

Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste

Article 2

Definitions

For the purposes of this Directive:

- (a) [^{F1}the definitions of ‘waste’, ‘hazardous waste’, ‘non-hazardous waste’, ‘municipal waste’, ‘waste producer’, ‘waste holder’, ‘waste management’, ‘separate collection’, ‘recovery’, ‘preparing for re-use’, ‘recycling’ and ‘disposal’ laid down in Article 3 of Directive 2008/98/EC shall apply;]
- (b) [^{F2}.....
- (c)
- (d)]
- (e) ‘*inert waste*’ means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater;
- (f) ‘*underground storage*’ means a permanent waste storage facility in a deep geological cavity such as a salt or potassium mine;
- (g) ‘*landfill*’ means a waste disposal site for the deposit of the waste onto or into land (i.e. underground), including:
- internal waste disposal sites (i.e. landfill where a producer of waste is carrying out its own waste disposal at the place of production), and
 - a permanent site (i.e. more than one year) which is used for temporary storage of waste,
- but excluding:
- facilities where waste is unloaded in order to permit its preparation for further transport for recovery, treatment or disposal elsewhere, and
 - storage of waste prior to recovery or treatment for a period less than three years as a general rule, or
 - storage of waste prior to disposal for a period less than one year;
- (h) ‘*treatment*’ means the physical, thermal, chemical or biological processes, including sorting, that change the characteristics of the waste in order to reduce its volume or hazardous nature, facilitate its handling or enhance recovery;
- (i) ‘*leachate*’ means any liquid percolating through the deposited waste and emitted from or contained within a landfill;
- (j) ‘*landfill gas*’ means all the gases generated from the landfilled waste;
- (k) ‘*eluate*’ means the solution obtained by a laboratory leaching test;

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- (l) ‘operator’ means the natural or legal person responsible for a landfill in accordance with the internal legislation of the Member State where the landfill is located; this person may change from the preparation to the after-care phase;
- (m) ‘biodegradable waste’ means any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food and garden waste, and paper and paperboard;
- (n) [^{F2}. . . .]
- (o) ‘applicant’ means any person who applies for a landfill permit under this Directive;
- (p) ‘competent authority’ means that authority which the Member States designate as responsible for performing the duties arising from this Directive;
- (q) ‘liquid waste’ means any waste in liquid form including waste waters but excluding sludge;
- (r) ‘isolated settlement’ means a settlement:
- with no more than 500 inhabitants per municipality or settlement and no more than five inhabitants per square kilometre and,
 - where the distance to the nearest urban agglomeration with at least 250 inhabitants per square kilometre is not less than 50 km, or with difficult access by road to those nearest agglomerations, due to harsh meteorological conditions during a significant part of the year.

[^{F3}In outermost regions within the meaning of Article 349 of the Treaty, Member States may decide to apply the following definition:

‘isolated settlement’ means a settlement:

- with no more than 2 000 inhabitants per settlement and no more than five inhabitants per square kilometre, or with more than 2 000 but less than 5 000 inhabitants per settlement and no more than five inhabitants per square kilometre and whose production of waste does not exceed 3 000 tonnes per year, and
- where the distance to the nearest urban agglomeration with at least 250 inhabitants per square kilometre is not less than 100 km and with no access by road.]

Textual Amendments

- F1** Substituted by [Directive \(EU\) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste \(Text with EEA relevance\)](#).
- F2** Deleted by [Directive \(EU\) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste \(Text with EEA relevance\)](#).
- F3** Inserted by [Directive \(EU\) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste \(Text with EEA relevance\)](#).