT, BATAE(P)L and monitoring on key environmental issues that already cover a wide range of pollutants. Aiming at zero pollution ambition demands compliance with those requirements. We deem decisive both to assess the contribution of the sector compared to the other industrial sectors and to look at the cross media effects to identify potential impacts on the environment as a whole. Any reduction of the applicable limits shall be targeted towards the most contributive industrial sector and/or the most contributive installations in order to maximise and speed up the beneficial impact on health and the environment for the majority of European citizens.

- **Engage non-IED sectors**

Some economic sectors are not included in the IED and constitute major polluters for specific pollutants. Being outside the IED annihilate the efforts of the IED installations. An assessment of the sectors "out" and their pollutant impact shall be carried out in order to decide their integration with the IED. A similar assessment shall be carried out for activities below the threshold of annex I to IED.

- **Protect the European Industry when it is more environmentally friendly**

In order to avoid any leakages like for CO₂ and also to promote a more environmentally and healthy sound European industry, a reflexion around a CBAM-like mechanism for pollutants shall be launched as soon as possible in order to incentivise the production of goods within the EU with a better environmental footprints than goods imported from third countries. It will also be a very effective tool for relocated industries within the EU and strengthen the EU autonomy and resilience.

- **Improve drastically emissions to water bodies**

Regarding water, as indirect discharges from industries are allowed under the IED, it seems decisive to ensure that UWWT - that are one of the main contributors in terms of quantity of treated waters discharged into water bodies - are equipped with appropriate treatment processes in order to soundly treat these streams without relying only on the dilution effect that does not change the quantity of pollutants emitted to water bodies. In this regard, a right principle seems the better source separation of the wastewater streams in industrial sites with either internal wastewater treatment facilities or treatment in dedicated water-based liquid waste treatment facilities. In general,

we also need to guarantee that abatement techniques used are safe for the environment from a global point of view and would not entail a shift of pollution (for instance ban open-loop scrubbers on ships).

- **Facilitate the assessment of the pollutants contribution**

Most of the EU regulation regarding monitoring and reduction of emissions of pollutants to air and water relies on concentration levels. Concentration levels are very good operating indicators but don't allow us to assess and drive the necessary changes for a cost-beneficial reduction of the emissions of a facility. HWE calls for the adjunction of levels in quantity per year (flow rates) which provide a strict cap. The yearly flow rate should correspond to a lower quantity of pollutants emitted than the yearly quantity calculated based on the concentration levels. The revision of the IED gives an opportunity to introduce this concept as a new requirement that will be then defined during the BREF review process.

- **Ensure environmental inspection of the installations**

The competent authority of Member States should dedicate enough financial means and qualified human resources to carry out inspections at the right level to verify the compliance of installations and other relevant pollution sources with the EU legislation.

→ **The Zero pollution action plan should ensure soil and water protection**

The revisions of some directives like the sewage sludge directive or the water framework directive (with the priority substances) need to encompass more substances/pollutants in order to take into account emerging hazards. The issue of micropollutants is of key importance, questioning the performance of abatement techniques or treatment applied to avoid any dilution. It underlines the importance of protecting upstream pollution-prevention work to ensure that what is used as a resource is not contaminated, otherwise it will result in increasing pollution of soil, water and/or air. Here again, the separation upstream appears to be an essential principle.

In 1981, Simone Veil, as Chairperson of the WHO Commission on Health and Environment, warned that **"Development without regard to the environment would inevitably result in impairment of human health"**. The cost of inaction will cost so much more than acting ambitiously today. 40 years later, at the heart of the COVID Crisis, we can not bow down to the actions we must take to protect our environment.