

Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (Text with EEA relevance)

CHAPTER I

SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1	Subject matter and scope
Article 2	Exclusions from the scope
Article 3	Definitions
Article 4	Waste hierarchy
Article 5	By-products
Article 6	End-of-waste status
Article 7	List of waste

CHAPTER II

GENERAL REQUIREMENTS

Article 8	Extended producer responsibility
Article 8a	General minimum requirements for extended producer responsibility schemes
Article 9	Prevention of waste
Article 10	Recovery
Article 11	Preparing for re-use and recycling
Article 11a	Rules on the calculation of the attainment of the targets
Article 11b	Early warning report
Article 12	Disposal
Article 13	Protection of human health and the environment
Article 14	Costs

CHAPTER III

WASTE MANAGEMENT

Article 15	Responsibility for waste management
Article 16	Principles of self-sufficiency and proximity
Article 17	Control of hazardous waste
Article 18	Ban on the mixing of hazardous waste
Article 19	Labelling of hazardous waste
Article 20	Hazardous waste produced by households
Article 21	Waste oils
Article 22	Bio-waste

CHAPTER IV

PERMITS AND REGISTRATIONS

Article 23	Issue of permits
------------	------------------

Article 24	Exemptions from permit requirements
Article 25	Conditions for exemptions
Article 26	Registration
Article 27	Minimum standards

## CHAPTER V

### PLANS AND PROGRAMMES

Article 28	Waste management plans
Article 29	Waste prevention programmes
Article 30	Evaluation and review of plans and programmes
Article 31	Public participation
Article 32	Cooperation
Article 33	Information to be submitted to the Commission

## CHAPTER VI

### INSPECTIONS AND RECORDS

Article 34	Inspections
Article 35	Record keeping
Article 36	Enforcement and penalties

## CHAPTER VII

### FINAL PROVISIONS

Article 37	Reporting
Article 38	Exchange of information and sharing of best practices, interpretation and adaptation to technical progress
Article 38a	Exercise of the delegation
Article 39	Committee procedure
Article 40	Transposition
Article 41	Repeal and transitional provisions
Article 42	Entry into force
Article 43	Addressees

---

## ANNEX I

### DISPOSAL OPERATIONS

D 1	Deposit into or on to land (e.g. landfill, etc.)
D 2	Land treatment (e.g. biodegradation of liquid or sludgy discards in...)
D 3	Deep injection (e.g. injection of pumpable discards into wells, salt...)
D 4	Surface impoundment (e.g. placement of liquid or sludgy discards into...)

- D 5 Specially engineered landfill (e.g. placement into lined discrete cells which...
- D 6 Release into a water body except seas/oceans
- D 7 Release to seas/oceans including sea-bed insertion
- D 8 Biological treatment not specified elsewhere in this Annex which results...
- D 9 Physico-chemical treatment not specified elsewhere in this Annex which results...
- D 10 Incineration on land
- D 11 Incineration at sea
- D 12 Permanent storage (e.g. emplacement of containers in a mine, etc.)...
- D 13 Blending or mixing prior to submission to any of the...
- D 14 Repackaging prior to submission to any of the operations numbered...
- D 15 Storage pending any of the operations numbered D 1 to...

## ANNEX II RECOVERY OPERATIONS

- R 1 Use principally as a fuel or other means to generate...
- R 2 Solvent reclamation/regeneration
- R 3 Recycling/reclamation of organic substances which are not used as solvents...
- R 4 Recycling/reclamation of metals and metal compounds
- R 5 Recycling/reclamation of other inorganic materials
- R 6 Regeneration of acids or bases
- R 7 Recovery of components used for pollution abatement
- R 8 Recovery of components from catalysts
- R 9 Oil re-refining or other reuses of oil
- R 10 Land treatment resulting in benefit to agriculture or ecological improvement...
- R 11 Use of waste obtained from any of the operations numbered...
- R 12 Exchange of waste for submission to any of the operations...
- R 13 Storage of waste pending any of the operations numbered R...

## ANNEX III

## PROPERTIES OF WASTE WHICH RENDER IT HAZARDOUS

‘ Explosive: ’ waste which is capable by chemical reaction...

## ANNEX IV

## EXAMPLES OF WASTE PREVENTION MEASURES REFERRED TO IN ARTICLE 29

Measures that can affect the framework conditions related to the...

1. The use of planning measures, or other economic instruments promoting...
2. The promotion of research and development into the area of...
3. The development of effective and meaningful indicators of the environmental...

Measures that can affect the design and production and distribution...

4. The promotion of eco-design (the systematic integration of environmental aspects...
5. The provision of information on waste prevention techniques with a...
6. Organise training of competent authorities as regards the insertion of...
7. The inclusion of measures to prevent waste production at installations...
8. The use of awareness campaigns or the provision of financial,...
9. The use of voluntary agreements, consumer/producer panels or sectoral negotiations...
10. The promotion of creditable environmental management systems, including EMAS and...

Measures that can affect the consumption and use phase

11. Economic instruments such as incentives for clean purchases or the...
12. The use of awareness campaigns and information provision directed at...
13. The promotion of creditable eco-labels.
14. Agreements with industry, such as the use of product panels...
15. In the context of public and corporate procurement, the integration...
16. The promotion of the reuse and/or repair of appropriate discarded...

## ANNEX IVa

EXAMPLES OF ECONOMIC INSTRUMENTS AND OTHER  
MEASURES TO PROVIDE INCENTIVES FOR THE APPLICATION  
OF THE WASTE HIERARCHY REFERRED TO IN ARTICLE 4(3)

Charges and restrictions for the landfilling and incineration of  
waste...

## ANNEX IVb

## IMPLEMENTATION PLAN TO BE SUBMITTED PURSUANT TO ARTICLE 11(3)

The implementation plan to be submitted pursuant to Article  
11(3)...  
assessment of the past, current and projected rates of recycling,...

**Status:** *EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

## ANNEX V

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

- (1) OJ C 309, 16.12.2006, p. 55.
- (2) OJ C 229, 22.9.2006, p. 1.
- (3) Opinion of the European Parliament of 13 February 2007 (OJ C 287 E, 29.11.2007, p. 135), Council Common Position of 20 December 2007 (OJ C 71 E, 18.3.2008, p. 16) and Position of the European Parliament of 17 June 2008 (not yet published in the Official Journal). Council Decision of 20 October 2008.
- (4) OJ L 114, 27.4.2006, p. 9.
- (5) OJ L 242, 10.9.2002, p. 1.
- (6) OJ C 104 E, 30.4.2004, p. 401.
- (7) OJ L 257, 10.10.1996, p. 26. Directive replaced by Directive 2008/1/EC of the European Parliament and of the Council (OJ L 24, 29.1.2008, p. 8).
- (8) OJ C 76, 11.3.1997, p. 1.
- (9) OJ L 273, 10.10.2002, p. 1.
- (10) Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (OJ L 226, 6.9.2000, p. 3).
- (11) OJ L 182, 16.7.1999, p. 1.
- (12) OJ L 365, 31.12.1994, p. 10.
- (13) OJ L 269, 21.10.2000, p. 34.
- (14) OJ L 37, 13.2.2003, p. 24.
- (15) OJ L 266, 26.9.2006, p. 1.
- (16) OJ L 190, 12.7.2006, p. 1.
- (17) OJ L 156, 25.6.2003, p. 17.
- (18) OJ L 377, 31.12.1991, p. 20.
- (19) OJ L 194, 25.7.1975, p. 23.
- (20) OJ L 143, 30.4.2004, p. 56.
- (21) OJ L 184, 17.7.1999, p. 23.
- (22) OJ C 321, 31.12.2003, p. 1.