

Message 001

Communication from the Commission - TRIS/(2025) 2517

Directive (EU) 2015/1535

Notification: 2025/0518/ES

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20252517.EN

1. MSG 001 IND 2025 0518 ES EN 12-09-2025 ES NOTIF

2. Spain

3A. Dirección de Administración Ambiental
Viceconsejería de Medio Ambiente
Departamento de Industria, Transición Energética y Sostenibilidad
Gobierno Vasco

3B. Departamento de Industria, Transición Energética y Sostenibilidad
Gobierno Vasco

4. 2025/0518/ES - S50E - Environmentally-friendly measures

5. Draft decree establishing the legal arrangements applicable to activities for recovering slag from waste-to-energy processes in the Autonomous Community of the Basque Country, for subsequent use as an aggregate

6. Purpose of the draft decree: to set out the criteria for determining when slag from waste-to-energy processes in the Autonomous Community of the Basque Country cease to be considered waste, for the

purposes of subsequent use

7.

8. The draft decree sets out the criteria for determining when slag from waste-to-energy processes in the Autonomous Community of the Basque Country ceases to be considered waste, for the purposes of subsequent use as a secondary aggregate.

It regulates the criteria for granting end-of-waste status (Article 3 of the draft decree) and the requirements that the waste being recovered and the recovery facilities must meet (Annex I to the draft decree).

Issues related to slag recovery activities are also identified (Article 4 of the draft decree), as are the obligations of those who recover slag for the purpose of being granted end-of-waste status (Article 5 of the draft decree).

Furthermore, the uses and destinations of secondary aggregates are regulated (Article 6 and Annex II of the draft decree) and criteria for environmental evaluation and control according to the uses of secondary aggregates are established (Annex III to the draft decree).

Requirements relating to the declaration of conformity to be issued by the person recovering the waste for each consignment are set out (Article 7 of the draft decree).

Lastly, the draft decree regulates the management system used to demonstrate that the criteria for being granted end-of-waste status have been met (Article 8 of the draft decree) and provides instructions on the sampling plan and the sampling of secondary aggregates (Annex IV), in order to obtain a representative sample of the batch of slag processed.

9. Slag waste from waste-to-energy processes is one of the 10 non-hazardous sources of waste and, if recovered, would contribute the largest mass of recovered products under the objective of the 2030 Basque Country Waste Prevention and Management Plan. There are currently two energy recovery facilities which produce slag in the Basque Country: the Zabalgardi plant (Bizkaia [Biscay]) and the Zubietta Environmental Complex (Gipuzkoa). According to the 2020 municipal waste inventory, around 70 000 tonnes of slag per year are produced from waste-to-energy processes in this Autonomous Community.

In line with the strategic objectives of the European Union and the current Basque Country Waste Prevention and Management Plan, the recovery of such slag, which in some cases present characteristics very similar to certain raw materials, is a practice that must be promoted to address one of the foremost concerns in the Basque Country's waste management.

In order to achieve these new objectives, including the target of 85% recovery by 2030, a decree establishing the requirements for the use of aggregates derived from the recovery of slag needs to be incorporated into this Autonomous Community's legal system, enabling such slag to be reintroduced into production processes in accordance with the uses authorised in that decree.

10. References to primary legislation: there is no primary legislation

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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