

(English version)

Question for written answer E-002469/25
to the Commission
Alex Agius Saliba (S&D)
(18 June 2025)

Subject: European rules on waste incineration and the impact on smaller Member States

Following reports ⁽¹⁾ in my Member State, Malta, on the topic of waste incineration, and false claims that this facility can negatively affect the population, I would like to request some clarification in order to be able to debunk potential misinterpretation of the European rules. In the particular case of Malta, due to the limited physical space on the islands, we cannot rely on landfill for non-recyclable waste as a solution, and waste incineration is an important part of our waste management system.

1. Could the Commission confirm that waste incineration will continue to be allowed under the relevant EU rules, such as the Industrial Emissions Directive (IED) or other legal requirements?
2. Does the Commission take into account the physical limitations of small island Member States when making its policy on waste management and circularity?
3. Could the Commission clarify what is expected from waste incineration plants to comply with European requirements under, for example, the best available techniques principles and how the prescribed environmental impact assessment (EIA) gives assurances on air quality and other aspects that are important for neighbouring inhabitants?

Submitted: 18.6.2025

Answer given by Ms Roswall on behalf of the European Commission
(27 August 2025)

Waste incineration does not contravene EU law provided the requirements under notably the Industrial Emissions Directive (IED) ⁽¹⁾ and the Environmental Impact Assessment Directive (EIA) ⁽²⁾ are followed. Member States are also required to take into account the five-step ‘waste hierarchy’ in the Waste Framework Directive ⁽³⁾ setting out an order of preference for managing and disposing of waste: first prevention; then preparing for re-use; recycling; other recovery, e.g. energy recovery; and only as a last resort disposal such as landfilling or incineration without energy recovery.

It shall be a condition of any permit for incineration or co-incineration with energy recovery that the recovery of energy take place with a high level of energy efficiency ⁽⁴⁾.

The above legal requirements, including the waste hierarchy, apply also to islands. European structural and investment funds ⁽⁵⁾ target circular economy solutions tailored to Outermost Regions and islands due to their dependence on resource imports, high waste generation fuelled by tourism, and waste exports ⁽⁶⁾.

As per the IED, waste incinerators must be operated according to a permit delivered by the competent authority. This permit must, among other things, include emission limit values in line with the IED and the relevant Best Available Techniques (BAT) Conclusions ⁽⁷⁾.

The EIA requires that certain projects likely to have significant effects on the environment are subject to an assessment of the environmental effects.

Such an assessment, if required, shall identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a given project on various factors, including land, soil, water, air and climate.

¹ <https://timesofmalta.com/article/no-ecohive-save-lives-residents-protest-planned-waste-incinerator.1109520>, and <https://timesofmalta.com/article/wasteserv-complains-standards-commissioner.1109939>.

⁽¹⁾ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial and livestock rearing emissions (integrated pollution prevention and control) (Recast), OJ L 334, 17.12.2010, p. 17-119, as amended by Directive (EU) 2024/1785 of the European Parliament and of the Council of 24 April 2024 OJ L, 15.7.2024.

⁽²⁾ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2012, p. 1-21, as amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014, OJ L 124, 25.4.2014, p. 1-18.

⁽³⁾ Article 4 of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, OJ L 312, 22.11.2008, p. 3-30, as amended by Directive (EU) 2018/851

⁽⁴⁾ Article 23 of the Waste framework Directive.

⁽⁵⁾ https://commission.europa.eu/funding-tenders/find-funding/funding-management-mode/2014-2020-european-structural-and-investment-funds_en.

⁽⁶⁾ as stated in the 2020 Circular Economy Action Plan: <https://ec.europa.eu/environment/circular-economy/>.

⁽⁷⁾ Commission Implementing Decision (EU) 2019/2010 of 12 November 2019 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for waste incineration, OJ L 312, 3.12.2019, p. 55-91.