



European Metals' recommendations on the green listing of certain wastes

Introduction

Overall, European Metals welcomes the proposed approach in the draft Delegated Act (DA) and related Annex on the green listing of certain non-hazardous waste, which amends Annexes III, IIIA, IIIB, and IV of the Waste Shipment Regulation (WSR). This draft is a satisfactory first step towards strengthening the Union's internal market for secondary materials, as it rightfully recognizes the complexity of recycling operations and that components and fractions resulting from proper treatment, dismantling and shredding need to move easily between operators.

In this context, the introduction of codes **BEU07** (waste consisting mainly of aluminium, steel, or both, derived from building, construction or demolition activities), **BEU09** (non-hazardous electrical and electronic waste), **BEU010** (solid, inert permanent magnets from end-of-life products), and **BEU11** (metal waste from end-of-life vehicles), and their inclusion in Annex IIIB of the WSR, can greatly facilitate the intra-EU shipments of metals-rich waste streams. In particular, code BEU09 represents an important inclusion in view of the upcoming deadline for the green listing of e-waste under [Commission Delegated Regulation 2024/3230](#), currently set for 01/01/2027.

Nonetheless, European Metals considers that further steps are necessary to maximise the benefit of the efficient circulation of metals-rich waste across the EU, notably by facilitating the shipments of all metals-rich waste to EU high-quality pre-consented facilities. Moreover, certain elements of the current draft could benefit from further clarification to avoid misinterpretation and the fragmented implementation of the proposed provisions.

Our high-level recommendations

- Introduce a facilitated procedure for the shipment of all waste streams that contain CRMs and other valuable metals shipped to EU pre-consented facilities.
- Clarify the scope of codes BEU07, BEU09, and EU49.



Our detailed recommendations

1. Waste shipments to EU pre-consented facilities

To ensure the establishment of a true EU Single Market for Waste and support the circularity objectives under EU sustainability policy, the shipment of metals-rich waste streams should be further facilitated. In this context, the introduction of, among others, code BEU09 is a welcome first step in the right direction. However, high-quality recyclers of metals – particularly e-waste recyclers – operating high-quality pre-consented facilities still face significant delays and need to go through lengthy administrative procedures before receiving hazardous metals-rich waste, as this material is still subject to the Prior Informed Consent (PIC) regime.

Pre-consented facilities are already vetted to provide the specialised, environmentally sound treatment hazardous waste requires. A faster and easier procedure would allow them to fully benefit from the status provided by the Regulation, with a significant step forward towards the creation of an EU Single Market for Waste, as also acknowledged by both the [Letta](#) and [Draghi](#) reports.

In light of the above, European Metals considers that streamlining the shipments of all metals-containing waste to pre-consented facilities could lead to increased recycling and recovery of key non-ferrous metals while ensuring the necessary environmental requirements are met. Such a procedure should also remain technology- and physical form-neutral to ensure that valuable waste streams containing non-ferrous metals are recovered irrespective of their physical form.

Our recommendations

- Introduce a facilitated procedure for the shipment of all waste streams that contain CRMs and other valuable metals shipped to EU pre-consented facilities.

2. Clarification on the scope of the proposed codes

2.1 BEU07

Under the current text, the code BEU07 refers to “*waste consisting mainly of aluminium, steel, or both, derived from building, construction and demolition activities*”. These include door frames, window frames, curtain walls, and other framing profiles, which may contain minimal amounts of coating, plastic, rubber, and other materials or metal components, “*provided that the aluminium or steel remains the dominant recoverable fraction*”.

However, these activities can generate a broader range of recyclable metal waste streams besides aluminium and steel, such as copper pipes and cables, which should be explicitly covered by entry BEU07. Therefore, European Metals recommends expanding the scope of code BEU07 to explicitly include additional non-hazardous metal waste streams derived from building, construction, and demolition activities.

Our recommendations

- Expand the scope of code BEU07 to explicitly include additional non-hazardous metal waste streams derived from building, construction, and demolition activities.



2.2 BEU09

The proposed scope for code BEU09 includes, among others, “*waste components of electrical and electronic equipment boards that **do not display any of the hazardous properties** listed in Annex III to Directive 2008/98/EC [Waste Framework Directive], and where such components are not covered by another entry in Annex III, IIIA or IIIB to this Regulation*”. In this context, the requirement to “*not display any of the hazardous properties...*” still risks leading to fragmented implementation at Member States level. Therefore, the proposed approach must ensure that a harmonized interpretation of that requirement within entry BEU09 to avoid the risk that a same e-waste stream is labelled as hazardous in certain Member States and as non-hazardous in others.

Moreover, European Metals recommends providing further guidance on which waste streams and fractions might concretely be covered by entry BEU09. While the draft Annex already provides some useful examples, a non-exhaustive and non-prescriptive list of illustrative examples would ensure further clarity, without impacting the scope or flexibility of the entry, and expanding on the examples provided in the explanatory memorandum of the draft DA. Notably, a further clarification of entry BEU09 would support both operators and competent authorities in distinguishing between waste streams covered by code BEU09 and those covered by entry EU49.

Our recommendations

- Ensure a harmonised interpretation of the requirement to “not display any of the hazardous properties” from entry BEU09.
- Provide a non-exhaustive and non-prescriptive list of which waste streams and fractions might concretely be covered by entry BEU09.

2.3 EU49

The draft Annex introduces entry EU49, which will replace Basel entry Y49, and will cover “*waste electrical and electronic equipment, not covered by A1181 or BEU09*”. Considering BEU09 applies to non-hazardous e-waste that has undergone proper treatment or otherwise meets the relevant requirements under EU legislation, the proposed approach should provide further guidance on the circumstances in which e-waste would be considered not to have undergone proper treatment and would therefore fall within EU49. Hence, European Metals recommends providing further clarity on which e-waste streams will be concretely covered by entry EU49 and on the practical distinction between codes EU49 and BEU09. This would provide further clarity for both operators and competent authorities and support harmonized implementation at Member States level.

Our recommendations

- Provide further clarity on the scope of entry EU49 by specifying what constitutes e-waste that has not undergone proper treatment.

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About European Metals

European Metals is an umbrella association representing the interests of the combined non-ferrous metals industry towards EU policy makers. We bring together the companies and associations shaping Europe's non-ferrous metals ecosystem: from upstream mining and refining to downstream use and high-quality recycling. By connecting technical expertise with policy action, we ensure that the importance of the metals sector is recognised, valued, and that our sector's future is secured. For more information, visit our website: <https://european-metals.eu/>