



Why Dredged Material is not Waste

- Sediment and silt from water bottoms and the seabed are natural resource materials that should be valued as essential elements in maintaining the quality of water bodies.
- The removal of sizable volumes of silt and sediment by dredging and the placement elsewhere in the water body is a form of sustainable management as it contributes to maintaining the sediment balance and preventing erosion.
- Under the existing EU legislation dredged material is typically classified as ‘waste’. This has caused numerous problems with obtaining permits and it has led to high disposal costs that should have been avoided.
- Dredged material is (also) regulated under the LONDON Convention and the corresponding regional Conventions, such as OSPAR and HELCOM. These conventions explicitly recognize the important role of sediment and dredged material and authorize their relocation at sea. Moreover, the jurisdictional weight of these conventions exceeds - for the countries that have ratified them - EU law. There is a potential conflict between the conventions and the interpretation of current Community law on waste vis-à-vis dredged material.
- The proposed Waste Framework Directive does not clarify when a material or a product becomes waste. This is in contrast with widely accepted definitions of the waste management principles that have been developed under the auspices of OECD.
- Comparison of the EU waste hierarchy and the ‘dredged material hierarchy’ reveals a fundamental difference: where disposal under the waste hierarchy is seen as the last stage of waste management (which should be avoided if possible), for dredged material ‘disposal’ (relocation) into the water body is a preferred option as it enhances sustainable management.

<u>EU Waste Hierarchy</u>	<u>Dredged Material Hierarchy</u>
Non-waste? - prevention	- prevention (non-waste)
- re-use	- beneficial uses
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Waste - recovery	-----
- recycle	- treatment/processing (waste?)
- disposal	- controlled disposal

- In order to avoid future confusion it is proposed to exclude dredged material from the scope of the proposed Waste Framework Directive.

Conclusion

Add under Art 2: “4. It shall not cover natural sediments and silt which do not feature hazardous properties as defined in Annex III”.