The Flemish Government

Decree of the Flemish Government amending the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental hygiene, the VLAREBO Decree of 14 December 2007, the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste materials

Legal grounds

This Decree is based on:
- the Decree of 5 April 1995 containing general provisions on environmental policy, Article 5.4.1, 5.6.2 and 5.6.3, inserted by the Decree of 25 April 2014, Article 10.3.4(6), inserted by the Decree of 12 December 2008,Article 16.1.2, 1°(f), and Article 16.4.27, inserted by the Decree of 21 December 2007 and amended by the Decrees of 12 December 2008, 30 April 2009 and 8 June 2018;
- The Soil Decree of 27 October 2006, Article 138(1), amended by the decrees of 28 March 2014 and 8 December 2017;
- the Decree of 23 December 2011 on sustainable management of material cycles and waste, Article 3(1), 13°, Article 4/1, inserted by the Decree of 30 June 2017, Article 4/2, inserted by the Decree of 20 May 2022, Article 5, 6(1)(2), amended by the Decree of 1 March 2013, Article 6(5)(2), inserted by the Decree of 20 May 2022 Article 7, amended by the Decree of 25 April 2014, Article 9(1), Article 13, Article 13/1, inserted by the Decree of 28 February 2014, Article 14, amended by the Decree of 18 December 2015, Article 21, amended by the Decrees of 26 February 2021 and 20 May 2022, Article 22, 32, 33/6, third paragraph inserted by the Decree of 29 March 2019 and amended by the Decree of 20 May 2022, Article 33/9(1), inserted by the Decree of 29 March 2019 and amended by the Decrees of 26 February 2021 and 20 May 2022, Article 33/10, (3) and (4), inserted by the Decree of 29 March 2019 and amended by the Decrees of 26 February 2021 and 20 May 2022, Article 33/14(5), inserted by the Decree of 29 March 2019, Article 33/16, inserted by the Decree of 29 March 2019 and amended by the Decree of 26 February 2021, Article 33/17, inserted by the Decree of 20 May 2022, and Articles 35, 39 and 40, amended by the Decree of 26 February 2021, Article 66(1), inserted by the Decree of 29 March 2019;
- Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation, Article 6(1)(e)).

Procedural requirements

The following procedural requirements have been met:
- The Inspectorate of Finance gave its opinion on 24 June 2022.
- The Flemish Supervisory Commission for the Processing of Personal Data issued Opinion No 2022/106 on 8 November 2022.
- The Environment and Nature Council of Flanders gave its opinion on 14 December 2022.
- The Social and Economic Council of Flanders gave its opinion on 19 December 2022.
- Pursuant to Article 5 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, this draft was notified to the European Commission on #.
- The Data Protection Authority (GBA) for the processing of personal data has issued Opinion No # on #.
- Pursuant to Article 84(1)(1) 2° of the Council of State Acts, coordinated on 12 January 1973, the Council of State issued its opinion # on #.

Legal context

This Decision is consistent with the following regulation:
- Flemish Government Decree of 1 June 1995 laying down general and sectoral provisions on environmental hygiene;
- The VLAREBO Decree of 14 December 2007;
- the Flemish Government Decree of 12 December 2008 implementing Title XVI of the Royal Decree of 5 April 1995 laying down general environmental policy provisions;
- the Decree of the Flemish Government of 19 November 2010 establishing the Flemish regulation on environmental accreditations;
- Decree of the Flemish Government of 17 February 2012 establishing the Flemish Regulations on the sustainable management of material cycles and waste.

Initiator

This Decree is proposed by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism.

Following deliberations,

THE FLEMISH GOVERNMENT HEREBY DECREES THE FOLLOWING:

Chapter 1. General provisions

Article 1. This Decree provides for the partial transposition of Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment.

Chapter 2. Amendments to the Decree of the Flemish government of 1 June 1995 containing general and sectoral provisions on environmental hygiene

Article 2. In Article 5.2.2.6.4(2)(3), of the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental hygiene, replaced by the Decree of the Flemish Government of 5 December 2003, the following amendments are made:

1° in point 2°, the word 'coolants' is replaced by the word 'refrigerants';

2° a point 6°/2 is inserted, reading as follows:

'6°/2 draining of diesel emission fluid;'.

Article 3. In Article 5.2.4.1.7(4), of the same Decree, inserted by the Decree of the Flemish Government of 12 May 2006 and amended by the Decree of the Flemish Government of 27 November 2015, point 2° is replaced by the following:

'2° Limit values for total organic parameters

In addition to the leaching limit values mentioned in point 1°, inert waste must meet the following additional limit values:

Parameter	Value mg/kg dry matter
TOC (total organic carbon)	30000 (*)
BTEX Benzene Ethylbenzene Styrene Toluene Xylene BTEX sum	 0.5 5 1.5 6 6 Sum < 6
PCBs (polychlorinated biphenyls, 7 congeners)	1
Mineral oil (C_{10} to C_{40})	500
PAHs (polycyclic aromatic hydrocarbons): Benzo(a)anthracene Benzo(a)pyrene Benzo(ghi)perylene Benzo(b)fluoranthene Benzo(k)fluoranthene Chrysene Phenacetin Fluoranthene	 30 7.2 10 4.4 10 20 30 30

Indeno(1,2,3-cd)pyrene	15
Naphthalene	6
Acenaphthene	6.2
Acetylene	1.2
Anthracene	10
Dibenzo(a,h)anthracene	3.2
Fluorene	20
Pyrene	46

(*) In the case of soil, a higher limit value may be allowed in the environmental permit for the operation of the classified establishment or activity if for DOC a value of 500 mg/kg is not exceeded at L/S 10 l/kg and the pH value of the soil itself then or has a pH between 7.5 and 8.'

Article 4. In Article 5.2.4.1.8(7), of the same Decree, inserted by the Decree of the Flemish Government of 12 May 2006 and amended by the Decrees of the Flemish Government of 23 December 2011, 27 November 2015 and 3 May 2019, the following amendments are made:

1° in point 1°, the phrase 'with CMA/3/C as the recommended method of analysis' is deleted;

2° in point 2°, the phrase 'with CMA/3/Q as the recommended method of analysis' is deleted;

3° in point 3°, the phrase 'with CMA/3/N as the recommended method of analysis' is deleted;

4° in point 4°, the phrase 'using as method of analysis: weight loss after extraction according to CMA/2/II/A.12' is deleted;

5° in point 5°, the following amendments are made:
a) the phrase ': CMA/2/II/A.2' is deleted;
b) the phrase ': CMA/2/II/A.7' is deleted;
c) the phrase 'DOC is determined according to the analytical method CMA/2/I/D.7.' is deleted;

6° in point 6°, the phrase ', using as method CMA/2/II/A.4' is deleted;

7° in point 7°, the following amendments are made:
a) the phrase 'analytical method described in standard CMA/2/II/A.12' is replaced by the words 'single shake test';
b) the column with the heading method of analysis is deleted.

Article 5. In Article 5.2.4.1.12(2), of the same Decree, inserted by the Decree of the Flemish Government of 12 May 2006, the sentence 'For tests and analyses for which CEN methods are not (yet) available, the methods used shall comply with a code of good practice.' is deleted.

Article 6. In Article 5.2.5.3.2(3), of the same Decree, amended by the decrees of the Flemish Government of 19 September 2008, 27 November 2015 and 3 May 2019, the following amendments are made:

1° in point 1°, the phrase 'using CMA/3/C as the method of analysis' is deleted;

2° in point 2°, the phrase 'using CMA/3/Q as the method of analysis' is deleted;

3° in point 3°, the phrase 'using CMA/3/N as the method of analysis' is deleted;

4° in point 4°, the phrase 'using as method of analysis: weight loss after extraction according to CMA/2/II/A.12' is deleted;

5° in point 5°, the following amendments are made:
a) the phrase ': CMA/2/II/A.2' is deleted;
b) the phrase ': CMA/2/II/A.7' is deleted;

6° in point 6°, the phrase ', using as method CMA/2/II/A.4' is deleted;

7° in point 7°, the following amendments are made:
a) the phrase 'analytical method described in standard CMA/2/II/A.12' is replaced by the words 'single shake test';
b) the column with the heading method of analysis is deleted.

Chapter 3.Amendment to the VLAREBO decree of 14 December 2007

Article 7. Annex VI to the VLAREBO Decree of 14 December 2007, replaced by the Flemish Government Decree of 21 September 2018, is replaced by Annex 1, which is attached to this Decree.

Chapter 4. Amendments to the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 laying down general provisions on environmental policy

Article 8. Annex VIII to the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, replaced by the Decree of the Flemish Government of 2 July 2021, shall be replaced by Annex 5, which is attached to this Decree.

Article 9. In Annex XXIII to the same Decree, replaced by the Decree of the Flemish Government of 7 September 2018 and amended by the Decree of the Flemish Government of 3 May 2019, the following amendments are made:

1° in the item 'Special user requirements for technicians', the lines

‘

40/3, 1°	The recognised technician referred to in Article 6, 2°, (g) to (i):

	1° shall, upon request, produce the material used in carrying out the work relating to the accreditation;
40/3, 4°	The recognised technician referred to in Article 6, 2°, (g) to (i): 4° has a translation of their certificate into Dutch, French, German or English if the certificate was issued in a language other than those languages;

”

replaced by the following rows:

‘

40/3(1), 1°	The recognised technician referred to in Article 6, 2°, (g) to (i): 1° shall, upon request, produce the material used in carrying out the work relating to the accreditation;
40/3(1), 4°	The recognised technician referred to in Article 6, 2°, (g) to (i): 4° has a translation of their certificate into Dutch, French, German or English if the certificate was issued in a language other than those languages;
40/3(2), first sentence	The recognised technician, mentioned in Article 6, 2°(i), who works in a centre for pollution removal, dismantling and destroying end-of-life vehicles as mentioned in Article 5.2.4.4, 3°, of the VLAREMA, attends five-yearly refresher training as referred to in Article 43/10(1), in an recognised training centre as referred to in Article 6, 4°(l), or an equivalent refresher training accepted by the competent department, unless the recognised centre has been imposed a follow-up inspection for at least three of the past five years as referred to in Article 5.2.4.7(3), of the VLAREMA, and passes the refresher examination or an equivalent examination accepted by the competent department.
40/3(2), second sentence	If the certificate of competence as referred to in Article 17/5, 2°, or Article 32(2)(1), 11°, b), is older than five years after the date of issue, mentioned on the certificate, or if the most recent certificate of in-service training is older than five years after the date of issue, the technician must have taken the in-service training, unless the recognised centre has been imposed a follow-up examination for at least three of the past five years as mentioned in Article 5.2.4.7(3), of the VLAREMA, and have passed the refresher examination before he can use the approval.

”;

2° in the item 'Special usage requirements for training centres', the following amendments shall be made:

a) the line

‘

43/10(1)(1)	The recognised training centre for issuing the certificate of competence in air-conditioning equipment in certain motor vehicles, referred to in Article 6, 4°, l), shall organise the training with the corresponding examination for persons wishing to obtain the

	certificate of competence in air-conditioning equipment in certain motor vehicles. The recognised training centre shall determine the course content and examination by referring to the subjects listed in the Annex to Regulation No 307/2008.

”

is replaced by the next row:

‘

43/10(1)(1)	The recognised training centre for issuing the certificate of competency and in-service training for air-conditioning equipment in certain motor vehicles, referred to in Article 6, 4°, l), shall organise the training with the accompanying examination for persons wishing to obtain the certificate of competency for air-conditioning equipment in certain motor vehicles and, where appropriate, shall organise the in-service training with the in-service training examination and, where appropriate, the in-service training examination for persons wishing to obtain the certificate of competency for air-conditioning equipment in certain motor vehicles. The recognised training centre shall determine the content of the training and the accompanying examination, and the in-service training and the in-service training examination on the basis of the subjects listed in the Annex to Regulation No 307/2008.

”;

b) the line

‘

43/10(2)(1)	The recognised training centre mentioned in section 1 shall issue a certificate of competence for air-conditioning equipment in certain motor vehicles within one month of an examination after a person has undergone the training and passed the corresponding examination mentioned in section 1.

”

is replaced by the next row:

‘

43/10(2)(1)	The recognised training centre referred to in section 1 shall issue a certificate of competency or, as appropriate, in-service training for air-conditioning equipment in certain motor vehicles within one month of an examination after a person has attended the training or, as appropriate, in-service training and has passed the corresponding examination or in-service training examination, or, as appropriate, has passed in the in-service training examination referred to in section 1.

”;

(c) the line

‘

43/10(5)	The recognised training centre mentioned in section 1 has the necessary infrastructure, equipment, instruments and materials to organise the training and examination mentioned in section 1.

”

is replaced by the next row:

‘

43/10(5)	The recognised training centre mentioned in section 1 has the necessary infrastructure, equipment, tools and materials to organise the training, in-service training and examinations mentioned in section 1.

”;

(d) the lines

‘

43/10(7), first sentence	The recognised training centre mentioned in section 1 shall notify the competent department of the place and time of training or examination at least one month before a training course starts or examination takes place.
43/10(7), second sentence	The recognised training centre must, if requested by the competent department, provide staff members with the opportunity to attend the training courses and examinations.

”

are replaced by the following rows:

‘

43/10(7), first sentence	The recognised training centre referred to in section 1 shall inform the competent department of the place and time of the planned training courses accompanying examination, refresher training and refresher training examination or examination at least one month before a training course or refresher training starts.
43/10(7), second sentence	The recognised training centre must, if requested by the competent department, allow staff members to attend the training courses, refresher courses and examinations.

”.

Chapter 5.Amendments to the VLAREL of 19 November 2010

Article 10. In Article 4(1), of the VLAREL of 19 November 2010, last amended by the Flemish Government Decree of 21 May 2021, a point 69° is added to read as follows:

'69° VLAREMA: the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulations on the sustainable management of material cycles and waste.'.

Article 11. In Article 6 of the same Decree, last amended by the Decree of the Flemish Government of 8 January 2021, the following amendments are made:

1° in point 2°, i), the phrase 'Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste' shall be replaced by the phrase 'VLAREMA';

2° in point 4°, l), the words 'and in-service training' shall be inserted between the words 'of competence' and the words 'for air-conditioning equipment', and the phrase 'Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulations on the sustainable management of material cycles and waste materials' shall be replaced by the phrase 'VLAREMA'.

Article 12. In Article 24/7 of the same Decree, inserted by the Decree of the Flemish Government of 18 March 2016, the following amendments are made:

1° in the introductory sentence, the words 'and in-service training' shall be inserted between the words 'of competence' and the words 'for air-conditioning equipment';

2° in point 1°, the words 'the training and accompanying examination' are replaced by the words 'the training and accompanying examination, the in-service training and the in-service training examination or the in-service training examination'.

Article 13. To Article 40/3 of the same Decree, inserted by the Flemish Government Decree of 18 March 2016, the existing text of which shall constitute section 1, a section 2 shall be added, reading as follows:

‘(2). The recognised technician, mentioned in Article 6, 2°(i), who works in a centre for pollution removal, dismantling and destroying end-of-life vehicles as mentioned in Article 5.2.4.4, 3°, of the VLAREMA, attends five-yearly refresher training as referred to in Article 43/10(1), in an recognised training centre as referred to in Article 6, 4°(l), or an equivalent refresher training accepted by the competent department, unless the recognised centre has been imposed a follow-up inspection for at least three of the past five years as referred to in Article 5.2.4.7(3), of the VLAREMA, and passes the refresher examination or an equivalent examination accepted by the competent department. If the certificate of competence, mentioned in Article 17/5, 2°, or Article 32(2)(1), 11°(b), is older than five years after the date of issue, mentioned on the certificate, or if the most recent certificate of in-service training is older than five years after the date of issue, the technician must have taken the in-service training, unless the recognised centre has been imposed a follow-up examination for at least three of the past five years as mentioned in Article 5.2.4.7(3), of the VLAREMA, and have passed the refresher examination before he can use the approval. The refresher

courses and examinations considered equivalent shall be published on the website of the competent department.'

Article 14. Article 43/10 of the same Decree, inserted by the Decree of the Flemish Government of 18 March 2016 and amended by the Decrees of the Flemish Government of 24 February 2017, 3 May 2019 and 29 January 2021, is amended as follows:

1° in section 1, paragraph 1 now reads:

'The recognised training centre for issuing the certificate of competency and in-service training for air-conditioning equipment in certain motor vehicles, referred to in Article 6, 4°(l), shall organise the training with the accompanying examination for persons wishing to obtain the certificate of competency for air-conditioning equipment in certain motor vehicles, and shall organise, as appropriate, the in-service training and the in-service training examination or, as appropriate, the in-service training examination for persons wishing to obtain the certificate of competency for air-conditioning equipment in certain motor vehicles. The recognised training centre shall determine the content of the training and the in-service training and examination on the basis of the subjects listed in the Annex to Regulation No 307/2008.'

2° in section 2, first paragraph, between the words 'of competence' and the words 'for air-conditioning equipment' the phrase 'or, as appropriate, in-service training' is inserted, between the words 'the training' and the words 'has followed' the phrase 'or, where appropriate, the in-service training' shall be inserted and, between the words 'for the accompanying examination,' and 'mentioned in section 1', the phrase 'or, where appropriate, the in-service training examination' shall be inserted;

3° in section 5, the words 'training and examination' shall be replaced by the phrase 'training, in-service training and examinations';

4° in section 7, the phrase 'before a training course commences or the examination takes place, aware of the place and time of the training course or examination' shall be replaced by the phrase 'before a training course or in-service training commences, informed of the place and time of the planned training and the accompanying examination, in-service training and the in-service training examination or, as appropriate, the in-service training examination' and the phrase ', in-service training' shall be inserted between the words 'provide opportunity to attend the training courses' and the words 'and examinations'.

Article 15. In Annex 3, point 5°, of the same Decree, inserted by the Decree of the Flemish Government of 1 March 2013, replaced by the Decree of the Flemish Government of 21 September 2018 and amended by the Decree of the Flemish Government of 24 June 2022, the following amendments shall be made:

1° a package A.2.4 is inserted to read as follows:

'A.2.4 PFAS in fertiliser/soil improver
This package is an extension of the full package A.2.2.perfluoro-n-butanoic acid (PFBA)-n-butanoic acid (PFBA)
perfluoro-n-pentanoic acid (PFPeA)

perfluoro-n-hexanoic acid (PFHxA)
perfluoro-n-heptanoic acid (PFHpA)
perfluoro-n-octanoic acid (PFOA)
perfluoro-n-nonanoic acid (PFNA)
perfluoro-n-decanoic acid (PFDA)
perfluoro-n-undecanoic acid (PFUnDA)
perfluoro-n-dodecanoic acid (PFDoDA)
perfluoro-n-tridecanoic acid (PFTrDA)
perfluoro-n-tetradecanoic acid (PFTeDA)
perfluoro-n-hexadecanoic acid (PFHxDA)
perfluoro-n-butane sulfonic acid (PFBS)
perfluoro-n-pentan sulfonic acid (PFPeS)
perfluoro-n-hexane sulfonic acid (PFHxS)
perfluoro-n-heptane sulfonic acid (PFHpS)
perfluoro-n-octane sulfonic acid (PFOS)
perfluoro-n-nonanesulfonic acid (PFNS)
perfluoro-n-octane sulfonamide (PFOSA)
N-methylperfluoro-n-octane sulphonamide (MePFOSA)
4:2 fluorotelomer sulphonic acid (4:2 FTS)
6:2 fluorotelomer sulphonic acid (6:2 FTS)
8:2 fluorotelomer sulphonic acid (8:2 FTS)
4.8-dioxa-3H-perfluornonanoic acid (DONA)
perfluoro-4-ethylcyclohexane sulfonic acid (PFECHS)
perfluoro-n-hexane sulfonamide (PFHxSA)
perfluoro-n-octadecanoic acid (PFODA)
perfluoro-n-decanansulfonic acid (PFDs)
perfluoro-n-dodecaansulfonic acid (PFDoDS)
10:2 fluorotelomer sulphonic acid (10:2 FTS)
perfluoro-2-propoxypropanoic acid (HFPO-DA)
6:2 fluortelomer phosphate diester (6:2 diPAP)
8:2 fluortelomer phosphate diester (8:2 diPAP)
6:2/8:2 fluorotelomer phosphate diester (6:2/8:2 diPAP)
perfluoro-n-butane sulfonamide (PFBSA)
N-methylperfluoro-n-butane sulphonamide (MePFBSA)
N-methylperfluor-n-butanesulphonylamide acetic acid (MePFBSAA)
N-ethylperfluoro-n-octane sulphonamide (EtPFOSA)
N-methylperfluoro-noctane sulphonamidoacetic acid (MePFOSAA)
N-ethylperfluor-n-octane sulphonamidoacetic acid (EtPFOSAA)
perfluoro-n-octane sulphonamidoacetic acid (PFOSAA)
6:2 fluorotelomer phosphate monoester (6:2 PAP)
8:2 fluorotelomer phosphate monoester (8:2 PAP)
perfluoro-n-undecane sulfonic acid (Pfunds)
perfluoro-n-trisdecane sulphonic acid (PFTrDS)';

2° the packages A.3.1 and A.3.2 are cancelled;

3°a package A.3.4 is inserted as follows:

'A.3.4 use as construction material
dry residue
metals (total concentration and leachable fraction by column test): arsenic, cadmium, chromium, copper, mercury, lead, nickel, zinc, antimony, barium, molybdenum, vanadium, cobalt, selenium, tin

anions (leachable fraction via column test): bromide, chloride, fluoride and sulphate
BTEXS: benzene, toluene, ethylbenzene, sum xylenes and styrene
alkanes: hexane, heptane and octane
polycyclic aromatic hydrocarbons (PAHs): naphthalene, benzo(a)pyrene, phenanthrene, fluoranthene, benzo(a)anthracene, chrysene, benzo(k)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, indeno(1,2,3-cd)pyrene, acenaphthene, acenaphthylene, anthracene, dibenzo(a,h)anthracene, fluorene and pyrene
mineral oil
polychlorinated biphenyls (PCB): PCB 28, PCB 52, PCB 101, PCB 118, PCB 138, PCB 153, PCB 180
cyanides: free cyanide, non-chlorine oxidisable cyanides';

4° a package A.3.5 is inserted to read as follows:

'A.3.5 PFAS in construction material
This package is an extension of the full package A.3.1 or A.3.4.
perfluoro-n-butanoic acid (PFBA)
perfluoro-n-pentanoic acid (PFPeA)
perfluoro-n-hexanoic acid (PFHxA)
perfluoro-n-heptanoic acid (PFHpA)
perfluoro-n-octanoic acid (PFOA)
perfluoro-n-nonanoic acid (PFNA)
perfluoro-n-decanoic acid (PFDA)
perfluoro-n-undecanoic acid (PFUnDA)
perfluoro-n-dodecanoic acid (PFDoDA)
perfluoro-n-tridecanoic acid (PFTrDA)
perfluoro-n-tetradecanoic acid (PFTeDA)
perfluoro-n-hexadecanoic acid (PFHxDA)
perfluoro-n-butane sulfonic acid (PFBS)
perfluoro-n-pentan sulfonic acid (PFPeS)
perfluoro-n-hexane sulfonic acid (PFHxS)
perfluoro-n-heptane sulfonic acid (PFHpS)
perfluoro-n-octane sulfonic acid (PFOS)
perfluoro-n-nonanesulfonic acid (PFNS)
perfluoro-1-decanansulfonic acid (PFDs)
perfluoro-1-octan sulfonamide (PFOSA)
N-methylperfluoroctan sulfonamide (MePFOSA)
N-ethyl perfluorooctane sulphonamide (EtPFOSA)
N-methyl perfluorooctane sulphonamidoacetic acid (MePFOSAA)
N-ethyl perfluorooctane sulphonamidoacetic acid (EtPFOSAA)
4:2 fluorotelomer sulphonic acid (4:2 FTS)
6:2 fluorotelomer sulphonic acid (6:2 FTS)
8:2 fluorotelomer sulphonic acid (8:2 FTS)
8:2 fluortelomer phosphate diester (8:2 diPAP)
perfluoro-2-propoxypropanoic acid (HFPO-DA)
4.8-dioxa-3H-perfluornonanoic acid (DONA)
perfluoro-4-ethylcyclohexane sulfonic acid (PFECHS)
perfluoro-n-butane sulfonamide (PFBSA)
N-methylperfluoro-n-butane sulphonamide (MePFBSA)
perfluoro-n-hexane sulfonamide (PFHxSA)
perfluoro-n-octadecanoic acid (PFODA)

perfluoro-n-dodecaansulfonic acid (PFDoDS)
6:2 fluortelomer phosphate diester (6:2 diPAP)
6:2/8:2 fluorotelomer phosphate diester (6:2/8:2 diPAP)
10:2 fluorotelomer sulphonic acid (10:2 FTS)
N-methylperfluor-n-butanesulphonylamide acetic acid (MePFBSAA)
perfluoro-n-octane sulphonamidoacetic acid (PFOSAA)
6:2 fluorotelomer phosphate monoester (6:2 PAP)
8:2 fluorotelomer phosphate monoester (8:2 PAP)'.

Chapter 6. Amendments to the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on sustainable management of material cycles and waste.

Article 16. In Article 1.1.1, first paragraph, of the Decree of the Flemish Government of 17 February 2012 establishing the Flemish Regulations on the sustainable management of material cycles and waste, last amended by the Flemish Government Decree of 2 July 2021, a point 15° is added, which reads as follows:

‘15°Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment.’.

Article 17. Article 1.2.1 of the same Decree, last amended by the Flemish Government Decree of 2 July 2021, is amended as follows:

1° in section 2 point 13° is reinstated in the following reading:

'13° fuel residues: waste from regular fuels intended to power engines, whether or not mixed with waste oil;';

2° in subsection 2, a point 15°/2 shall be inserted, reading:

15° /2 CMA: compendium for sampling and analysis under the Materials Decree and the Soil Decree as mentioned in the VLAREL;';

3° in subsection 2, a point 25°/2 shall be inserted, reading:

'25°/2 recycled plastics content expressed as a percentage: the recycled plastics content in a material or product is determined as the ratio of the mass of recycled plastics to the total mass of plastics in the material or product, multiplied by 100;'

4° in subsection 2, a point 25°/3 shall be inserted, reading:

'25°/3 mixed construction and demolition waste: the fraction of construction and demolition waste that is not offered or collected separately;';

5° in section 2, in point 27°, the phrase 'all care institutions listed in 42°,' is replaced by the phrase 'all care institutions listed in 43°,';

6° to section 2, point 29°, the following words are added 'and which are certified according to the unitary recycled granules regulation';

7° to section 2 item 40°/2, the phrase '; the building volume in question is the sum of the building volumes of all buildings included in the same planning permission;' added;
8° to section 2, point 71°, the following words are added 'with the exception of flyers promoting activities of local associations';

9° in subsection 2, point 78° shall be replaced with the following:

'78° sorting screen granulate: recycled granulate with d ≥ 4mm and Dmax ≤ 80 mm obtained after sorting, screening and calibrating debris with physical contamination or with asbestos suspect materials. The sorting screen granulate comes from a sorting facility that has a quality assurance system as stated in the unit regulations for recycled granulates;';

10° in section 2, item 78°/1 is replaced by the following:

'78°/1 sorting screen debris: screened coarse inert debris fraction with a grain size greater than 20 mm obtained after sorting debris containing physical contaminants or asbestos suspect materials, and which comes from a sorting facility that has a quality assurance system as specified in the unitary regulations for recycled aggregates.

11° in section 2, an item 78°/1/1 is inserted as follows:

'78/1/1° farmyard manure: manure as mentioned in Article 3(5), 19°, of the Manure Decree;';

12° in subsection 2, point 79° shall be replaced with the following:

'79° sorting screen sand: recycled granulate with Dmax = 20 mm obtained from the sorting of debris containing physical contaminants and asbestos suspect materials, and which comes from a sorting facility that has a quality assurance system as specified in the unit regulations for recycled granulates;';

13° in subsection 2, point 88° shall be replaced with the following:

'88° shaped building material: a building material that:
a) may include a test piece whose dimension of two of the three dimensions exceeds 40 millimetres;
b) has a compressive strength of at least 9.0 N/mm2, determined according to the test method from the NBN series, adapted to the finished product;';

14° in subsection 2, point 89° shall be replaced with the following:

'89° disposable nappy: nappy intended for single use, or parts thereof;';

15° in section 3, 7° is replaced by the following:

'7° vehicle: vehicles falling under category M1 or N1 listed in Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing

Directive 2007/46/EC, as well as three-wheel motor vehicles as listed in Regulation (EU) 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles other than motor tricycles, regardless of how the vehicle has been serviced or repaired during use and regardless of whether it has been fitted with components supplied by the manufacturer or with other components fitted as spare or replacement parts in accordance with the relevant Community provisions or internal provisions;'

16° in subsection 6, point 3° shall be deleted;

17° in subsection 6, point 4° shall be replaced with the following:

'4° plastic carrier bags: carrier bags, with plastic as the main structural component, with or without a handle, provided to consumers at the point of sale of goods or products;';

18° in section 6, a point 6° is added to read as follows:

'9°Eating and drinking establishments: any place where food and/or drink is served for a fee with the exception of events, event campsites, school and company canteens or transport facilities.

19° in subsection 7, point 2° shall be deleted;

20° in subsection 7, point 3° shall be replaced with the following:

'3° plastic rubbish bag: any rubbish bag with plastic as the main structural component;';

21° paragraphs 8 to 13 are added, reading as follows:

(8). For the application of subpart 5.3.18 of Chapter 5, the following definitions apply:

1° plastic roll container for waste: any roll container for waste where plastic acts as a structural component of the container for waste.

(9). For the application of subpart 05/03/2019 of Chapter 5, the following definitions apply:

1° nursery pot: pot intended for growing plants and flowers.
2° nursery tray or plant tray: a plate with several rectangular or round cells intended, on the one hand, for taking cuttings and propagating plants and, on the other hand, for placing several culture pots.

(10). For the purposes of subpart 5.3.1.20 of Chapter 5, the following definitions apply:

1° furniture in the public outdoor space: furniture in public parks, in natural areas, on streets, squares, public playgrounds, public car parks and public sports grounds.

(11). For the application of Subsection 5.3.21 of Chapter 5, the following definitions apply:

1° plastic noise barrier: a soundproof wall-shaped structure consisting of a sound-insulating or sound-absorbing material and provided with the necessary structures to ensure structural stability, where the panel or the sound-insulating or sound-absorbing material or all these elements consist of plastic.
(12). For the application of Subsection 5.3.23 of Chapter 5, the following definitions apply:

1° plastic cover plates for cables, gas pipes and other utilities for outdoor applications: all plastic plates that ensure that cables, gas pipes and other utilities are mechanically shielded in the ground. These sheets have plastic as their structural main component and can have either a permanent or temporary function.

(13). For the application of Subsection 5.3.24 of Chapter 5, the following definitions apply:

1° plastic window system: any window system where plastic acts as a structural component of the window system.'.

Article 18. To Article 2.3.1.1 of the same Decree, replaced by the Decree of the Flemish Government of 2 July 2021, the existing text of which shall constitute section 1, a section 2 shall be added, reading as follows:

‘(2). The producer shall notify OVAM if he has any indications or information that the use does have adverse effects on the environment or human health. In doing so, he limits himself to the presence of substances of concern and substances of candidate concern such as SVHC listed in the candidate list, authorisation list or restriction list of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals, or substances listed in Annex I of Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants.'

Article 19. Article 2.3.1.2, second paragraph, of the same Decree, replaced by the Decree of the Flemish Government of 2 July 2021, shall be repealed.

Article 20. In Article 2.3.1.3 of the same Decree, replaced by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° in the second paragraph, the phrase 'for use as construction material, or for use in artificial sealing layers with water glass' shall be replaced by the words 'or for use as construction material';

2° to the last paragraph, the following sentence is added:

'The OVAM can prepare the necessary guidance documents for this purpose and publish them on its website.'

Article 21. In Article 2.3.1.3/1 of the same Decree, inserted by the Flemish Government's decree of 2 July 2021, the words 'or for risk management measures' and the words 'or the risk management plan' are deleted.

Article 22. In Article 2.3.1.3/2 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021 and amended by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1°in section 1, in the second paragraph, the phrase 'within seven calendar days' is replaced by the phrase 'the next working day';

2° in section 2(1), the sentence 'The raw material producer or, by way of derogation, the person acting on his behalf shall, when placing the order for the sampling and analysis of the above materials, forward the number of the raw material declaration to the above accredited laboratory, with the request to include this number in the sampling report and analysis report.'.' is deleted;

3° in section 2, a third, fourth and fifth paragraph are inserted, reading as follows:

'For the materials listed in Article 2.3.1.3, which are considered to be raw materials, the raw material producer or, by way of derogation, the person acting on his behalf, when placing the order for the sampling and analysis of the raw material, shall transmit the number of the raw material declaration to the accredited laboratory carrying out the sampling or analysis, or both, of those materials, requesting that number be included in the sampling report.

The accredited laboratory reports the start of the analysis of the raw material declaration in the Labo Loket - Analysis results of OVAM within 3 working days after sampling. With that notification, the following control data are compulsorily reported in the Labo Loket - Analysis results:
1° the identification of the recognised laboratory performing the analysis of the materials, via the Labo-ID available on the OVAM website;
2° the number of the raw material declaration;
3° the date of sampling;
4° the reason for sampling via the reference list available on the OVAM website;
5° the identification of the recognised laboratory that performed the sampling, via the Labo-ID available on the OVAM website;
6° the number of the sample;
7° the sampling report in PDF format.

The Labo Loket - Analysis Results then provides the accredited laboratory with an OVAM order reference for the notified analysis of the materials considered as raw materials.'

4° section 3 is replaced by the following:

‘(3). Records of sampling and analysis of the material considered as a raw material shall be kept on an electronic medium for easy data exchange between the recognised laboratories and OVAM. The minister shall determine in a standard procedure the technical specifications to be met by the data from sampling and analysis, and the technical specifications of data exchange, as provided for in this Article. For materials considered as raw materials, where more than one

recognised laboratory performs analyses as part of the same analysis, the recognised laboratory determines which laboratories report the results to OVAM.

The recognised laboratories reporting the results of the analyses mentioned in section 2 to OVAM shall provide those analysis data with the OVAM order reference. This shall be done by electronic means immediately after the analysis has been carried out or immediately after receipt of the analysis results from the other recognised laboratories concerned. The exchange of data is done according to the specifications included in the standard procedure.

The raw material producer of metallurgical production processes for ferrous metals shall also provide to the OVAM annually in PDF format the analysis results demonstrating compliance with the ministerial order mentioned in Article 2.3.6.1(2).

Analytical data not covered by the reporting duties of this section shall be kept available to the regulator and OVAM by the raw material producer or the person acting on its behalf for five years.'

Article 23. An Article 2.3.1.4 is added to subpart 2.3.1 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, which reads as follows:

'Article 2.3.1.4.While maintaining the application of the provisions on the quality assurance system from subsection 2.5.1, the producer shall provide evidence that the internal management ensures the quality of the target raw material and the representativeness of the analysis. This evidence contains relevant elements in the business and includes a description of:
1. quality follow-up on acceptance and/or acceptance criteria on incoming flows,
2. quality control of the processing or production process,
3. quality monitoring of the target raw material based on its own sampling protocol, analysis protocol and control scheme,
4. or any other demonstrable evidence of quality assurance.

This Article does not apply to quantities of raw materials that are created once.'

Article 24. Article 2.3.2.1 of the same Decree, last amended by the Decree of the Flemish Government of 02 July 2021, is amended as follows:

1° in section 1, the words 'works or' are replaced by the words 'the use of';

2° in section 1, the phrase 'materials listed in Annex 2.2, part 2' is replaced by the words 'intended raw materials';

3° in section 1, points 2° and 3° are replaced by the following:

' 2° the maximum total concentrations of metals, listed in Annex VI of the VLAREBO decree of 14 December 2007, are mandatory values for the unmixed use as unformed building material and for the mixed use in unformed building material with compressive strength less than 6.0 N/mm2;

3° the maximum leachability values of the metals arsenic, cadmium, chromium, copper, mercury, lead, nickel and zinc, listed in Annex 2.3.2.B, shall not be exceeded during the intended use in or as a building material. The leachability values of barium, bromide, chloride, fluoride and sulphate listed in Annex 2.3.2.B are guideline values.
In ash from waste incineration and slag from metallurgy, the maximum leachability values of the metals antimony, molybdenum, vanadium, cobalt, selenium and tin, listed in Annex 2.3.2.B, are not exceeded when intended to be used in or as building materials;'

4° in subsection 1, point 4° shall be deleted;

5° a point 7° is added to section 1, reading:

'7° recycled aggregates and physicochemically treated recycled aggregates are exempt from the mandatory value for the total metal concentration. If the total concentrations are lower than the values for free use of excavated soil listed in Annex V of the VLAREBO, recycled granules and physicochemical recycled granules are exempt from the leachability of the materials.'

6° a section 1/1 is inserted, reading as follows:

‘(1/1). The producer of the target raw material that exceeds the mandatory value for total heavy metal concentration or the mandatory value for heavy metal leachability shall have research conducted on cleanability including a second opinion by an independent knowledge institution. Cleanable means that the mandatory values for total concentration and for leachability of heavy metals mentioned in section 1 are met, and the mass of the cleaned material is at least 60 % of the mass of the input material. The second opinion of the independent knowledge institution includes the assessment of the research and its own opinion. The research on cleanability and the second opinion of the independent knowledge institution are added in the application for raw material declaration.

If the target raw material is cleanable, it must first be cleaned to obtain the raw material status. The unpurified target raw material is not eligible for processing into a shaped building material. The contract between the producer and the cleaning firm is added in the application for the raw material declaration.

If the target raw material is not cleanable, it can be processed according to a specific recipe into a non-shaped building material with compressive strength of at least 6.0 N/mm2 or into a shaped building material. The recipe is attached to the application for the raw material declaration. With the intended use, the leachability values mentioned in section 1, 3° are met.

The minister determines the list of targeted raw materials for which no cleanability study is required.

The minister may lay down further rules regarding the determination of the cleanability of an intended feedstock.'

7° section 3 is deleted.

Article 25. Article 2.3.2.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, is hereby repealed.

Article 26. In Article 2.3.3.3 of the same Decree, replaced by the Decree of the Flemish Government of 2 July 2021, section 1 is replaced by the following:

'(1). GFT compost, green compost, farm compost produced in a partnership as defined in Article 3(5),3° of the Manure Decree and final material from the biological treatment of organic-biological waste shall be produced in a licensed establishment for the biological treatment of organic-biological waste that has an inspection certificate.'

Article 27. To the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Article 2.3.3.4 is added, reading as follows:

'Article 2.3.3.4. Producers of the following wastes produce an information sheet:
1° organic-biological wastes transformed by biological processing into soil improvers or fertilisers, with the exception of:
a) GFT waste;
b) green waste;
c) other wastes classified in risk class 1 of the General Regulations of Certification mentioned in Article 2.3.3.3(6);
d) on-farm organic-biological waste which is transformed into soil improvers or fertilisers through on-farm biological treatment;
2° materials used directly as soil improvers or fertilisers, for which a raw material declaration is required in accordance with the provisions of Article 2.3.1.3 or Annex 2.2.

The waste information sheet is being revised:
1° in accordance with the frequency specified in the General Regulations for Certification, mentioned in Article 2.3.3.3(6);
2° at least six-monthly.

The minister determines the minimum components of the information sheet.

Wastes for which the preparation of an information sheet is required in accordance with 1° may only be accepted in biological processing for the purpose of transformation into soil improvers or fertilisers if the processor has an information sheet prior to delivery that is not older than 6 months at the time of delivery of the waste.

Wastes for which the preparation of an information fiche is required in accordance with 2°, may only be applied if the user has an information fiche prior to the application that is not older than 6 months at the time of delivery of the waste.'

Article 28. To the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Article 2.3.3.5 is added, reading as follows:

'Article 2.3.3.5. (1). Wood chips may only be undercut in farmland if it is in active use for agricultural activities. Pending undercropping, the wood chips may be applied as ground cover on that farmland.

(2). Subject to the application of the composition conditions listed in Annex 2.3.1.A, the wood chips shall comply with the provisions of Article 5.3.15.1(1), 1°, and the following composition conditions:
1° minimum organic matter content of 80 % on dry matter;
2° minimum carbon-nitrogen ratio of 50;
3° minimum carbon-phosphorus ratio of 500.

The compliance of the wood chips with the composition conditions of the second paragraph, 1° to 3°, shall be demonstrated by representative sampling and analysis:
- per volume of 40 cubic metres of woodchips when applied to a plot of agricultural land with a maximum area of 1 hectare
- per volume of 100 cubic metres of wood chips when applied to an agricultural plot with an area of more than 1 hectare.

By way of derogation from Article 2.3.1.3./2. (2), the woodchips should not be analysed annually for the purposes of capping against the composition requirements of Annex 2.3.1.A.

(3). The use of wood chips is prohibited if they are produced from materials or waste streams derived from:
1° construction and maintenance of gardens, more specifically waste containing grass, leaves, needles and hedge clippings;
2° recycling parks and waste processing plants, excluding sieve overflow greater than 40 mm, of green composting that has a valid inspection certificate for green compost in accordance with Article 2.3.3.3. (1);
3° construction and demolition activities, packaging and wood processing industries.;
4° areas with contaminated soils, which may or may not be remediated by phytoremediation;
5° areas or producers located outside the Flemish Region;
6° management of vegetations and small landscape elements that do not comply with the measures in implementation of Article 13(4) to (6) of the decree of 21 October 1997 on nature conservation and the natural environment.

(4). These provisions do not apply to private individuals who apply green waste from the maintenance of their own garden, back into their own garden as ground cover.

Article 29. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, subsection 2.3.4, which consists of Article 2.3.4.1, is repealed.

Article 30. The following phrase is added to Article 2.3.5.1(1), first paragraph, of the same Decree:

'applying the BAT conclusions for the non-ferrous metal industry listed in Chapter 3.10 of Title III of the VLAREM of 16 May 2014. Materials are not considered raw materials if the materials are processed in production processes that do not use these best available techniques.'

Article 31.A subsection 2.3.7, consisting of articles 2.3.7.1 to 2.3.7.4, is added to part 2.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, which reads as follows:

'Subsection 2.3.7.Criteria for raw materials intended for use as blend component in marine fuel

Article 2.3.7.1. Processed waste oil and processed fuel residues used as blend component in marine fuel shall comply with the provisions of this subsection.

Article 2.3.7.2. Waste oil and fuel residues can be reprocessed into blend component for marine fuel provided the total PCB content is below 50 ppm.

Article 2.3.7.3. (1). The reprocessing process includes at least the following three process steps:
1° filtration;
2° dewatering;
3° distillation to separate the bituminous fraction from the fuel fraction, where the intended raw material is the distillate from the distillation process or an equivalent technique that is shown to allow the composition conditions in Article 2.3.7.4 to be met.

(2). Points 1° and 2°, mentioned in section 1, may be waived if analyses show that they do not add value in meeting the composition requirements.

Article 2.3.7.4. The reprocessed waste oil and reprocessed fuel residues shall at least comply with the composition conditions listed in Annex 2.3.3. Those composition requirements always come on top of product standards that already exist and limits that are already in place.'

Article 32.A second paragraph shall be added to Article 2.4.2.1 of the same Decree, replaced by the Flemish Government Decree of 22 December 2017, as follows:

'An intended feedstock for which compliance with the mandatory composition conditions of the application cannot yet be demonstrated at the time of application because its concrete application is not yet operational, if it is an application by the initial feedstock producer, may still be authorised as a feedstock. Based on laboratory studies, it must be demonstrated that the compositional conditions of the application can be met.'

Article 33. Article 2.4.2.2 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, is amended as follows:

1° in the first paragraph, point 6°, the words 'or the work' are deleted.

2° to the first paragraph, point 7°, a letter e) and f) shall be added, reading as follows:

'(e) the producer justifies not having evidence or information of the presence of other non-standardised parameters that have adverse effects on the environment and human health. In doing so, he limits himself to the presence of substances of concern and substances of candidate concern such as SVHC listed in the

candidate list, authorisation list or restriction list of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals, or substances listed in Annex I of Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants.

(f) proof that the internal management guarantees the quality of the target raw material and the representativeness of the analysis. as stated in Article 2.3.1.4.'

3° a third paragraph shall be added, reading as follows:

'For use as construction material, the application additionally contains the following documents and data, if they have not already been submitted to OVAM:
1° a document demonstrating that the intended raw material meets the definition of building material and that the intended raw material is suitable for use in the intended application;
2° a document demonstrating that the quality of the building material is guaranteed by a quality assurance system as mentioned in Part 2.5, or a motivation why such a quality assurance system does not apply;
3° a specific description of the application in which the building material shall be used, and the qualitative contribution of the building material to the functionality of that application;
4° a motivation that, after the material or application has fulfilled its function, the building material or the application in which the building material shall be used can be reintroduced into the materials cycle after any processing.'.

Article 34. In Article 2.4.2.3 of the same Decree, replaced by the Decree of the Flemish Government of 22 December 2017 and amended by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° in section 3, two paragraphs are inserted between the second and third paragraphs, reading as follows:

'OVAM may seek advice from a third party. It shall do so no later than 14 calendar days after receiving the application, and it shall inform the applicant accordingly.

If OVAM requests an opinion from a third party in the processing of the application, the period of processing mentioned in section 2 shall be suspended from the dispatch of that request and shall start running again on the next working day from the receipt of the opinion or, after 30 calendar days from the dispatch of the request.'

2° a section 5 is added, reading as follows:

‘(5). The commodity declaration shall lapse by force of law in the following cases:
1° the production of the materials that are the subject of the raw material declaration does not start within five years after the raw material declaration is granted;
2° the production of the materials that are the subject of the raw material declaration is interrupted for more than five consecutive years.

The OVAM shall send an electronic notification of the expiry by force of law of the resource declaration to the holder.'

3° a section 6 is inserted, reading:

‘(6). After the holder of the raw material declaration has been heard, OVAM may amend the raw material declaration with reasons based on:
1° new scientific knowledge on the adverse effects on the environment or human health of the materials that are the subject of the raw material declaration;
2° findings in the field indicating increased adverse effects on the environment or human health due to the use of the materials that are the subject of the raw material declaration.

The reasoned decision of OVAM may be appealed in the manner specified in Article 2.4.2.4.'

Article 35. In Article 2.4.2.5, 4°, of the same Decree, the words 'or the work' are deleted.

Article 36. In Article 2.4.2.6 of the same Decree, replaced by the Decree of the Flemish Government of 22 December 2017, two paragraphs are inserted between the second and third paragraphs, reading as follows:

'The holder of the raw material declaration shall include the conditions for the use of the raw material stated in the raw material declaration in a written agreement signed by the holder of the raw material declaration and by each user of the raw material. A change in the conditions must be communicated to each user, and results in an amendment to the written agreement signed by the holder of the raw material declaration and by each user of the raw material who wishes to make further use of the raw material.

The raw material declaration may deviate from the obligation mentioned in the third paragraph.'

Article 37. Article 2.4.3.1 of the same Decree, amended by the Decrees of the Flemish Government of 22 December 2017 and 22 March 2019, is amended as follows:

1° in section 1, first paragraph, 4°, the phrase 'mentioned in Article 2.2.8' is replaced by the phrase 'mentioned in Article 2.3.1.3/2 ';

2° in section 1, first paragraph, a point 6° is inserted as follows:

'6° new scientific knowledge about the adverse effects on the environment or human health of the materials that are the subject of the rawmaterial declaration, or findings in the field indicate increased adverse effects on the environment or human health through the use of the materials that are the subject of the raw material declaration.'

3° in section 2, second paragraph, the words 'sixty calendar days' are replaced by the words 'thirty calendar days';

4° in section 2, a paragraph is inserted between the third and fourth paragraphs, reading as follows:

'Additional information must be provided to OVAM within a period of 60 calendar days unless otherwise specified in the request for additional information. If the OVAM does not receive this additional information in time, the resource declaration shall be cancelled.'

Article 38. In Article 2.6.4, of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, a third paragraph is added, reading as follows:

'The statement referred to in paragraph 2 shall contain at least the following information:
1° the address details and contact of the recovery company or producer;
2° the address details and contact of the company that carried out the self-assessment;
3° a description of the end-of-waste or by-product;
4° a confirmation that the end-of-waste or by-product meets the conditions for end-of-waste or by-product and at which establishment the self-assessment is held for inspection;
5° the specific use for which the end-of-waste or by-product is suitable;
6° in cross-boundaries transport: a confirmation that the material has an end-of-waste or by-product status in country of origin and in country of destination.'

Article 39. To Article 2.6.5, of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° to the first paragraph, the words 'and when using recovered raw materials from the recycling of disposable nappies' are added;

2° The following sentence is added to paragraph 2:

'When the OVAM or a regulator requires a resource declaration, pending the obtaining of the resource declaration, the material that is the subject of the self-assessment is considered waste.'

Article 40. In Article 3.1.1(1)(1), of the same Decree, amended by the Flemish Government Decree of 23 May 2014, a point 14° is added, reading as follows:

'14° used fibre cement building materials";.

Article 41.A new Article 3.2.1.6 is inserted into the same Decree, last amended by the Flemish Government Decree of 2 July 2021, reading as follows:

'Article 3.2.1.6.(1).The operator of an online marketplace is required to inform in writing all producers who sell a product through its online marketplace to private households or users other than private households in the territory by means of distance selling, of the duties incumbent on them under the take-back obligation.

(2). The operator of an online marketplace shall prevent producers who are not members of a management body or who do not have an individual take-back obligation plan from entering into distance contracts with private households or users other than private households in the territory through its online marketplace. For this purpose, the operator of an online marketplace shall require the producer to provide written proof of its individual acceptance obligation plan

or affiliation to the relevant management body or bodies at the time of registration on the online marketplace.

Notwithstanding the first paragraph, the manager of an online marketplace may nevertheless allow a producer who is not registered with OVAM, or with the management body or bodies concerned, to conclude distance contracts via its online marketplace with private households or users other than private households on the territory. The administrator shall then have to take care of the duties under the extended producer responsibility to which that producer is normally bound.

The operator of an online marketplace shall provide the OVAM with an overview by 1 March each year at the latest of all producers who have been able to conclude distance contracts on its online marketplace with private households or users other than private households on the territory during the previous year, and their registration number with the relevant management organisations.

If and as long as the OVAM establishes that a producer operating in an online marketplace fails to comply with the duties incumbent on it under the take-back obligation, the manager of the online marketplace shall, on simple request from the OVAM, prevent that producer from concluding distance contracts in its online marketplace with private households or users other than private households on the territory. If the operator of the online marketplace fails to do so within the deadline imposed by OVAM, the operator must itself take care of that producer's duties under extended producer responsibility.

(3). If an operator of an online marketplace also acts as a producer, it is also subject to the duties regarding the take-back obligation for the products it sells itself.'

Article 42. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Article 3.4.1.1/1 is inserted, reading as follows:

'Article 3.4.1.1/1 The use of an all-encompassing plastic wrapper for unaddressed printed matter offered free of charge is prohibited.'

Article 43. To Article 4.1.3 of the same Decree, replaced by the Decree of the Flemish Government of 23 September 2016 and amended by the Decree of the Flemish Government of 22 March 2019, the existing text of which shall constitute section 1, a section 2 shall be added, reading as follows:

‘(2). If insufficient information is available on the composition and origin of the waste, the hazardous property HP14 'ecotoxic' should be evaluated according to one of the following methods:
1° an evaluation based on the calculation rules described in the annex to Council Regulation (EU) 2017/997 of 8 June 2017 amending Annex III to Directive 2008/98/EC of the European Parliament and of the Council as regards the hazardous property HP 14 'Ecotoxic'. Regulation (EU) 2017/997 also stipulates that the bioavailability of substances may be taken into account when classifying waste. This is done as follows: if a waste is classified as hazardous according to the calculation rules, and if this classification is only due to the presence of inorganic substances in the waste, the calculation rules may be deviated from. In this case, the waste is considered not ecotoxic if the concentration of each of the

parameters in the extract is below the following limits of that respective parameter:

Parameter	Leachability in mg/kg dry matter*
Ash	2
Cd	1
Cr	10
Cu	10
Hg	0.2
Ni	10
Pb	10
Co	5
Se	0.5
Zn	25
CN	10
DOC	800

*leachability determined by the single shake test

2° an evaluation of the wastes referred to in Article 4.1.3(1)(1), whereby they are considered 'ecotoxic' if the extract induces 50 % effect or more in at least one of the following three biotests, carried out as specified in CMA/4/C for methods of extraction and biotests:
a) Microtox;
b) Daphnia immobilisation;
c) Algal growth inhibition.

The waste holder chooses the method. If either method indicates that the waste is not ecotoxic, there is no need to use the second method. If a hazardous property of waste has been assessed both by means of a test as mentioned in paragraph 1(2°) and using the calculation rules mentioned in paragraph 1(1°), the test results shall take precedence.

Biotests, dilutions or limits other than those mentioned in the first paragraph, 2°, shall not be authorised.'

Article 44. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Article 4.3.1/1 is inserted as follows:

‘Article 4.3.1/1.The operator of an establishment that sells or offers, whether temporarily or permanently, tobacco products, food or beverages that can be consumed immediately outside the establishment must ensure the proper collection, disposal and treatment of any waste arising therefrom on its own or associated premises. The necessary measures should be taken so that the collected waste can be maximally reused or recycled.'

Article 45. Article 4.3.1 of the same Decree, last amended by the Flemish Government Decree of 2 July 2021, is amended as follows:

1° in the first paragraph, point 5 is replaced by the following:

'5° biowaste;';

2° paragraph 2 is removed.

Article 46. Article 4.3.2 of the same Decree, last amended by the Flemish Government Decree of 2 July 2021, is amended as follows:

1° in paragraph 1, point 9° is replaced with the following:

'9° inert rubble, consisting of concrete rubble, masonry rubble or mixed rubble;';

2° in paragraph 1, point 12° is replaced with the following:

'12° wastes containing asbestos cement and materials suspected of containing asbestos;';

3° points 25° to 32° are added to the first paragraph, reading as follows:

'25° non-tar asphaltic debris;
26° foundation materials that cannot be processed in accordance with the provisions of the unitary recycled aggregates regulations;
27° contaminated fractions of construction and demolition waste that cannot subsequently be sorted out at a processor, after which they meet the acceptance criteria of the licensed processor;
28° aerated concrete;
29° plasterboard and gypsum blocks;
30° glass wool;
31° rock wool;
32° bituminous roofing or sealing material.';

4° the existing fifth paragraph is replaced by the following:

'Notwithstanding paragraph 1, the waste producer may combine paper and cardboard waste, wood waste, metal waste, rigid plastics and foils in the same container under the following cumulative conditions:
1° they are dry, non-hazardous waste fractions, where the aggregation of the fractions does not prevent the subsequent sorting out and recycling of the individual waste fractions or make them of lower value than would be the case if collection were completely separate;
2° the container contains no other waste, no construction and demolition waste and no operational residual waste;
3° if a waste collector, dealer or broker is used, the waste producer shall conclude a contract with it, specifying the aggregated fractions, and stating that the container may not contain any other waste and no operational residual waste;
4° the container is transferred to a licensed sorting facility where the fractions are completely sorted out.';

5° a seventh paragraph is added, reading as follows:

'Construction and demolition waste must be presented by the producer separately from other waste and kept separate during collection or collection. Construction and demolition waste generated by disasters or that must be destroyed or disposed of immediately without further treatment on the basis of

other legislation or by an order of the police or competent authorities is an exception.'

6° an eighth paragraph is added, reading as follows:

'By way of derogation from the obligation mentioned in the first paragraph, the waste producer may combine different fractions of construction and demolition waste in the same container under the following cumulative conditions:

1° it concerns waste from construction, demolition or renovation work that meets the definition of construction and demolition waste according to Article 1.2.1(2), 11°/1 and where one of the following conditions is met:
a) the contiguous space available for placing and loading the collection containers does not exceed 40 m²;
b) or when there is a reasoned statement by the safety coordinator that the respective fractions are not released separately for safety, stability or technical implementation constraints or danger to workers;

2° the construction and demolition waste comes directly from an active construction site;

3° they are dry, non-hazardous waste fractions. Asbestos-containing or asbestos-suspicious materials, contaminated fractions of construction and demolition waste and foundation materials that cannot be processed under the unit regulation for recycled aggregates are excluded from this mixed collection;

4° construction and demolition waste is managed as provided for in subsection 5.2.16.'.

Article 47. In Article 4.3.3 of the same Decree, amended by the decrees of the Flemish Government of 22 December 2017, 22 March 2019 and 2 July 2021, the following amendments are made:

1° in section 2, fourth paragraph, point 1° is replaced by the following:

'1° the provisions with which the demolition expert buildings and the demolition expert infrastructure must comply. The building demolition expert can perform the tasks listed in the extended building procedure, the abbreviated building procedure listed in the standard procedure, and the infrastructure works procedure, and holds at least a personal certificate of asbestos expert inventory as mentioned in Article 5.4.10. The infrastructure demolition expert can perform the tasks mentioned in the infrastructure works procedure and has at least a recognition as a type 1 soil remediation expert, as stipulated in Article 25/1 of the VLAREL decree of 19 November 2010, or a personal certificate asbestos expert inventory as mentioned in Article 5.4.10;';

2° a fifth paragraph is added to Section 2, reading:

'The client for the preparation of the demolition succession plan shall provide the demolition expert with the necessary information about the building or infrastructure work, give the demolition expert access to the building or infrastructure work and provide the demolition expert with cooperation so that

the demolition expert can prepare the demolition succession plan in accordance with the standard procedure.'

3 ° in Section 3, paragraph 2 is replaced by the following:

'The compliant demolition succession plan forms part of the tender documents, the competition and the contractual documents. The tender documents, the competition and the contractual documents shall state that in order to obtain a processing approval and the demolition certificate, work must be carried out on the conditions, stated in the conformity statement by the demolition management organisation of the demolition follow-up plan.'

4° section 4 is replaced by the following:

‘(4). The contractor of demolition, dismantling and renovation works shall provide the demolition management organisation with copies of the issue certificates of:
1° the disposed hazardous waste and asbestos suspect materials;
2° the potentially contaminated demolition materials, whose contamination characteristics have not been determined in the demolition follow-up plan and which cannot subsequently be sorted out at a processor, after which they meet the acceptance criteria of the licensed processor;
3° the debris fraction not accepted by the debris crusher as debris with a low environmental risk profile.

The deposit receipts and transport documents of the other disposed waste must be made available to the demolition management organisation on request.

Before the completion of the demolition or dismantling works, the executor of construction, infrastructure, demolition, dismantling and renovation works shall deliver a demolition certificate as mentioned in Article 4.3.5(3), to the holder of the single permit.'

Article 48. In the same Decree, last amended by the Flemish Government Decree of 2 July 2021, a new 4.3.3/1is inserted, reading as follows:

‘Article 4.3.3/1. (1). The contractor of the construction, demolition and renovation works shall take the necessary measures to ensure that the fractions of construction and demolition waste referred to in Article 4.3.2 are released as a separate fraction during construction, demolition, dismantling or renovation at the site, and shall be responsible for the proper separate collection and disposal of the waste at the construction and demolition site in accordance with the provisions of subpart 5.2.16.

(2). For demolition works under the scope of Article 4.3.3(1) and for new construction work on buildings for which a single permit is required and whose total building volume exceeds 1 000 m³ for all non-residential buildings covered by the permit, or exceeds 5 000 m³ for all essentially residential buildings, excluding single-family dwellings, covered by the permit, the contractor of the construction, demolition or renovation works shall prepare a waste management and demolition plan. This waste management plan must be available before the start of construction, demolition, dismantling or renovation works.

At a minimum, this waste management and demolition plan contains provisions on:

1° prior disposal of waste fractions that are not construction and demolition waste;

2° fractions to be collected separately, in accordance with Article 4.3.2, and intended for reuse and material recycling;

3° for demolition works under the scope of Article 4.3.3(1), the waste management and demolition plan takes into account the declared conforming demolition follow-up plan and provides additional at least:
a) a description of the framework conditions in demolition and dismantling including technical implementation constraints and nuisance and safety aspects. This is done by a reasoned statement from the safety coordinator that the respective fractions cannot be released separately and collected for reasons of safety, stability or danger to workers;
b) a description of the demolition method and techniques used and consequently the determination of the possible implications on the quality of the collected fractions;

4° organising the separate collection at the yard of the different waste fractions;

5° an overview of the various waste collection containers with an indication of which substances this shall and shall not contain depending on disposal to licensed facilities;

6° the organisation of waste disposal according to the release of the different fractions during construction, demolition or renovation works.

The waste management plan must be made available at first request to the supervisor, the demolition management organisation, the expert conducts the inspection visit as part of the demolition follow-up and OVAM.

The minister may further elaborate the provisions regarding the waste management and demolition plan mentioned in paragraph 1.The OVAM can make a template of a waste management and demolition plan available on its website.'

Article 49. In Article 4.3.5 of the same Decree, inserted by the Decree of the Flemish Government of 23 May 2014 and amended by the Decrees of the Flemish Government of 22 December 2017 and 2 July 2021, the following amendments are made:

1° section 2 is replaced by the following:

‘(2). For all demolition, renovation or dismantling works mentioned in Article 4.3.3, section 1, a demolition certificate must be issued by a recognised demolition management organisation, unless otherwise stipulated in the conformity statement of the demolition succession plan.'

2° in section 3, third paragraph, point 2°, the word 'days' is replaced by the word 'working days';

3° in section 3, third paragraph, a point 2°/1 is inserted, reading as follows:
'2°/1the conditions under which the demolition management organisation may declare the demolition succession plan incomplete and request additions. In such a case, the period of 30 working days shall be suspended from the dispatch of the request for additions and the period of 30 working days shall start running again from the receipt of the clarifications;';

4° in section 3, third paragraph, point 4°, the word 'days' is replaced by the word 'working days';

5° in section 3, third paragraph, point 7°, the word 'days' is replaced by the word 'working days';

6° to section 3, third paragraph, a point 8° is added as follows:
'8° the conditions under which the demolition management organisation may declare the demolition certificate application incomplete and request additions. In such a case, the deadline of 30 working days shall be suspended from the dispatch of the request for additions and the deadline shall start running again from the receipt of the clarifications.'

Article 50. In Article 4.3.6, section 1, of the same Decree, inserted by the Decree of the Flemish Government of 23 May 2014 and amended by the Decree of the Flemish Government of 22 March 2019, the phrase 'the Act of 27 June 1921 on non-profit associations, international non-profit associations and foundations' shall be replaced by the phrase 'the provisions of the Companies and Associations Code of 23 March 2019';

2° in the second paragraph, the phrase '9° and 10°' is replaced by the phrase '10° and 11°'.

Article 51.A new Article 4.4.6 is inserted into the same Decree, last amended by the Flemish Government Decree of 2 July 2021, with the following text:

‘Article 4.4.6. (1). The OVAM may by reasoned decision grant individual derogations from the obligation to destroy or irreversibly transform certain POP-containing waste listed in Article 7.2 of Regulation (EU) 2019/1021 of 20 June 2019 of the European Parliament and of the Council on persistent organic pollutants. The holder of the waste applies for the derogation in writing to OVAM.

(2). OVAM shall determine the form of such exemption requests. An exemption request shall contain the following:
1° the identification of the applicant;
2° the identification and quantity of the waste;
3° the content of POPs in the waste;
4° the justification for the derogation request;
5° the period for which the derogation is requested.

OVAM shall decide within forty-five calendar days from the receipt of the fully declared application and inform the applicant in writing of its decision. Exemptions may be granted for a maximum of five years. The derogations granted are published on the OVAM website.'

Article 52. In Article 4.5.2. (1), of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° in point 3°, between the phrase 'Article 4.3.1' and the word 'became', the phrase 'or Article 5.1.4' shall be inserted;

2° in point 3°, the sign ';' is replaced by the phrase ', with the exception of household waste still containing biowaste and for which a deferral has been granted by OVAM at the latest until 1 January 2026;';

3° a point 6° shall be added with the following text:

'6° construction and demolition waste not managed in accordance with subsection 5.2.16.'.

Article 53. In Article 5.2.3.17 of the same Decree, the phrase ', unless otherwise provided for in the single permit,' is added to section 2. added.

Article 54. Article 5.2.4.2 of the same decree, amended by the Decrees of the Flemish Government of 16 November 2012, 23 September 2016 and 2 July 2021, is amended as follows:

1° before subsection 1, renumbered to subsection 1/1, a new subsection 1 shall be inserted, reading as follows:

‘(1). The holder disposes or intends to dispose of a vehicle, including:
1° if it is dismantled for reuse of parts or intended for that purpose;
2° if it is no longer used as a vehicle or is intended for a use other than use as a vehicle.';

2° in the first paragraph of section 1, which became section 1/1, point 4° is replaced by the following:
'4° if it is a technical total loss or the vehicle has the following damage:
a) the vehicle's safety cage is deformed;
b) the vehicle broke up into several pieces;
c) the front, middle or rear of the vehicle has been destroyed by fire;
d) the vehicle has water damage where the water level in the vehicle has reached the seat surface of the seats.';

3° in the second paragraph, point 1°, of section 1, which became section 1/1, the phrase '25 years' is replaced by the phrase '30 years';

4° in the second paragraph, point 5°,of section 1, which became section 1/1, the word 'rallycross' is replaced by the word 'cross'.

Article 55. In Article 5.2.4.3, of the same Decree, amended by the decrees of the Flemish Government of 23 September 2016 and 22 March 2019, the following amendments are made:

1° to section 3, the following sentence is added:

'All processing steps to be carried out shall be schematically displayed in a clearly visible place at the processing site. The draining of refrigerants from air-conditioning equipment is thereby shown in detail for the various necessary steps.'

2° in section 5, the sentence 'The authorised centre for depollution, dismantling and destruction of end-of-life vehicles shall, before the end-of-life vehicle leaves the site, provide the last holder or owner of the end-of-life vehicle, free of charge,

with a certificate of destruction containing at least the information specified in Annex 5.2.4.' replace with the sentences 'The authorised centre for depollution, dismantling and destruction of end-of-life vehicles shall provide the last holder or owner of the end-of-life vehicle, free of charge, with a certificate of destruction containing at least the information listed in Annex 5.2.4. The authorised centre shall deliver the certificate of destruction to the last holder or owner of the end-of-life vehicle no later than one month after receiving the end-of-life vehicle and before the end-of-life vehicle leaves the site.'

Article 56. In Article 5.2.4.4, 3°, of the same Decree, replaced by the Decree of the Flemish Government of 18 March 2016, the phrase 'all persons recovering fluorinated greenhouse gases from air-conditioning equipment in end-of-life vehicles falling within the scope mentioned in Article 1 of Commission Regulation (EC) No 307/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council establishing minimum requirements for training programmes and the conditions for mutual recognition of training attestations for personnel as regards air-conditioning systems in certain motor vehicles containing certain fluorinated greenhouse gases,' is replaced by the phrase 'the expert person mentioned in Article 5.2.4.5(1), 2°, and all persons who recover refrigerants'.

Article 57. In Article 5.2.5.3 of the same Decree, replaced by the Flemish Government Decree of 23 September 2016, the phrase 'Article 5.2.2.5.2, (8) and (9)' shall be replaced by the phrase 'Article 5.2.2.5, bis1 to bis4'.

Article 58.A third, fourth and fifth paragraphs are added to Article 5.2.7.2 of the same Decree, last amended by the Flemish Government Decree of 2 July 2021, reading as follows:

'Waste batteries and accumulators shall be stored and processed in such a way as to minimise the presence of conductive or flammable interfering substances and to protect the waste batteries and accumulators from exposure to water, excessive heat and the risk of breaking or other physical damage. The protection against exposure to water, excessive heat and the risk of breaking or other physical damage does not apply to facilities specifically licensed to treat waste batteries and accumulators if water, excessive heat, breaking or other physical damage is necessary or unavoidable in the process.

Special precautions and safety measures are taken for the storage and disposal of discarded lithium batteries and accumulators. The special measures are tailored to the activity and drawn up in consultation with the fire brigade or an independent expert. If the establishment or activity requires a permit, the special measures form part of the permit application and the recognised work plan.

The minister may lay down further rules for the storage and treatment of waste batteries and accumulators.'

Article 59.A subsection 5.2.15, consisting of Article 5.2.15.1 to Article 5.2.15.4, shall be added to part 5.2 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, as follows:

‘Subsection 5.2.15. Used disposable nappies

Article 5.2.15.1. Used disposable nappies, including urine, faeces and any used wet wipes, may be recycled if:
1° disposable nappies from nurseries and group childcare facilities;
2° disposable nappies from residential care centres;
3° household disposable nappies;
4° disposable nappies that are unusable or unsaleable.

The following streams may not be recycled:
1° used disposable nappies from hospitals;
2° used panty liners or used sanitary towels;
3° used disposable nappies from people treated with cytostatics;
4° used disposable nappies contaminated with radioactive substances, hazardous waste or blood.

Article 5.2.15.2. The materials to be recycled should be collected selectively. Sufficient visual control should be possible.

When temporarily stored, the materials to be recycled should be stored in a suitable container that is odour- and leak-proof and allows handling in a hygienic manner.

Article 5.2.15.3. The recycling process used to dispose of disposable nappies must at least meet the requirements of the sterilisation process listed in CMA/4/B.

Article 5.2.15.4. (1). Outgoing streams can be plastic, SAP, cellulose, slurry or other outgoing streams.

(2). Outgoing flows must comply with the limits for drugs and hormones, listed in Annex 5.2.15.A, and the conditions for absence of pathogens, listed in Annex 5.2.15.B.

Outgoing flows should be regularly analysed for the concentration of drugs, hormones and pathogens present. This happens at least at the start of the recycling process, after six months and after 12 months. The procedure, mentioned in CMA/4/B and CMA/3/M, is followed for this purpose. If the analysis of a recovered feedstock meets the limit three times in a row, the frequency of analysis shall be changed to annual.

(3). The collector and waste producer must always report any change affecting the composition of the waste to the person in charge of the recycling process.

(4). If one or more outgoing flows exceed a limit, the person responsible for the recycling process and the collector of the used disposable nappies must take the following actions:
1° investigate the cause of exceedance and make the necessary adjustments to the input material or recycling process to avoid future exceedances. The collector and waste producer should contribute to this by investigating, at the request of the person responsible for the recycling process, whether there is a cause for the exceedance at their premises and make the necessary adjustments to avoid future exceedances. The result of this investigation and the corresponding adjustments are transmitted to the person responsible for the recycling process;

2° inform the supervisor within seven calendar days of the exceedance and the corresponding measures implemented;
3° test samples from all batches of the same material flow separately from the previous control where the limit value was not exceeded. The batches that show exceedances or for which samples cannot be tested should be processed according to the waste operations listed in section 6;
4° the outgoing streams for which an exceedance of the limit value has been established must be analysed again at least every six months. After three consecutive favourable six-monthly measurements of that material flow, the frequency of analysis is again changed to annual.

(5). In order to market an outgoing stream from the recycling process as a raw material, a raw material declaration must always be obtained in accordance with the procedure mentioned in part 2.4.

(6). The conditions specified in sections 1, 2, 3 and 4 do not apply to an outgoing flow disposed of for:
1° a gasification or pyrolysis plant, in which the components are chemically converted;
2° digestion whose digestate is not applied as a fertiliser or soil improver;
3° combustion.'.

Article 60.A subsection 5.2.16, consisting of Articles 5.2.16.1 to 5.2.16.9, shall be added to part 5.2 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, as follows:

‘Subsection 5.2.16. Provisions on the management of mixed construction and demolition waste

5.2.16.1 General provisions

Article 5.2.16.1 (1) This part contains the conditions that must be met when collecting, handling and brokering, as well as treating and processing mixed construction and demolition waste.

This part shall not apply in respect of collection, trading and brokerage if all the following conditions are met:
1° the construction and demolition waste is released during work carried out by a private individual;
2° the construction and demolition waste is comparable in nature, composition and quantity to household waste;
3° construction and demolition waste is collected through the municipal channels for household waste;
4° for the collection of construction and demolition waste, the costs shall be charged in accordance with Article 10 of the Materials Decree;

This part does not apply to the collection, handling and brokerage and processing of construction and demolition waste that is otherwise required to be managed under other legislation or by an order of the police or competent authorities.

Article 5.2.16.2

(1). The collector, waste dealer or broker or licensed establishment that accepts mixed construction and demolition waste directly from the waste producer shall inform the waste producer individually and demonstrably about the fractions that must be sorted and selectively offered in accordance with Article 4.3.2 and that these may never be offered in a container for mixed construction and demolition waste, unless the conditions of Article 4.3.2, eighth paragraph are met.

Evidence on the effective provision of information per waste producer and the content of the information provision shall be kept for at least five years.

(2). Distributing erroneous information to waste producers about the sorting obligation and encouraging the presentation of company residual waste, obligatory selective presentation of fractions or waste not included in the definition of construction and demolition waste according to Article 1.2.1(2).11°/1 in a container for mixed construction and demolition waste is prohibited.

Article 5.2.16.3

(1). A visual check on the separate presentation of waste in accordance with Article 4.3.2 is made by inspecting the waste visible on the surface of the container when it can be done in safe conditions:

1° by the collector, waste dealer or broker or their appointed haulier at the time the mixed construction and demolition waste is collected from the waste producer, before the waste is loaded onto the vehicle;
2° by the licensed processor, intermediate storage processor or facility licensed for sorting, accepting mixed construction and demolition waste directly from a waste producer at the time the container is presented and for chipping at the site.

(2). If, during the visual inspection, waste is observed in the container for mixed construction and demolition waste subject to zero tolerance with refusal obligation, the waste shall be refused and the contents of the container shall not be taken by the collector, waste dealer or broker, or their appointed haulier or not accepted by the licensed processor.

For subsequent flows, a zero tolerance with refusal obligation applies:
1° Hazardous waste;
2°AEEA;
3°KGA;
4°Asbestos cement, asbestos-containing and asbestos-suspicious materials.

A non-conformity is drawn up as mentioned in Article 5.2.16.5. The collector, waste dealer or broker or licensed processor notifies the waste producer of the non-conformity and of the refusal and asks the waste producer to remove the zero-tolerance waste from the container and present it as separate fractions.

(3) If the visual inspection observes waste that does not qualify for mixed collection according to Article 4.3.2 or that does not meet the definition of construction and demolition waste, but for which there is no zero tolerance with a refusal obligation as mentioned in section 2, the collector, waste dealer or broker or licensed processor shall make a non-conformity as mentioned in Article 5.2.16.5 and shall subsequently:

1° either refuse the waste, i.e. do not take or do not accept the contents of the container;
2° either take or accept the waste. He must then post-sort the waste in accordance with Articles 5.2.16.6 and 5.2.16.7.

These duties also apply if packaging and household waste are observed during this visual inspection, as these wastes are explicitly excluded from the definition of construction and demolition waste in Article 1.2.1 11°/1.

Article 5.2.16.4.

(1).A container for mixed construction and demolition waste must always be disposed of at a licensed facility, where the collection container is emptied and opaque bags and big bags are also emptied. The operator then makes a visual check of the entire contents of the collection container for the separate presentation of waste in accordance with Article 4.3.2.

(2). If, during the visual inspection at the facility licensed for sorting or interim storage for sorting, waste is observed that does not comply with the separate offering of waste in accordance with Article 4.3.2 and that has not yet been established in accordance with Article 5.2.16.3, a non-conformity is also drawn up in accordance with Article 5.2.16.5.

Article 5.2.16.5.

(1). If the various visual inspections observe waste falling under the sorting obligation, a non-conformity is drawn up. Each non-conformity is kept in a non-conformity register describing the following elements:
1° the date of the non-conformity;
2° The name, address and company number of the waste producer where the non-conformity was established;
3° A clear description of the non-conformity, including at least a description of the waste observed and subject to the sorting obligation.
4° the indication that the container has been refused if that is the case.

The non-conformity register is maintained on an electronic medium for easy exchange of register data between OVAM, supervisors and the holder of the register.
OVAM shall provide a standard format for the non-conformity register and shall make it available on the website. The use of that template shall be mandatory in exchanges.

Alternatively, collectors, waste dealers or brokers or licensed processors can keep track of their non-conformities in a central non-conformity register managed by OVAM, which identifies offenders.
The data in that central non-conformity register shall not be public, but can be consulted by supervisory authorities in the context of enforcement. The data in the central non-conformity register shall be deleted after 18 months.

The waste producer where the non-conformity has been established shall be notified of the established non-conformity by the collector, waste dealer or broker or the facility licensed for sorting or intermediate storage for sorting no later than the next working day. All elements listed in section 1 are thereby communicated

to the waste producer, as well as the notification that he is suspected of not having complied with the separate offering of waste in accordance with Article 4.3.2.

Article 5.2.16.6.

(1). The intermediate storage processor only does storage and transfer and does not carry out any treatment on the stored fractions of construction and demolition waste.

The intermediate storage processor must be able to demonstrate that the stored quantities of mixed construction and demolition waste meet the acceptance criteria of the licensed sorting facility.

The minister may further elaborate the provisions to be met by the intermediate storage processor regarding acceptance and feedback of non-conformities in accordance with Article 5.2.16.5, storage management and monitoring of proper disposal of the different fractions and mass balance and independent monitoring of these provisions.

(2)At licensed processors that sort out both industrial residual waste and mixed construction and demolition waste, these streams are always sorted out via separate batches to be processed. Simultaneous treatment on one sorting line of commercial residual waste and construction and demolition waste is prohibited.

The licensed processor who sorts or processes mixed construction and demolition waste must tailor the operation of its facility specifically to the fractions to be processed.

(3)Reducing pieces of waste, prior to a process of post-sorting, is only permitted if followed by the use of an automated sorting line aimed at comprehensively post-sorting the fractions so as to comply with Article 5.2.16.7(1).
Shredding prior to using the sorting line is only allowed if it demonstrably improves the effectiveness of the sorting process and ensures that more recyclable material is extracted during post-sorting.
In any case, reduction prior to the sorting line should be limited to pieces of waste that cannot be processed by a sorting line without reduction. The very largest pieces of waste and hazardous waste must still be sorted out by crane or manually as far as possible prior to shredding. It is prohibited to downsize only to make it easier to achieve the provisions around piece size mentioned in Article 5.2.16.7(1) 1°. If downsizing takes place after the sorting process, a check on the quantities mentioned in Article 5.2.16.7(1) must still be possible prior to that downsizing process, and the quantity requirements also apply prior to that downsizing process.

If post-sorting takes place, the regulations on quantities specified in Article 5.2.16.7(1) apply to the mixed construction and demolition waste that has undergone the last step of the sorting process before the waste is sent to incineration or landfill. The person carrying out post-sorting can clearly demonstrate the sorting process, what the final step is and what waste at the site has already undergone all the steps. If this is not possible, the regulations on quantities listed in Article 5.2.16.7(1) apply to all waste present on the site.

(4).The sorted fractions are stored separately from each other.

(5) The unsorted fractions should be disposed of as depending on reuse or material recycling.

If these sorted fractions do not meet the acceptance criteria of the party recycling waste, they must be transported to a licensed facility that can further process these fractions so that they do qualify for reuse or material recycling.

Article 5.2.16.7.

(1). Any batch of 10 m^3 of mixed construction and demolition waste regardless of density, which may or may not be offered for incineration, landfill or cleaning after further sorting, may be composed of no more than:

a)	maximum three pieces of recyclable paper and cardboard with a surface area of more than 0.5 m^2;
b)	maximum 30 litres of paper and cardboard packed together;
c)	maximum three pieces of wood waste with a surface area of more than 0.5 m^2 including pieces of wood waste with metals attached;
d)	maximum 30 litres of wood waste packed together;
e)	maximum three pieces of green waste longer than 0.5 m;
f)	maximum 60 litres of green waste packed together;
g)	maximum three pieces of metal with an area exceeding 0.25 m^2 or with a length exceeding 1 m;
h)	maximum three pieces of recyclable textile waste with an area of more than 0.25 m^2;
i)	maximum three pieces of inert rubble with a surface area of more than 0.5m^2;
j)	maximum 60 litres of inert rubble waste;
k)	maximum one package of transparent or white plastic film over 30 litres;
l)	maximum three pieces of EPS and recyclable hard plastics with a surface area of more than 0.5 m^2;
m)	maximum pieces of PMD;
n)	zero waste tyres;
o)	zero pieces of hazardous waste, WEEE, kga, asbestos cement and asbestos-containing and asbestos-suspicious materials;
p)	Zero pieces of non-tar asphalt debris, foundation materials that cannot be processed in accordance with the provisions of the unit regulation recycled aggregates with a grain size above 60 mm;
q)	Zero pieces of aerated concrete with a grain size above 60 mm;
r)	Zero pieces of plasterboard, gypsum blocks with an area of more than 0.5m^2;
s)	Zero pieces of glass wool and rock wool with an area greater than 0.5m^2;
t)	Zero pieces of bituminous roofing or sealing material with a surface area of more than 0.5m^2.

Article 5.2.16.8

The collector, waste dealer or broker of mixed construction and demolition waste or licensed processor who accepts mixed construction and demolition waste may, at any time, produce the necessary documentary evidence that demonstrates compliance with all the conditions specified in this part. This evidence shall be kept for at least five years.

Different collectors, waste dealers or brokers of mixed construction and demolition waste or licensed processors may cooperate to meet the conditions, mentioned in this part. In that case, a contract shall establish:

1° for which loads of mixed construction and demolition waste the cooperation applies;

2° which actor takes responsibility for which obligation, listed in this part, with all duties included in the contracts.

If all the conditions mentioned in the first paragraph are not met, all the actors involved in the cooperation are each separately responsible for all the duties mentioned in this part and each separately breach the incineration ban and landfill ban mentioned in Articles 4.5.2 and 4.5.1 if they deliver mixed construction and demolition waste for incineration or landfill or incinerate or landfill mixed construction and demolition waste that has not been managed under part 5.2.16.

Article 5.2.16.9

(1) The minister is developing the conditions for an internal quality assurance system for establishments handling mixed construction and demolition waste.

If the minister adopts these provisions, all establishments that process mixed construction and demolition waste shall have to have and operate an updated internal quality assurance system that meets these conditions within the deadline set by the minister.

This quality assurance must ensure the tracing of incoming and outgoing flows and monitor the quality of the fractions obtained after sorting so that subsection 5.2.16 is complied with and there is continuous optimisation of sorting processes and sorting efficiency.
The quality assurance system aims to ensure that measures are taken to minimise the sorting (sieving) residue of mixed construction and demolition waste obtained after sorting the mixed construction and demolition waste and to maximise the sorted fractions disposed of for reuse or material recycling. This can be done by a strict acceptance policy or by adapting the sorting techniques used.

Quality assurance includes provisions on:

1° the requirements on the nature and composition of the accepted flows, the recording of accepted and rejected cargoes and the feedback of non-conformities in accordance with Article 5.2.16.5;

2° the classification into batches to be processed and the minimum requirements to be met by handling. It shall include a description of the production process and how the accepted flows can be processed so that the provisions of this subsection are met;

3° monitoring the correct disposal of the various unsorted fractions depending on of reuse and material recycling and the correct disposal of the fine and coarse fraction of the sieved sorting residue of mixed construction and demolition waste;
4° monitoring the mass balance and the effectiveness of sorting based on the content of recyclable fractions in the fine fraction of the sieved sorting residue of mixed construction and demolition waste, as stipulated in section 2 of this Article;
5° non-conformities in the context of quality assurance and, if applicable, follow up on remedial actions to improve the quality of the sorted fractions and improve the effectiveness of sorting such as adjusting or optimising sorting techniques, tightening acceptance policies and similar actions.

(2) The minister may determine the method for determining the effectiveness of sorting based on the content of a number of recyclable fractions in the fine fraction of the screened sorting residue of mixed construction and demolition waste. The minister can also determine when measures should be taken to improve the effectiveness of sorting.'

Article 61. Article 5.3.3.5 of the same Decree, amended by the Flemish Government Decree of 22 March 2019, is replaced by the following:

'Article 5.3.3.5. (1). The building material must perform a constructional function when used. When the building material is used on or in the soil, the building material must be clearly distinguishable visually and systematically from the soil.

(2). The use of an unformed building material must be done according to the list of applications of soil materials for constructional soil use, mentioned in Article 171 of the VLAREBO, unless otherwise stipulated in the raw material declaration.

(3).Building materials are not eligible for land filling and backfilling construction pits, unless stipulated otherwise in the raw material declaration.

Building materials used in temporary site structures for accessing or furnishing the site must be disposed of before the completion of the works when they have fulfilled their function, unless they can be used as building materials within the site.'

Article 62. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, subsection 5.3.5, which consists of Article 5.3.5.1, is repealed.

Article 63. Article 5.3.10.1. of the same Decree, inserted by the Decree of the Flemish Government of 22 December 2017, is replaced by the following:

'Article 5.3.10.1. Article 2.3.1.3./2(2) shall not apply to farm compost obtained from an on-farm composting process in which farm-owned plant organic residues, whether or not mixed with farm-owned farmyard manure, are composted, and the farm compost is subsequently used on the farm's own farmland.'

Article 64. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Article 5.3.12.2/1 is inserted, reading as follows:

‘Article 5.3.12.2/1. From 1 January 2026, eating and/or drinking establishments with at least 20 sitting or standing places shall be prohibited from serving beverages in single-use plastic containers for on-site consumption and offering single-use plastic catering equipment for prepared food. In eating and/or drinking establishments with fewer than 20 seats or standing places, the free provision of drinks in single-use plastic containers and catering equipment for prepared single-use plastic foodstuffs is prohibited for on-site consumption.

From 1 January 2026, the free provision of beverages in single-use plastic containers and catering equipment for prepared single-use plastic foods shall be prohibited at eating and/or drinking establishments for on-the-go consumption, collection or delivery. The contribution per container or catering material should be clearly posted to consumers.'

Article 65. In Article 5.3.12.3 of the same Decree, inserted by the Decree of the Flemish Government of 22 March 2019, the phrase 'Articles 5.3.12.1 and 5.3.12.2' shall be replaced by the phrase 'Articles 5.3.12.1, 5.3.12.2 and 5.3.12.2/1'.

Article 66. To Article 5.3.13.1(1)(2), of the same Decree, inserted by the Decree of the Flemish Government of 22 March 2029, the following sentence is added:

'The prohibition does not apply to the drawstrings of the rubbish bag that serve to close the rubbish bag.'

Article 67. Article 5.3.14.1 of the same Decree, amended by the Flemish Government Decree of 22 March 2019, is replaced by the following:

‘Article 5.3.14.1. It is prohibited to apply stickers directly to fruit and vegetables unless the stickers are industrially compostable or home compostable.'

Article 68. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 5.3.15, consisting of an Article 5.3.15.1, shall be added, reading as follows:

‘Subsection 5.3.15. Conditions for using wood chips as ground cover

Article 5.3.15.1. (1). Offering and using wood chips as ground cover outside agricultural areas is only allowed if the wood chips are produced from:
1° wood and bark free from pests, invasive species and infectious plant diseases;
2° wood residues and bark, originating from the first processing of tree trunks, free from pests, invasive species and infectious plant diseases.

(2). The ground cover must not be produced from:
1° grass, leaves, needles and hedge clippings ;
2° wood waste originating from construction and demolition activities, packaging and wood processing.'

(3). Paragraphs 1 and 2 do not apply to individuals who apply green waste from the maintenance of their own garden, back into their own garden as ground cover.

Article 69. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 05/03/2016, consisting of an Article 5.3.16.1, shall be added, reading as follows:

‘Subsection 5.3.16. Conditions for using plastic compost barrels and compost bins

Article 5.3.161. (1). The use of plastic compost drums and compost bins that are not produced from recycled plastics shall be banned from 1 January 2024.

The minimum recycled plastic content is set at:
1° 80 % from 1 January 2024, and of this percentage, at least 75 % must consist of post-consumer plastics;
2° 100 % from 1 January 2026, of which at least 75 % are post-consumer plastics.

When using recycled plastics, the declared content of recycled plastics must be proven by a certification, such as QA-CER or equivalent, issued by an accredited body that guarantees the origin and content of recycled plastics in the compost box or compost bin.

(2). The prohibition mentioned in section 1 does not apply to the moving parts of the compost bin or compost barrel.

(3). Existing compost bins and compost barrels brought into use before 1 January 2024 are not subject to the ban, mentioned in section 1.

Plastic compost bins and compost drums from existing stocks purchased before the effective date of the ban mentioned in section 1 may continue to be put into use without restriction after the effective date of the ban.'

Article 70. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 05/03/2017, consisting of an Article 5.3.17.1, shall be added, reading as follows:

‘Subsection 5.3.17. Conditions for the use of plastic wheelie bins for waste

Article 5.3.17.1. (1). The use of plastic wheelie bins for waste not produced from recycled plastics shall be banned from 1 January 2024.

The minimum recycled plastic content is set at:
1° 50 % from 1 January 2024, of which at least half shall be post-consumer plastics;
2° 80 % from 1 January 2026, of which at least half shall be post-consumer plastics.

When using recycled plastics, the declared content of recycled plastics must be proved by a certification, such as QA-CER or equivalent, issued by an accredited body that guarantees the origin and content of recycled plastics in the roll-off waste container.

(2). The prohibition mentioned in section 1 is valid only for the body of the wheeled waste container and not for the lid, chassis and wheels.

(3). Existing plastic wheelie bins for waste brought into use before 1 January 2024 are not covered by the ban, mentioned in section 1.

Plastic roller containers for waste from existing stocks purchased before the effective date of the ban mentioned in section 1 may continue to be used without restriction after the effective date of the ban.'

Article 71. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 05/03/2018, consisting of an Article 5.3.18.1, shall be added, reading as follows:

‘Subsection 5.3.18. Conditions for the use of plastic nursery pots, nursery trays and plant trays.

Article 5.3.18.1. (1). The use of plastic nursery pots, nursery trays and plant trays used for growing flowers and plants that are not produced from recycled plastics shall be banned from 1 January 2024.

The minimum recycled plastic content is set at:
1° 80 % from 1 January 2024, consisting entirely of post-consumer plastics;
2° 100 % from 1 January 2026, consisting entirely of post-consumer plastics.

When recycled plastics are used, the declared content of recycled plastics must be proven by a certification, such as QA-CER or equivalent, issued by an accredited body that guarantees the origin and content of recycled plastics in the nursery pots, nursery trays and plant trays.

(2). Nursery pots, plant trays and nursery trays used as packaging are not covered by the ban.

Existing nursery pots, plant trays and nursery trays that were put into use for the first time before 1 January 2024 are not covered by the ban, mentioned in section 1.

Plastic nursery pots, plant trays and nursery trays from existing stocks purchased before the effective date of the ban mentioned in section 1 may continue to be used without restriction after the effective date of the ban.'

Article 72. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 05/03/2019, consisting of an Article 5.3.20.1, shall be added, reading as follows:

‘Subsection 5.3.19. Conditions for the use of furniture with plastic parts in public outdoor spaces

Article 5.3.19.1. (1). The use of furniture with plastic parts in public outdoor areas, where the plastic parts are not produced from recycled plastics, shall be banned from 1 January 2024.

The minimum recycled plastic content is set at:
1° 80 % from 1 January 2024, and of this percentage, at least 75 % must consist of post-consumer plastics;
2° 100 % from 1 January 2026, of which at least 75 % are post-consumer plastics.

When using recycled plastics, the declared content of recycled plastics must be proven by a certification, such as QA-CER or equivalent, issued by an accredited body that guarantees the origin and content of recycled plastics in the plastic parts of the furniture.

(2). Connecting elements in plastic intended to connect the different parts of the furniture to form a single structural unit are not covered by the prohibition mentioned in section 1.

(3). Existing furniture with plastic parts for public outdoor spaces already in use before 1 January 2024 is not covered by the ban, mentioned in section 1.

Furniture with plastic parts from existing stocks purchased before the effective date of the ban mentioned in section 1 may continue to be used without restriction after the effective date of the ban.'

Article 73. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 5.3.20, consisting of an Article 5.3.20.1, shall be added, reading as follows:

‘Subsection 5.3.20. Conditions for the use of plastic noise barriers

Article 5.3.20.1. (1). The use of non-transparent plastic noise barriers for outdoor applications tendered by the government, which are not produced from recycled plastics, shall be banned from 1 January 2026.

The minimum recycled plastics content is set at 80 % from 1 January 2026, of which at least half shall be post-consumer plastics.

When using recycled plastics, the declared content of recycled plastics must be proven by a certification, such as QA-CER or equivalent, issued by an accredited body, which guarantees the origin and content of recycled plastics in the plastic noise barriers.

(2). Existing plastic noise barriers intended for public procurement and already in use before 1 January 2026 are not covered by the ban, mentioned in section 1.

Plastic noise barriers from existing stocks purchased before the effective date of the ban, mentioned in section 1, may continue to be used without restriction after the effective date of the ban.'

Article 74. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 05/03/2021, consisting of an Article 5.3.22.1, shall be added, reading as follows:

‘Subsection 5.3.21. Conditions for the use of underground non-pressurised plastic pipes for the disposal of rainwater and wastewater

Article 5.3.21.1. (1). The use of underground non-pressurised plastic pipes for rainwater and wastewater drainage, tendered by the government, which are not produced from recycled plastics, shall be banned from 1 January 2027.

The minimum recycled plastics content is set at 20 % from 1 January 2027.

When using recycled plastics, the declared content of recycled plastics must be proved by a certification, such as QA-CER or equivalent, issued by an accredited body guaranteeing the origin and content of recycled plastics in the plastic pipes for rainwater and wastewater drainage.

(2). Existing non-pressurised underground plastic pipes for the disposal of rainwater and wastewater, tendered by the government, which have already been put into operation before 1 January 2026, are not subject to the prohibition mentioned in section 1.

Non-pressurised underground plastic pipes for drainage of rainwater and wastewater, from existing stocks, purchased before the effective date of the ban mentioned in section 1, may continue to be used without restriction after the effective date of the ban.'

Article 75. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 05/03/2022, consisting of an Article 5.3.23.1, shall be added, reading as follows:

‘Subsection 5.3.22. Conditions for the use of plastic cover plates for cables, gas pipes and other utilities

Article 5.3.22.1. (1). The use of plastic covers for cables, gas pipes and other utilities in outdoor applications, tendered by the government, that are not produced from recycled plastics shall be banned from 1 January 2026.

The minimum recycled plastic content is set at:
1° 50 % from 1 January 2026, at least half of which shall consist of post-consumer plastics.
2° 100 % from 1 January 2028, at least half of which shall consist of post-consumer plastics.

When using recycled plastics, the declared content of recycled plastics must be proved by a certification, such as QA-CER or equivalent, issued by an accredited body guaranteeing the origin and content of recycled plastics in cover plates for cables, gas pipes and other utilities.

(2). Existing plastic cover plates for cables, gas pipelines and other utilities in outdoor applications intended for public procurement and already in use before 1 January 2026 are not subject to the prohibition mentioned in section 1.

Plastic cover plates for cables, gas lines and other utilities for outdoor applications from existing stocks, purchased before the effective date of the ban mentioned in section 1, may continue to be used without limitation after the effective date of the ban.'

Article 76. To part 5.3 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a subpart 05/03/2023, consisting of an Article 5.3.24.1, shall be added, reading as follows:

‘Subpart 5.3.23. Conditions for using plastic window systems

Article 5.3.23.1. (1). The use of plastic window systems, tendered by the government, that are not partially produced from recycled plastics shall be banned from 1 January 2026.

Plastics window systems must, on average over the total amount of plastics in the window system, consist of at least 30% recycled plastics from 1 January 2026.

When using recycled plastics, the declared content of recycled plastics must be proven by a certification, such as QA-CER or equivalent, issued by an accredited body that guarantees the origin and content of recycled plastics in the plastic window profiles.

(3). Existing plastic window systems intended for public procurement and already put into use before 1 January 2026 are not covered by the ban, mentioned in section 1.

Plastic window systems from existing stocks purchased before the effective date of the ban, mentioned in section 1, may continue to be used without restriction after the effective date of the ban.'

Article 77. In Article 5.4.1, second paragraph, of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° in point 1°, the words 'the inspection area' are replaced by the words 'the inspection area to be surveyed'

2° in point 2°, the word 'asbestos inventory' is replaced by the word 'inventory';

3° in point 5°, the words 'the asbestos-containing materials and' shall be inserted between the word 'about' and the word 'the';

4° in item 6°, the words 'asbestos safety' are replaced by the words 'the safe management and disposal of asbestos-containing materials'.

Article 78. In Article 5.4.2 of the same decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are applied:

1° the sentence 'If several accessible constructions with risk building year are present, the sum of the ground areas shall be smaller than 20 m^2.' is replaced by the sentence 'If several accessible constructions with risk building year are present, the sum of the ground areas shall be smaller than 20 m^2 .'

2° a second paragraph shall be added, with the following text:

'Notwithstanding the first paragraph, an owner of an accessible structure with risk construction year with a ground area of less than 20 m^2, which forms part of a larger accessible structure with a ground area equal to or greater than 20 m^2, must have an asbestos inventory certificate.'

Article 79. In Article 5.4.3, first paragraph, of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° point 6° is replaced by the following:

'6° the organisation has a first-line telephone and digital helpdesk for its member certificate holders. Affiliated certificate holders are the person-certified asbestos expert inventory listed in Article 5.4.10(3) and the process-certified asbestos expert inventory listed in Article 5.4.12;'

2° to point 7°, the phrase 'and the way to implement it correctly and qualitatively, including complaints procedure with a complaints register concerning the organisation's operation under the quality management system' shall be added;

3° The following amendments are made to point 9°:

a) the word 'certificate holders' is replaced by the phrase 'personal and process-certified asbestos experts inventory listed in Article 5.4.10(3) and in Article 5.4.12';
b) the sentence 'An auditor is self-certified asbestos expert inventory;' is replaced by the following sentences: 'Qualified auditor' means a person who:

   a) him or herself has a valid personal certificate as an asbestos expert in inventory;
   b) has experience as an auditor or has undergone training for that purpose;
   c) has knowledge of the assessment guidelines for audits of certificate holders, as described in the certification regulations for certification bodies asbestos;
   d) has relevant work experience in preparing asbestos inventories;
   e) has experience in carrying out fieldwork for asbestos inventories, in particular material sampling.';

4° to point 10°, the following sentence is added:

'Qualified teacher' means someone who:
a) Has teaching experience;
b) has relevant work experience in preparing asbestos inventories;
c) has experience in carrying out fieldwork for asbestos inventories, in particular material sampling;
d) passed the final examination mentioned in Article 5.4.10, which tests the final competences;
e) attended the training for instructors at OVAM;
f) attends the annual refresher training for instructors at OVAM.'

Article 80. In Article 5.4.4(1), of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, between the word 'asbestos' and the word 'contains', the phrase 'shall be done with an application form, the model of which shall be determined by the minister and' shall be inserted.

Article 81. In Article 5.4.7 of the same decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are applied:

1° paragraph 2 shall be replaced with the following: 'OVAM or an independent body appointed by OVAM can always request documents and information necessary to assess the operation of the asbestos certification bodies.'

2° in the third paragraph, the phrase '31 March' is replaced by the phrase '1 March';

3° A fourth paragraph is added, reading as follows:

'The minister may further elaborate the modalities of control mentioned in the first and second paragraphs in a certification regulation for certification bodies asbestos.'

Article 82. In Article 5.4.8 of the same decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are applied:

1° to the first paragraph, point 1°, the phrase ', with delivery of a training certificate' shall be added;

2° in paragraph 1, point 4° is replaced with the following:

'4° providing a first-line telephone and digital helpdesk for its affiliated personal and process-certified asbestos experts inventory listed in Article 5.4.10(3) and Article 5.4.12, and managing and following up complaints about their operation;'

3° in paragraph 1, point 5° is replaced with the following:

'5° guaranteeing the qualitative use of the certificates of its affiliated person-certified asbestos experts inventory, mentioned in Article 5.4.10, third paragraph, and the process-certified asbestos experts inventory, mentioned in Article 5.4.12, in particular by audits and controls, complaints procedure with complaints register, sanctioning, providing information to the certificate holders and organising an annual compulsory refresher training, with delivery of a training certificate. The system of sanctions for its affiliated personal and process-certified asbestos experts inventory, mentioned in Article 5.4.10, includes a system of suspension, removal, conditional removal and warning.'

4° paragraph 2 shall be replaced with the following:

'The minister may further elaborate the duties mentioned in paragraph 1 and the fees required for them in a certification regulation. The annual charge requested for the fixed costs per person-certified asbestos expert inventor for the tasks referred to in paragraph 1, points 2° to 5°, with the exception of the processing of the application for a personal or process certificate for an asbestos expert inventory as referred to in points 2° and 3°, the audits, the sanctioning and the annual compulsory in-service training referred to in point 5°, shall be a minimum of EUR 15 for each asbestos inventory drawn up by him for which an asbestos inventory certificate has been issued in the year of affiliation in question. The certification body asbestos may charge additional costs for the processing of the application for a personal or process certificate of asbestos expert inventory, mentioned in point 2° and 3°, the audits, the sanctioning and the annual mandatory refresher training, mentioned in point 5°.'

Article 83. In Article 5.4.10 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° to the first paragraph, point 4°, the sign '.' is replaced by the sentence 'and not to make use of their certificate if the independent and impartial performance of the service cannot be guaranteed with respect to the principal or the executor of asbestos removal or encapsulation works of the accessible construction with risk construction year for which the person-certified asbestos expert draws up the asbestos inventory.';

2° the following sentence is added to the third paragraph:
'A person-certified asbestos expert surveyor can join only one asbestos certification body. The affiliation is made with the certification body asbestos where the annual fee, mentioned in Article 5.4.8, second paragraph, is paid.'

3° the following sentence is added to the sixth paragraph:
'The certification regulations shall determine at least the method of assessing whether the independent and impartial performance of a service, mentioned in the first paragraph, point 4°, can be guaranteed. The above methodology contains a non-exhaustive list of cases in which, until proven otherwise, it is suspected that the person-certified asbestos expert inventory is in a situation of incompatibility.'

4° a seventh paragraph is added, reading as follows:
'The OVAM shall make available a register of personal certificates of asbestos expert inventory granted, suspended and deleted, through its website.'

Article 84. In Article 5.4.11(1) of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, between the word 'make up' and the words 'as met' the phrase 'for the part of the accessible construction with risk construction year where the employer employs workers,' shall be inserted.

Article 85. In Article 5.4.12 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° to the first paragraph, point 2°, the following sentence is added:
'Process-certified asbestos expert inventory may not make use of their certificate if the independent and impartial performance of the service cannot be guaranteed with respect to the client or the executor of asbestos removal or encapsulation works of the accessible construction with risk construction year for which the process-certified asbestos expert inventory prepares the asbestos inventory.'

2° to the third paragraph, the phrase 'and the method of assessing whether the independent and impartial performance of a service, mentioned in the first paragraph, point 2°, can be guaranteed' shall be added to the third paragraph. added;

3° the following sentence is added to the third paragraph:
'The above methodology contains a non-exhaustive list of cases in which, until proven otherwise, it is suspected that the person-certified asbestos expert inventory is in a situation of incompatibility.'

4° a fourth paragraph is added, reading as follows:
'The OVAM makes available a register of the process certificates asbestos experts inventory granted, suspended and deleted through its website.'

Article 86. In Article 5.4.14 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° to section 1, a point 11° and a point 12° are added, reading as follows:

'11° a real estate commissioner of the Real Estate Transactions Department of the Flemish government for the asbestos inventory certificate for an accessible construction with risk construction year that is the subject of a transfer.

12° a demolition management organisation recognised in accordance with Article 4.3.6 for an accessible structure with risk construction year that is the subject of a demolition follow-up plan.';

2° in section 2, second paragraph, between the word 'access management' and the words 'of the asbestos inventory database', the phrase ' and the possible adaptation of the read and write rights at least after sanctioning of the asbestos certification body mentioned in Article 5.4.8, first paragraph, 5°' shall be inserted.

Article 87. In Article 5.4.15. of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° A phrase is added between the first section and the second section:

'If no asbestos-containing materials were found, the validity of the asbestos inventory certificate is indefinite.'

2° In the second paragraph, the words 'and second paragraph' are added between the words 'member' and 'funds'.

Article 88.(1). A new Article 5.4.16 is inserted into the same decree, last amended by the Flemish Government Decree of 2 July 2021, reading as follows:

‘Article 5.4.16. (1). At least the following parties shall be represented on the asbestos sector council:
1° OVAM;
2° the sectoral representation of asbestos inventory experts;
3° the sectoral representation of accredited asbestos laboratories;
4° the sectoral representation of the licensed asbestos removal firms;
5° Constructiv, representing the construction industry and social partners;
6° a representative of each recognised asbestos certification body;
7° a representative of a recognised victims' association on asbestos.

The minister may further elaborate on the composition of the Asbestos Sector Council mentioned in paragraph 1 in the Asbestos Certification Regulations.

(2). The sector council consists of two committees:

1° the technical committee composed by the parties mentioned in section 1, points 1° to 6°. This technical committee gives non-binding advice as mentioned in Article 33/17, second paragraph, points 1° and 2°, of the Materials Decree;
2° the general committee composed by the parties mentioned in section 1, points 1° to 7°. The general committee gives non-binding advice as mentioned in Article 33/17, second paragraph, point 3°, of the Materials Decree.'

Article 89. The following amendments are made to Article 5.5.1.1 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021:

'1° in the second paragraph point 2°, the words 'in one round together with household waste' shall be replaced by the words 'through the municipal collection channels for household waste'.

2° in the third paragraph, the words 'also if it can be considered as industrial residual waste' shall be deleted;

3° a fifth paragraph is added, reading as follows;

'This part does not apply to operational residual waste from ships.'

4° a sixth paragraph is added, which reads as follows:

'This part does not apply to wastes that do not meet the definition of commercial residual waste at the time the wastes are collected from the first waste producer, and only meet the definition of commercial residual waste due to operations on them later in the chain.'

Article 90. The heading of subsection 5.5.2 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, is replaced by the following:

'Subsection 5.5.2.Rules for collectors, waste traders and -brokers of commercial residual waste on the general provision of information to the first waste producer'.

Article 91. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Article 5.5.2.5 is added, reading as follows:

‘Article 5.5.2.5. From 1 January 2025, the collector, waste dealer or broker of commercial residual waste, as well as the processor who accepts commercial residual waste directly from a waste producer, shall weigh each container in which the commercial residual waste is presented and indicate that weight on the invoice for the customer. The costs associated with processing this actual offered weight of residual industrial waste shall be invoiced to the waste producer by the collector, waste dealer or broker or processor on the basis of that weight. The costs associated with the levies determined by the Flemish Region, mentioned in Article 46 of the Materials Decree, shall always be listed separately on the invoice. This also applies if the collector, waste dealer or broker or processor is not liable for levies itself, but the company residual waste is disposed of to a duty payer at a later stage. This obligation does not apply to municipal opcents.

Paragraph 1 shall not apply if the industrial residual waste is only collected or presented in bags with a capacity of less than 120 litres. In that case, the invoice can be prepared using an average weight of such bags.

Article 92. Article 5.5.3.1 of the same Decree, inserted by the Decree of the Flemish Government of 02 July 2021, is amended as follows:

1° the word 'first' shall be inserted between the word 'the' and the word 'waste producer';

2° a second paragraph shall be added, with the following text:

'By way of derogation from the first paragraph, a visual check may also be carried out during the emptying of the receptacles in the vehicle, if the waste is recognised by a camera system and such a system has been shown to perform better than a visual check prior to the emptying of the receptacle. Such a camera system must be approved by OVAM before it can be put into operation. OVAM relies on the information provided by the collector, trader or broker demonstrating performance.'

Article 93. In Article 5.5.3.2 of the same Decree, inserted by the Flemish Government Decree of 2 July 2021, the word 'at least' shall be inserted between the word 'by' and the word 'a'.

Article 94. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Article 5.5.3.5/1 is inserted, reading as follows:

‘Article 5.5.3.5/1. If at one waste producer's premises residual waste is taken from different containers during the same collection, the visual inspection is done at each container. If waste covered by the sorting obligation is observed in several containers, only one non-conformity is recorded.

If the collector, waste dealer or broker observes a non-transparent waste bag during the visual inspection, as prohibited by Article 5.3.13.2, it shall treat it as a non-conformity in the same way as when observing waste subject to the sorting obligation.'

Article 95. In Article 5.5.4.1 of the same Decree, inserted by the Flemish Government Decree of 2 July 2021, the word 'first' shall be inserted between the word 'each' and the word 'waste producer'.

Article 96. In the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, an Article 5.5.4.3/1 is inserted, reading as follows:

‘Article 5.5.4.3/1. If the collector, waste dealer or broker observes a non-transparent waste bag during the visual inspection, as prohibited by Article 5.3.13.2, it shall treat it as a non-conformity in the same way as when observing waste subject to the sorting obligation.'

Article 97. In Article 5.5.4.4 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° in point 1°(e) the number '3' is deleted;

2° in point 2°(c), the words 'including pieces of wood waste to which metals are attached' are added.

3° in point 2°(o), the words 'and asbestos suspect' shall be inserted between the words 'asbestos-containing' and 'waste'.

4° in point 2, lines p to t are added:

p)	Zero pieces of non-tar asphalt debris, foundation materials that cannot be processed in accordance with the provisions of the unit regulation recycled aggregates with a grain size above 60 mm;
q)	Zero pieces of aerated concrete with a grain size above 60 mm;
r)	Zero pieces of plasterboard, gypsum blocks with an area of more than 0.5m²;
s)	Zero pieces of glass wool and rock wool with an area greater than 0.5m²;
t)	Zero pieces of bituminous roofing or sealing material with a surface area of more than 0.5m².

Article 98. The following amendments are made to Article 6.1.1 of the same Decree, amended by the Flemish Government Decree of 21 June 2013:

1° the phrase 'Article 6.1.1.4, first paragraph, 2°' shall be deleted;
2° the phrase 'Article 6.1.1.4, second paragraph' is replaced by the phrase 'Article 6.1.1.4, second and fifth paragraphs'.

Article 99. In Article 6.1.1.1, first paragraph, of the same Decree, amended by the Flemish Government Decree of 22 December 2017, a point 8° is added, reading as follows:

'8° the carrier must record the start of the transport and the delivery of the waste in the digital identification form.'

Article 100. Article 6.1.1.2 of the same decree, amended by the Decrees of the Flemish Government of 23 May 2014, 22 March 2019 and 2 July 2021, is amended as follows:

1° in Section 2(1), point 3° is replaced with the following:

'3° the identification number mentioned in Article 7.1.1, the name and address of the establishment unit of the waste producer and, in the case of seagoing vessels, the name of the vessel and the address of the berth, or of the waste handler disposing of the waste, and the address of dispatch of the waste;';

2° in Section 2(1), point 4° is replaced with the following:

'4° the identification number mentioned in Article 7.1.1, the name and address of the collector, waste dealer or broker, if applicable;';

3° in Section 2(1), point 5° is replaced with the following:

'5° the identification number mentioned in Article 7.1.1, the name and address of the carriers;';

4° in Section 2(1), point 6° is replaced with the following:

'6° the identification number, mentioned in Article 7.1.1, the name and address of the processor's establishment unit, indicating the nature of the processing (R or D code, mentioned in part 4.2).'

5° in section 2, second paragraph, point 3° is replaced by the following:

'3° the identification number, mentioned in Article 7.1.1, the name and address of the establishment unit of the waste producer and, in the case of seagoing vessels, the name of the vessel and the address of the berth, or of the waste handler disposing of the waste, and the address of dispatch of the waste;';

6° in section 2, second paragraph, point 4° is replaced by the following:

'4° the identification number mentioned in Article 7.1.1, the name and address of the collector, waste dealer or broker, if applicable;';

7° in section 2, second paragraph, point 5° is replaced by the following:

'5° the identification number mentioned in Article 7.1.1, the name and address of the carriers;';

8° in section 2, second paragraph, point 6° is replaced by the following:

6° the identification number, mentioned in Article 7.1.1, the name and address of the processor's establishment, indicating the nature of the processing (R or D code, mentioned in part 4.2) and the processing technique used;';

9° in section 6, the words 'on the spot' are replaced by the phrase 'within 24 hours of signing';

10° in section 6, the words 'and signed' shall be inserted between the word 'completed' and the word 'identification form';

11° in section 7, the word 'original' is replaced by the word 'digital'.

Article 101. Article 6.1.1.4 of the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, is amended as follows:

1° in point 1°/1, the sentences 'The collector, waste dealer or broker of commercial residual waste must at least visually inspect each collection recipient for the sorting obligation mentioned in Article 4.3.2. When non-conformities are identified, the collector, waste dealer or broker collecting commercial residual waste must act according to an internal written or digital non-conformity procedure. In doing so, he must at least point out to the waste producer his sorting errors and waste may be rejected.' replace with the sentence 'Furthermore, the collector, waste dealer or broker of commercial residual waste shall act in accordance with the provisions, stated in part 5.5.'

2° point 1°/2 shall be replaced by the following:

'1°/2 when collecting, handling or brokering the various dry non-hazardous fractions in the manner mentioned in Article 4.3.2(6), enter into a contract with the waste producer specifying the aggregated fractions and stating that the container may not contain any other waste and no company residual waste, as well as transfer the contents of the container to a licensed sorting facility where the fractions shall be completely sorted out. If the container is found to contain fractions other than the dry non-hazardous fractions listed in Article 4.3.2(6), the contents of the container shall be treated as industrial residual waste;'

3° a point 4° is added to the first paragraph to read as follows:
'4° comply with quarterly reports in the materials information system as stipulated in subsections 7.3.2 and 7.3.3.'

Article 102. In subsection 6.1.1 of the same Decree, insert a section 6.1.1.4/2 to read as follows:

‘Article 6.1.1.4/2. Several collectors, waste dealers or brokers may work together to collect a waste and dispose of it to a licensed processor. In that case, it shall be contractually defined how the duties to which the collector, waste dealer or broker is subject under sections 6 and 7 of this Decree shall be distributed among the various collectors, waste dealers or brokers involved. Here, at least the following responsibilities are contractually divided and defined:
1° Who is responsible for the layout of the identification form, as mentioned in Article 6.1.1.2(2)(3);
2° who is responsible for reporting in MATIS, as mentioned in subsection 7.3.4
3° who is responsible for maintaining the waste register, as mentioned in Article 7.2.1.2;
4° who is responsible for making the arrangements with the processor of the waste in case of export outside the Flemish region

If all the conditions mentioned in the first paragraph are not met, all actors involved in the cooperation are each individually responsible for all the duties mentioned in this Article.

The collectors, waste dealers or brokers concerned shall keep the agreement for at least five years after the end date of the contract.'

Article 103. In Article 6.1.1.5, third paragraph, point 5°, of the same Decree, the following amendments are made:

1° the words 'guidelines for distribution of the identification form' are replaced by the phrase ', the indication of the system that delivers and distributes the digital identification forms';

2° the word 'digital' is inserted between the word 'the' and the word 'forms'.

Article 104.A second paragraph is added to Article 6.1.2.1(2), of the same Decree as follows:

'The actors mentioned in Article 6.1.1.2(1)(1), 5°, 6° and 7° are excluded from the registration obligation as waste transporters.'

Article 105. Article 6.1.5.2 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, is amended as follows:

1° to the second paragraph, the following sentence shall be added 'The supervisory services shall communicate their oral opinion to OVAM at the end of the demonstration of the system.';

2° the eighth paragraph shall be deleted;

3° in the ninth paragraph, the words 'in the system' are replaced by the phrase 'change in the essential parts of the system as mentioned in Article 6.1.5.2, first paragraph, 3°";

4° in the eleventh paragraph, the words 'on the lifting of the approval' shall be replaced by the words 'on the dispatch of the intention to lift the approval'.

Article 106. Article 6.1.5.3 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, is amended as follows:

1° the first paragraph, point 1°, is replaced by the following:

'1° the digital identification form shall be signed by the collector, waste dealer or broker or the waste producer who makes his own arrangements for his waste, with an advanced or qualified electronic signature, as stipulated in Regulation EU 910/2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC. A method of advanced or qualified signature involves digital signing:

a) is uniquely linked to the signatory;
b) allows the signatory to be identified;
c) created by means within the exclusive control of the signatory;
d) is linked to the data to which it relates in such a way that a subsequent change in the data becomes traceable;';

2° a point 1°/1 is now inserted, reading as follows:

'1°/1 the digital identification form shall be signed by the consignee of the waste by means of an ordinary electronic signature supplemented by data enhancing reliability, such as geolocation at the time of signature. The consignee of the waste may use an advanced or qualified electronic signature in addition to the ordinary electronic signature.'

3° in paragraph 1, point 4°, the words 'from the start of the transport' shall be inserted between the word 'change information' and the word 'are';

4° to point 6°, the words 'from the start of the transport' are added;

5° point 7° shall be removed.

Article 107. In Article 6.1.5.4 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the following amendments are made:

1° in the fourth paragraph, the word 'change data' shall be replaced by the words 'the changes from the start of transport';

2° paragraph 5 shall be replaced with the following:

'The data from all digital identification forms and associated log files of shipments that have already started must be accessible to OVAM, supervisors and other competent inspection services, for enforcement purposes and waste tracking. The OVAM, the supervisors and the other inspection services should, however, take into account the confidential nature of the data on the identification forms.'

3° a sixth paragraph is added that reads as follows:

'The data on completed shipments should be exchanged with the OVAM's materials information system at OVAM's request for the purpose of tracing waste shipments and the targeted disclosure of information to improve the effectiveness of enforcement.'

Article 108. To Article 6.1.5.6 of the same Decree, inserted by the Flemish Government Decree of 2 July 2021, the words 'if they are necessary to prove the legal validity of the electronic signature' are added.

Article 109. In Article 6.1.5.7 of the same Decree, inserted by the Decree of the Flemish Government of 2 July 2021, the phrase '. The administrator of the system is responsible for this.' replaced by the phrase 'using a common format for data exchange. That format is set out in a standard procedure approved by the minister. The minister may specify further rules for interoperability between the systems.'

Article 110. In Article 6.1.5.8 of the same Decree, inserted by the Flemish Government Decree of 2 July 2021, between the word 'content' and the words 'and the systems', the phrase ', their exchange' shall be inserted.

Article 111. In Article 6.2.4(1), of the same Decree, replaced by the Decree of the Flemish Government of 22 March 2019, the second and third paragraphs are replaced by the following:

'A reduction of EUR 200 on the amount of the administrative costs mentioned in the first paragraph is possible if the notifier indicates that the transport notifications shall be done digitally according to the specifications set by the minister in a standard procedure. If it is subsequently found that the transport notifications were not sent digitally according to the specifications laid down by the minister in a standard procedure, an additional assessment shall follow. Only when it is paid shall OVAM send decisions on other files to the notifier again.'

Article 112. Article 6.2.17 of the same decree, inserted by the Flemish Government Decree of 22 March 2019, shall be removed.

Article 113. Article 7.1.1 of the same Decree is replaced by the following:

‘Article 7.1.1. When this chapter refers to identification numbers of waste producers, waste transporters, collectors, waste dealers or brokers, or waste processors, this means the following identification numbers:

1° for Belgian enterprises: the enterprise number, as assigned in the Crossroads Bank for Enterprises;
2° for companies, established abroad: the VAT number and, if no VAT number is available, the EORI number assigned to a company in the context of customs duties;
3° for Belgian establishment units: the establishment unit number, as assigned in the Crossroads Bank for Enterprises;
4° for foreign establishment units: the identification number of the enterprise, combined with the address of the establishment unit;
5° for seagoing vessels: the IMO number or MMSI number, combined with the address of the ship's berth;
6° for private individuals: the indication 'private individual'.
The waste producer is required to disclose the identification number of the waste production site to the collector, waste dealer or broker or waste processor if requested by them, for the purpose of efficient tracking of the waste.

If the waste producer does not communicate the establishment unit number of the production site to the collector, waste dealer or broker or waste processor despite the obligation mentioned in the second paragraph, they may use the identification number of the enterprise as the identification number, combined with the name and address of the establishment unit.'

Article 114. In Article 7.1.2 of the same Decree, the following amendments are made:

1° in the first paragraph, the words 'The waste database' shall be replaced by the words 'The MATIS materials information system';

2° replace the second paragraph with what follows:

'MATIS contains basic data which, while maintaining the application of the provisions on open government and public access to environmental data, can only be accessed by the officials in charge of implementing the provisions of this chapter and providing technical support for the necessary ICT systems. MATIS also contains validated information suitable for active and passive disclosure, including within the framework of the environmental database, established by the Flemish Government Decree of 31 July 1992 regulating cooperation between the Ministry of the Flemish Community and the environmental parastatals on the establishment and organisation of an environmental database.'

3° a third paragraph shall be added, reading as follows:

'The commercially confidential data in the MATIS materials information system shall be managed according to the conditions specified in Article 6(5) of the Materials Decree.'

Article 115. Article 7.2.1.1 of the same decree, amended by the Flemish Government Decree of 16 November 2012, is amended as follows:

1° paragraph 1 now reads:

'The waste producer of industrial waste who is not a waste processor shall keep records of the waste produced. The waste processor keeps records of the waste

that the processor has disposed of. Those waste registers contain the following information:
1° the date of production or disposal;
2° the mode of transport: waterway, railway, aviation, pipeline, road transport;
3° the quantity of waste in tonnes;
4° the nature and composition of the waste, indicating the EURAL code listed in Annex 2.1;
5° a description of the waste or an indication of its quality;
6° the method of treatment or application of the waste: landfilling, incineration with energy recovery (R1), other waste incineration (D10), reuse, composting/digestion, recycling, sorting, storage and transhipment, drying-separation, other pre-treatment;
7° the nature of the waste treatment mentioned in part 4.2;
8° if applicable, the name, address and identification number of the collector, waste dealer or broker;
9° the name, address and identification number of the establishment unit of the processor of the waste.';

2° The following sentence is added to paragraph 2:

'The register of disposed waste of waste processor mentioned in the first paragraph shall be updated with the latest data at least every working day.'

Article 116. Article 7.2.1.2(1) of the same Decree, amended by the Flemish Government Decree of 16 November 2012, shall be amended as follows:

1° point 1° is now removed;

2° point 3° is replaced by the following:
'3° the name, address and identification number of the establishment unit of the waste producer or the facility from which the waste is disposed of, or the name and identification number of the ship where the waste was collected, as well as the indication of its berth, or the name, address and identification number of the collector, waste dealer or broker delivering the waste;';

3° in point 4°, the phrase ', cubic metres, litres or kilograms' shall be deleted;

4° a point 5°/1 is now inserted, reading as follows:
'5°/1 the description of the waste or indication of quality;';

5° in point 6°, the phrase ', of Belgian carriers, the company number and of foreign ones the VAT number;' shall be deleted;

6° point 7° is replaced by the following:
' 7° the treatment or application method of the waste: landfilling, incineration with energy recovery (R1), other waste incineration (D10), reuse, composting/digestion, recycling, sorting, storage and transhipment, drying-separation, other pre-treatment. The nature of the waste operation listed in part 4.2 shall also be indicated;';

7° point 8° is replaced by the following:

'8° the name, address and identification number of the establishment unit of the processor of the waste, or the name, address and identification number of the collector or waste dealer or broker to whom the waste is delivered.'.

Article 117. Article 7.2.1.3 of the same Decree is amended as follows:

1° in the second paragraph, point 1°, the words 'litres or kilograms' are replaced by the word 'tonnes';

2° in the second paragraph, a point 1°/1 is inserted as follows:

'1°/1 the date of collection;';

3° in the second paragraph, point 3°, the phrase ', of Belgian collectors, waste traders or brokers the company number and of foreign ones the VAT number' shall be deleted;

4° in paragraph 2, point 4° shall be replaced with the following:

'4° the method of treatment or application of the waste: reuse, incineration with energy recovery, other waste incineration, dry-separation, recycling, composting/digestion, landfilling, storage and transhipment, other pre-treatment;';

5° in paragraph 2, point 5° shall be replaced with the following:

'5° the name, address and identification number of the establishment unit of the processor of the waste or an indication that the materials have been used by citizens;';

6° in the second paragraph, point 6° is replaced by the following:

'6° the data on the origin of the waste and the collection method of the waste.';

7° subparagraph 4 is removed.

Article 118. Article 7.2.1.4(1) of the same Decree, amended by the Flemish Government Decree of 16 November 2012, shall be amended as follows:

1° in point 2°, the phrase ', cubic metres, litres or kg' is deleted;

2° a point 3°/1 is now inserted, reading as follows:

'3°/1 the description of the waste or indication of the quality of the waste;';

3° point 4° is replaced by the following:

'4° the name, address, including country, and identification number of the establishment of the waste producer or of the licensed waste treatment facility from which the waste has been deleted;';

4° point 6° is replaced by the following:

'6° the treatment or application method of the waste, indicating the relevant R or D code listed in part 4.2.2, and at least with the following categories: landfilling, incineration with energy recovery, other waste incineration, reuse, composting/digestion, recycling, sorting, drying-separation, other pre-treatment, storage and transhipment;'

Article 119. Article 7.2.2.2(1) of the same Decree, amended by the Flemish Government Decree of 16 November 2012, shall be amended as follows:

1° in point 1°, the phrase ', cubic metres, litres or kilograms' shall be deleted;

2° a point 1°/1 is now inserted, reading as follows:

'1°/1 the date of discharge;';

3° a point 2°/1 is now inserted, reading as follows:

'2°/1 a description of the materials or an indication of the quality of the materials;';

4° in point 3°, the words 'dispersal use' are replaced by the words 'scope of application of the raw material';

5° point 4° is replaced by the following:

'4° if the raw materials are used in a classified establishment: the name, address and identification number of the user's establishment unit. If the raw materials are used in a work under a valid environmental permit: the name and identification number of the user's company and the address of the place where the work is performed. If the raw materials are applied in dispersal use of soil improvers: the name and identification number of the user's company or the indication that the materials have been used by an individual.'

Article 120. In Article 7.2.2.3(1) of the same Decree, the following amendments are made:

1° in point 2°, the words 'litres or kg' are replaced by the word 'tonnes';

2° point 4° is replaced by the following:

'4° the name, address, including country, and identification number of the establishment unit of the raw material producer;'.

Article 121. Article 7.2.3.2 of the same decree, amended by the Flemish Government Decree of 22 March 2019, is amended as follows:

1° between the word 'Article' and the phrase '7.2.1.2', the phrase '7.2.1.1, if they are records of discarded waste from a waste processor, Article' shall be inserted;

2° between the phrase '7.2.1.2,' and the phrase '7.2.1.4,' the phrase '7.2.1.3,' is inserted.

Article 122. In Chapter 7 of the same Decree, last amended by the Decree of the Flemish Government of 22 March 2019, the heading of part 7.3 shall be replaced by the following:

‘Part 7.3. Reporting data on generation and collection of waste and materials'.

Article 123. In Chapter 7 of the same Decree, last amended by the Decree of the Flemish Government of 22 March 2019, the heading of subsection 7.3.1 shall be replaced by the following:

‘Subpart 7.3.1. Annual reporting of production of industrial waste and raw materials'.

Article 124. Article 7.3.1.2(1), of the same Decree, replaced by the Decree of the Flemish Government of 27 November 2015 and amended by the Decree of the Flemish Government of 22 December 2017, is replaced by the following:

‘(1). The waste producers included in the selection mentioned in Article 7.3.1.1 shall report on the waste produced in the previous calendar year.

Raw material producers who do not operate a licensed waste treatment facility shall report on raw materials produced in the previous calendar year.'

Article 125. Article 7.3.1.3 of the same Decree is amended as follows:

1° the word 'expires' is replaced by the words 'may expire';

2° a second paragraph shall be added, with the following text:

'Reporting on the production of raw materials can be done through the web block of the integral environmental annual report before the date specified in articles 2 and 3 of the Flemish Government's decree of 2 April 2004 introducing the integral environmental annual report.'

Article 126. In Chapter 7 of the same Decree, last amended by the Decree of the Flemish Government of 22 March 2019, the heading of subsection 7.3.2 shall be replaced by the following:

‘Subpart 7.3.2. Quarterly reporting of data on collection of household waste and commercial waste similar to household waste in the materials information system.'

Article 127. Article 7.3.2.1 of the same Decree, amended by the Decree of the Flemish Government of 22 December 2017, is replaced by the following:

‘Article 7.3.2.1. Municipal authorities or associations of municipalities in charge of waste management shall report quarterly to OVAM data on household waste and similar commercial waste collected by them or on their behalf and the collection of household residual waste by private collectors on the territory of the municipality. Municipal authorities or associations of municipalities in charge of waste management may delegate all or part of the implementation of those notifications to other bodies. They inform OVAM of changes in those delegations

before the beginning of each quarter. However, they remain responsible for correct and timely reporting of the data.

A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Notifications of collections that took place in a quarter specified above must be made no later than the last day of the second month following that quarter.'

Article 128. Article 7.3.2.2 of the same Decree, amended by the Decree of the Flemish Government of 22 December 2017, is replaced by the following:

'Article 7.3.2.2. The quarterly reports, mentioned in Article 7.3.2.1, are delivered electronically to OVAM and contain quarterly totals, or more detailed data constituting the quarterly totals, from the waste register of the waste collected by the municipality or collected on behalf of the municipality, mentioned in Article 7.2.1.3, and quarterly totals, or more detailed data constituting the quarterly totals, of the household residual waste collected by private collectors in the territory of the municipality.

The quarterly reports of data mentioned in Article 7.3.2.1 cover the origin, nature, quantity, collection method, treatment method and destination of waste. They further cover the identification of the notification, the period during which the waste was collected, and, if applicable, the identification of the collector, waste dealer or broker.

The form and content of the notifications, including the technical specifications for electronic delivery of the notifications, are specified in a standard procedure established by the minister at the proposal of OVAM. OVAM publishes that standard procedure on its website.'

Article 129. To part 7.3 of the same Decree, last amended by the Decree of the Flemish Government of 22 December 2017, a subsection 7.3.3, consisting of articles 7.3.3.1 to 7.3.3.2, is added, reading as follows:

'Subpart 7.3.3. Quarterly reporting in the materials information system data on the collection, in the Flemish Region, of waste other than household waste and commercial waste comparable to household waste

Article 7.3.3.1. The registered waste collectors, waste traders or waste brokers shall report to OVAM quarterly data on waste other than household waste and waste comparable to household waste that they have collected in the Flemish Region. They can delegate the execution of notifications to a third party, but they remain responsible for the timely execution of all notifications themselves.

A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Notifications of waste collections that took place in a quarter specified above must be made no later than the last day of the second month following that quarter.'

Article 7.3.3.2. The quarterly reports, mentioned in Article 7.3.3.1, are delivered electronically to OVAM and contain quarterly totals or more detailed data that make up the quarterly totals, from the waste registers mentioned in Article 7.2.1.2.

The quarterly reports of data mentioned in Article 7.3.3.1 shall cover the origin, nature, quantity, registered carrier, treatment method and destination of the collected waste. Furthermore, they relate to the identification of the notification and the period during which the waste was collected.

The form and content of the notifications, including the technical specifications for electronic delivery of the notifications, are specified in a standard procedure established by the minister at the proposal of OVAM.OVAM publishes that standard procedure on its website.'

Article 130.A subpart 7.3.4, consisting of an Article 7.3.4.1 to 7.3.4.2, shall be added to part 7.3 of the same Decree, last amended by the Decree of the Flemish Government of 22 December 2017, as follows:

‘Subpart 7.3.4. Quarterly reporting of raw material production data in the materials information system

Article 7.3.4.1. Operators of a licensed waste treatment facility report quarterly to OVAM data on the raw materials they produce. They can delegate the execution of notifications to a third party, but they remain responsible for the timely execution of all notifications themselves.

A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Reports of raw materials produced and disposed of in a quarter specified above must be made no later than the last day of the second month following that quarter.'

Article 7.3.4.2. The quarterly reports, mentioned in Article 7.3.5.1, are delivered electronically to OVAM and contain quarterly totals or more detailed data constituting the quarterly totals, from the materials register mentioned in Article 7.2.2.2.

The quarterly reports of data mentioned in Article 7.3.5.1 cover the nature, quantity, method of application and destination of raw materials produced. Furthermore, they relate to the identification of the notification, the period during which the raw materials were disposed of, and, if applicable, the identification of the user of the raw materials.

The form and content of the notifications, including the technical specifications for electronic delivery of the notifications, are specified in a standard procedure established by the minister at the proposal of OVAM. OVAM publishes that standard procedure on its website.'

Article 131. In the heading of part 7.4 of the same Decree, the words 'the treatment of waste and' are deleted.

Article 132. In Article 7.4.1(1) of the same Decree, the following amendments are made:
1° the words 'waste processors and' are deleted;
2° the words 'waste and' are deleted;
3° the words 'the processing of waste and' are deleted.

Article 133. In Article 7.4.2 of the same Decree, the following amendments are made:
1° in section 1, the words 'waste processors and' shall be deleted;

2° in section 1, the words 'processed waste and' shall be deleted;

3° section 2 is deleted.

Article 134. Article 7.4.3 of the same Decree is repealed.

Article 135.A part 7.5, consisting of an Article 7.5.1 to 7.5.2, shall be added to Chapter 7 of the same Decree, last amended by the Decree of the Flemish Government of 22 December 2017, as follows:

'Part 7.5 Quarterly reporting of waste treatment data in the materials information system

Article 7.5.1. Operators of a licensed waste-processing facility report to OVAM quarterly data on the waste they process. They can delegate the execution of notifications to a third party, but they remain responsible for the timely execution of all notifications themselves. This concerns data on the waste brought in to be processed, the disposal of processed waste and in-house streams produced and processed at the facility by landfilling, incineration with energy recovery, other waste incineration, composting/digestion or recycling.

A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Notifications of waste shipped or disposed of in a quarter specified above must be made no later than the last day of the second month following that quarter.

Article 7.5.2. The quarterly reports, mentioned in Article 7.5.1, are delivered electronically to OVAM and contain quarterly totals or more detailed data constituting quarterly totals from the waste registers mentioned in Articles 7.2.1.1 and 7.2.1.4.

The quarterly data reports mentioned in Article 7.5.1 shall cover the origin, nature, quantity, method of processing, mode of transport and destination of the waste supplied and disposed of. They further cover the identification of the notification, the period during which the waste was collected, and, if applicable, the identification of the collector, waste dealer or broker.

The form and content of the notifications, including the technical specifications for electronic delivery of the notifications, are specified in a standard procedure established by the minister at the proposal of OVAM. OVAM publishes that standard procedure on its website.'

Article 136. Chapter 8 of the same Decree, repealed by the Flemish Government's decree of 1 March 2013, is reinstated in the next reading:

‘Chapter 8. Sampling and analysis of waste and other materials

Article 8.1. (1). Sampling of waste and other materials under the Materials Decree, this decree and Title II and III of the VLAREM shall be carried out according to the methods established in the CMA.

(2). There is an exemption from the obligation, mentioned in section 1, for the materials derived from metallurgical production processes for non-ferrous metals that are used directly, without further other treatment, in another metallurgical production process for non-ferrous metals.

Article 8.2. (1). The analyses on waste and other materials under the Materials Decree, this decree and Titles II and III of VLAREM shall be carried out according to the methods established in the CMA or according to a method declared equivalent by OVAM.

(2). There is an exemption from the obligation, mentioned in section 1, for the materials that come from metallurgical production processes for non-ferrous metals and are used directly, without further other treatment, in another metallurgical production process for non-ferrous metals.

(3). OVAM shall rule within a period of 90 days from the receipt of the request to declare a method equivalent. In the absence of a ruling within that period, the method is deemed not equivalent.

(4). If the OVAM declares a method equivalent, that declaration applies only to the laboratory that made the request.'

Article 137. Article 9.2.1(3) of the same Decree, inserted by decision of the Flemish Government of 2 July 2021, is replaced by the following:

‘(3). The fee for the issue of an asbestos inventory certificate is payable by the owner of the accessible construction with risk construction year and is claimed monthly at the expense of the process-certified asbestos expert inventory listed in Article 5.4.12 or the registered employer of the internal prevention advisor or internal environmental coordinator listed in Article 5.4.11, first paragraph, 3° in the name of the above owner.

The fee due shall be paid into the account number of OVAM, mentioning the name of the process-certified asbestos expert inventor, mentioned in Article 5.4.12, or the registered employer of the internal prevention adviser or internal environmental coordinator, mentioned in Article 5.4.11, first paragraph, 3°.

The minister may elaborate further rules on the modalities of claim.”.

Article 138. To the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, a chapter 9/1, consisting of articles 9/1.1 to 9/1.3, is added, reading as follows:

'Chapter 9/1 Processing of personal data.

Article 9/1.1. (1). In accordance with Article 4/2(1) of the Materials Decree, OVAM processes data that may contain personal data when implementing subsections 6.1.1 and 6.1.5 of this decree.

(2). The data referred to in section 1 are processed for the following purposes:
1° tracing waste and materials from production to final processing or in the case of use as raw materials;
2° monitoring, surveillance and follow-up of the transfer of responsibility for waste management;
3° producing the necessary data for efficient and effective monitoring of the measures of this Decision.

(3). The nature of the data concerns the company numbers, branch numbers, name and contact details, namely the telephone number, fax number and email address, of the natural and legal persons appearing in the identification forms and in the documents relating to the approval procedure of systems for the delivery of digital identification forms.

It includes location data associated with the start and end point of a shipment of waste or materials. Such location data shall only be used for the purposes mentioned in section 2, points 1° and 3°.

These data are necessary in the context of a minimum data processing for the purposes of the data processing referred to in section 2.

(4). The personal data processed relate to the natural and legal persons who produce, transport or manage waste and materials.

(5). The OVAM may provide the personal data referred to in section 1 to:
1° the supervisors in charge of monitoring the provisions of this decree;
2°the natural or legal persons carrying out contracts for OVAM under the Public Procurement Act or carrying out contracts to which OVAM cooperates, provided that a confidentiality agreement is signed.

Article 9/1.2. (1). In accordance with Article 4/2(1) of the Materials Decree, OVAM processes data that may contain personal data when implementing Chapter 7 of this Decree.

(2). The data referred to in section 1 are processed for the following purposes:
1° tracing waste and materials from production to final processing or use as raw materials;
2° preparing, implementing, monitoring and supervising the waste and materials policy and its objectives;
3° producing the necessary data for efficient and effective monitoring of the measures of this Decision;
4° fulfilling various European, international, Belgian and Flemish reporting duties imposed by applicable legislation and treaties;
5°collecting environmental charges and monitoring them.

(3). The nature of the data concerns the company numbers, establishment numbers, name and contact details, namely telephone number, fax number and

email address, of the natural and legal persons appearing in the waste registers and in the data reported to OVAM under Chapter 7 of this decree.

These data are necessary in the context of a minimum data processing for the purposes of the data processing referred to in section 2.

(4). The personal data processed relate to the natural and legal persons who produce, transport or manage waste and materials.

(5). The OVAM may provide the personal data referred to in section 1 to:
1° the supervisors in charge of monitoring the provisions of this decree;
2°the natural or legal persons carrying out contracts for OVAM under the Public Procurement Act or carrying out contracts to which OVAM cooperates, provided that a confidentiality agreement is signed;
3°the European and international bodies to whom OVAM must report on waste and materials produced, transported or managed by specific natural or legal persons.

Article 9/1.3. (1). In accordance with Article 4/2(1) of the Materials Decree, OVAM processes data that may contain personal data when implementing subpart 5.2.16 of this Decree.

(2). The data referred to in section 1 are processed for the following purposes:
1° tracing waste and materials from production to final processing;
2° monitoring the waste and materials policy and its objectives;
3° producing the necessary data for efficient and effective monitoring of the measures of this Decision.

(3). The nature of the data concerns the name, address and company number of the waste producer where the non-conformity was established within the scope of subsection 5.2.16 of this Decree.

These data are necessary in the context of a minimum data processing for the purposes of the data processing referred to in section 2.

(4). The personal data processed relate to the natural and legal persons who produce, transport or manage waste and materials.

(5). OVAM may provide the personal data mentioned in section 1 to the supervisors in charge of monitoring the provisions of this decree.'

Article 139. To Annex 2.1 to the same Decree, replaced by the Decree of the Flemish Government of 23 September 2016 and amended by the Decree of the Flemish Government of 22 December 2017, the following amendments are made:

1° in point 2°, second paragraph, second indent, the words 'or other internationally recognised test methods and guidelines' are deleted;

2° in point 2°, second paragraph, two indents shall be inserted after the second indent to read as follows:

“- If the holder of the waste wishes to use a test other than those specified in Regulation (EC) No 440/2008, the written consent of OVAM must be sought

- If ecotoxicity is determined by a test, Article 4.1.3(2), 2° must be followed.'

3° in the chapters of the list of waste, between items 19 12 12 and 19 13, items 19 12 64 and 19 12 65 shall be inserted as follows:

'19 12 64: sorting (screening) residue of industrial residual waste not included in 19 12 12 originally collected as 20.03.01.

19 12 65: sorting (screening) residues from construction and demolition waste originally collected as 17 09 04' not included in 19 12 12;

4° in the chapters of the list of waste, an item 20 03 70 shall be inserted between items 20 03 07 and 20 03 99 to read as follows:

'20 03 70: dry non-hazardous recyclable industrial waste that has been collected mixed and meets the conditions laid down in the VLAREMA'.

Article 140. In Annex 2.2 to the same Decree, last amended by the Flemish Government Decree of 2 July 2021, the following rows are added to part 1:

Farm compost	Obtained from a composting process that takes place on the farm whereby farm-owned plant organic residues, mixed or not with farm-owned farmyard manure, are composted. The farm compost is used on the farm's own farmland	Article 2.3.3.1
Farm compost produced in a cooperative as mentioned in Article 3(5), 3°, of the Manure Decree	Obtained from a composting process in which vegetable organic residues, whether or not mixed with farmyard manure, are composted	Article 2.3.3.1 and Article 2.3.3.3
Chipped wood	Derived from specific woody material	Article 2.3.3.5

Article 141. The same Decree, most recently amended by the Flemish Government Decree of 2 July 2021, abolishes part 4 of Annex 2.2.

Article 142. In Annex 2.3.2.A to the same decision, the following amendments are made:

1° the 'metals' table is deleted;

2° the table 'monocyclic aromatic hydrocarbons' is deleted;

3° the table 'other organic substances' is deleted.

Article 143. Annex 2.3.2.B to the same decision is replaced by Annex 2, which is attached to this decision.

Article 144. Annex 2.3.2.C to the same decision is deleted.

Article 145. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Annex 2.3.3 is inserted, which is attached to this Decree as Annex 3.

Article 146. Annex 2.3.4 to the same Decree, as amended by the Flemish Government Decree of 22 March 2019, is deleted.

Article 147. In the same Decree, last amended by the Decree of the Flemish Government of 2 July 2021, an Annex 5.2.15 is inserted, which is attached to this Decree as Annex 4.

Article 148. Annex 10.4 to the same decision is repealed.

Article 149. Annex 10.7 to the same Decree, amended by the Flemish Government Decree of 27 November 2015, is replaced by Annex 5, which is attached to this Decree.

Chapter 7. Transitional and enactment provisions

Article 150.A training centre as mentioned in Article 6(4°)(l) of the VLAREL that is recognised on the date of entry into force of this Decree for issuing the certificate of competence for air-conditioning equipment in certain motor vehicles is also recognised for issuing the certificate of refresher training for air-conditioning equipment in certain motor vehicles with the application of this Decree.

Article 151. Notwithstanding Article 40/3(2) of the VLAREL, by 1 January 2025 at the latest, a recognised technician shall comply with the usage requirement to undergo refresher training every five years, unless Article 5.2.4.7(3) of the VLAREMA applies for the relevant recognised centre for at least three of the five past years, and pass the refresher training examination.

Article 152. Article 23 (*Article 2.3.1.4* of *the VLAREMA)* shall enter into force one year after the publication of this decree in the Belgian Official Gazette.

Article 153. Article 24, 3°, 4°, 5° and 6° (*Article 2.3.2.1(1), 2° and 3° of VLAREMA*) shall enter into force three months after the publication of this decree in the Belgian Official Gazette.

Article 154. Raw material declarations for raw materials intended for use as building materials and granted before the coming into force of Article 24, 3°, 4°, 5° and 6° of this Decree shall remain valid for one year after the coming into force of Article 154.
The maximum validity period of one year does not apply to commodity declarations that:
1° comply or were adapted to be in line with Article 24, 3°, 4°, 5° and 6° of this decree;
2° were deleted;

Article 155. Article 33, 2°, except letter (e), (*Article 2.4.2.2, 7° , point f of VLAREMA*) shall enter into force one year after the publication of this decree in the Belgian Official Gazette.

Article 156. Article 37 (*Article 2.4.2.6 new paragraph of VLAREMA)* shall enter into force one year after the publication of this decree in the Belgian Official Gazette.

Article 157. Article 41 (*Article 3.2.1.6. of VLAREMA*) shall enter into force one year after the publication of this decree in the Belgian Official Gazette.

Article 158. Article 42 (*Article 3.4.1.1/1 of Vlarema*) enters into force on 1 January 2025.

Article 159. Article 46, points 1°, 2°, 3° and 5° enter into force on 1 April 2024, except for points 30°, 31° and 32°, which are added by Article 46, 3°, these enter into force on 1 January 2027.

Article 160. Article 48 enters into force on 1 April 2024.

Article 161. Article 52, point 3° shall enter into force on 1 April 2024.

Article 162. Article 60 enters into force on 1 April 2024, except for letters (s) and (t) of Article 5.2.16.7. These come into force on 1 January 2027.

Article 163. Article 97, point 4° enters into force on 1 April 2024, except for letters (s) and (t). These come into force on 1 January 2027.

Article 164. Articles 100, 101(1°), 115, 116, 117, 118, 119, 120, 121, 126, 127, 128, 129, 130, 135 and 139(2°) and (3°) shall enter into force on 1 January 2024.

Article 165. Article 138 shall enter into force on 1 April 2024 insofar as it inserts Article 9/1.3. into the Decree of the Flemish Government of 17 February 2012 on sustainable management of material cycles and waste.

Art 166. Article 144 enters into force 3 months after the publication of this decree in the Belgian Official Gazette.

Article 167. The Flemish Minister responsible for the environment and nature is in charge of the implementation of this Decree.

Brussels, ... (date).

The Minister-President of the Flemish Government,

Jan JAMBON

The Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism,

Annex 1 to the ## Decree amending the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental health, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste materials

Annex VI to the VLAREBO Decree of 14 December 2007

Annex VI. Values for the use of excavated soil as structural soil use or in shape-retaining product

The values for the use of excavated soil as construction soil or in shape product, mentioned in Article 168(2), 1°, of the Decree of the Flemish Government adopting the Flemish regulations on soil remediation and soil protection, are indicated in the table below.

	solid part of earth (mg/kg dry matter)
HEAVY METALS AND METALLOIDS	
Arsenic	267
Cadmium	30
Chromium	880
Copper	500
Mercury	11
Lead	1250
Nickel	530
Zinc	1250
MONOCYCLIC AROMATIC HYDROCARBONS	
Benzene	0.5
Toluene	15
Ethylbenzene	5
Xylene	15
Styrene	10
POLYCYCLIC AROMATIC HYDROCARBONS	
Naphthalene	6
benzo(a)pyrene	7.2
Phenacetin	30
Fluoranthene	30
benzo(a)anthracene	30
Chrysene	20
benzo(b)fluoranthene	4.4
benzo(k)fluoranthene	10

benzo(ghi)perylene	10
indeno(1,2,3-cd)pyrene	15
Acenaphthene	6.2
Acetylene	1.2
Anthracene	10
Dibenzo(a,h)anthracene	3.2
Fluorene	20
Pyrene	46
OTHER ORGANIC SUBSTANCES	
Hexane	1.2
Heptane	20
Octane	60
mineral oil	1000
polychlorinated biphenyls (1)	0.5
CYANIDES (2)	
free cyanide	5
non-chlorinated oxidisable cyanides	12
ASBEST (3)	
Asbestos	100

(1) The seven indicator PCBs (congeners) are PCB28, PCB52, PCB101, PCB118, PCB138, PCB153 and PCB180.
(2) Free cyanides include inorganically bound cyanides consisting of the sum of the levels of free cyanide ions and cyanides bound in single metal cyanide. Non chlorinated oxidisable cyanides include the sum of alkali metal cyanides ($K_4Fe(CN)_6$) and metal-iron cyanides ($Fe_4(Fe(CN)_6)$).

Given to be attached to the Decree of the Flemish Government of ### to amend the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental hygiene, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste.

Brussels, ... (date).

The Minister-President of the Flemish Government,

Jan JAMBON

The Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism,

Zuhal Demir

Annex 2 to the ## Decree amending the Flemish Government Decree of 1 June 1995 containing general and sectoral provisions on environmental health, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste materials

Annex 2.3.2.B to the Decree of the Flemish government of 17 February 2012 establishing the Flemish regulation on sustainable management of material cycles and waste materials

ANNEX 2.3.2.B CONDITIONS FOR USE AS CONSTRUCTION MATERIAL

METAL	
PARAMETERS	LEACHABILITY (1) in mg/kg dry matter
Arsenic (As)	0.8 (2)
Cadmium (Cd)	0.03 (2)
Chromium (Cr)	2.6 (2)
Copper (Cu)	0.8 (2)
Mercury (Hg)	0.02 (2)
Lead (Pb)	1.3 (2)
Nickel (Ni)	0.75 (2)
Zinc (Zn)	2.8 (2)
Antimony (Sb)	1 (2) (3)
Molybdenum (Mo)	55 (2) (3)
Vanadium (V)	2.5 (2) (3)
Cobalt (Co)	0.5 (2) (3)
Selenium (Se)	2 (2) (3)
Tin (Sn)	1 (2) (3)
Barium (Ba)	20 (4)
Bromide (Br)	20 (4)
Fluoride (F)	55 (4)
Chloride (Cl)	1000 (4)
Sulphate (SO4)	2200 (4)

(1) Leachability is measured using the column test
(2) Compelling value
(3) only in ash from waste incineration and in slag from metallurgy
(4) guide values

Given to be attached to the Decree of the Flemish Government of ### to amend the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental hygiene, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste.

Brussels, ... (date).

The Minister-President of the Flemish Government,

Jan JAMBON

The Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism,

Zuhal Demir

Annex 3 to the ## Decree amending the Flemish Government Decree of 1 June 1995 containing general and sectoral provisions on environmental health, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste materials

Annex 2.3.3 to the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on sustainable management of material cycles and waste materials

Annex 2.3.3. Composition conditions maximum pollutant contents for reprocessed waste oil and reprocessed fuel residues

PARAMETERS	TOTAL CONCENTRATION (mg/kg)
Cl	< 200
Sum of heavy metals Σ (As, Cd, Cr, Co, Cu, Mn, Pb, Ni, Sn)	< 25
Hg	< 1
Total PCB	< 5
Ca **	< 30
Zn **	< 15
P **	< 15
S *	1 % (m/m)
Sediment	0.1 % (m/m)
Water content	0.5 % (v/v)

* or lower if the S content in the applicable product standard is lower than 1 % (m/m)

** If the combination of Ca and Zn or Ca and P exceeds the specified maximum levels, the waste oil is not considered reprocessed.

Given to be attached to the Decree of the Flemish Government of ### to amend the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental hygiene, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste.

Brussels, ... (date).

The Minister-President of the Flemish Government,

Jan JAMBON

The Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism,

Zuhal Demir

Annex 4 to the ## Decree amending the Flemish Government Decree of 1 June 1995 containing general and sectoral provisions on environmental health, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste materials

Annex 5.2.15 to the Decree of the Flemish government of 17 February 2012 establishing the Flemish regulation on sustainable management of material cycles and waste materials

Annex 5.2.15 – Disposable nappies

5.2.15.A Limit values for drugs and hormones

Parameters	**Limit value outgoing flows** (µg/kg dry matter)
Allopurinol	250
Carbamazepine	250
Clarithromycin	250
Diclofenac	250
Estriol	200
Estrone	200
5-Fluorouracil	250
Gabapentine	250
Hydrochlorothiazide	250
Ibuprofen	250
Metformin	250
Metoprolol	250
Naproxen	250
Sotalol	250
Sulfamethoxazole	250
Trimethoprim	250

5.2.15.B Conditions for absence of pathogens
As described in CMA/4/B, there are two methods for demonstrating the absence of pathogens after the sterilisation process:
method A: outgoing streams contain < 1 cfu/g
Method B: the absence of growth of spores of Geobacillus stearothermophilus in all collected ampoules.

Given to be attached to the Decree of the Flemish Government of ### to amend the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental hygiene, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste.

Brussels, ... (date).

The Minister-President of the Flemish Government,

Jan JAMBON

The Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism,

Zuhal Demir

Appendix 5 to the Decree of the Flemish Government of ## to amend the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental health, the VLAREBO Decision of 14 December 2007, the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste materials

Annex VIII to the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 laying down general provisions on environmental policy

Annex VIII. List of environmental infringements in implementation of Article 16.1.2, 1°, f), and Article 16.4.27, third paragraph, of the Decree of 5 April 1995 containing general provisions on environmental policy

Any article. Non-compliance with, or failure to comply with, the following legal duties, mentioned in the Decree of the Flemish Government of ... establishing the Flemish regulation on the sustainable management of material cycles and waste materials, is considered an environmental infringement.

Article	Legal obligation
3.2.1.1(6)	The part of the cost price of a product that is passed on to cover the costs associated with carrying out the acceptance duty must be visibly shown on the invoice, unless otherwise provided for in this decree, in the acceptance duty covenant or in the individual acceptance duty plan.
3.2.1.1(7)	The final seller of products subject to the take-back obligation shall display a notice in a clearly visible place in each of his outlets indicating the manner in which he complies with the provisions of this decree and how the buyer can have the product repaired or dispose of his discarded product. Consumers must also be informed of this when selling outside a sales area.
3.2.1.2(1)	The manner in which the acceptance obligation is met shall be recorded in one of the following documents: 1°an individual acceptance duty plan as mentioned in section 2 and subpart 3.2.3; 2°An acceptance duty covenant as mentioned in section 2 and Article 3.2.2.1/1.
3.2.1.2, (1/1)	A producer to whom the acceptance obligation applies may fulfil his acceptance obligation by: 1° to have an individual acceptance obligation plan approved by OVAM; 2° to be affiliated, directly or indirectly, through their organisation, by an accession agreement, to a managing body mentioned in Article 3.2.2.1, provided that the managing body complies with the duties imposed on it in this part and the acceptance obligation covenant.
3.2.1.2(2), third paragraph	For household waste, the take-back obligation covenant or individual take-back obligation plan also contains a financial guarantee corresponding to the estimated costs of the Flemish Region taking over the take-back obligation for six months. In an acceptance obligation covenant, other securities may be agreed to ensure the progress of the commitments under the agreement.
3.2.1.3(1)	The producer subject to the acceptance obligation must report annually to OVAM on how he implements the acceptance obligation.

	The producer may appoint an organisation to carry out the reporting. For reporting purposes: 1° the numerical data provided to OVAM as part of the acceptance obligation are validated by an independent inspection body; 2° the numerical data of collectors, waste dealers or brokers, reuse centres and processors delivered to the management body or producer under the take-back obligation shall be validated by an independent inspection body; 3° the numerical data provided by producers to the management body under the acceptance obligation shall be validated by an independent inspection body. The management body or a third party appointed by that body may take over that task, provided that all members are inspected at least once every three years and the management body reports on that action and the results to OVAM annually; 4° duties mentioned in 1°, 2° and 3° may be deviated from in an acceptance obligation covenant or in an individual acceptance obligation plan if the quality of the numerical data can be guaranteed in another way.
3.2.1.6. (1)	The operator of an online marketplace shall provide the OVAM with an overview by 1 March each year at the latest of all producers who have been able to conclude distance contracts on its online marketplace with private households or users other than private households on the territory during the previous year, and their registration number with the relevant management organisations.
3.2.2.1(1)	An acceptance obligation covenant may be concluded subject to the condition that one or more managing bodies are designated by the organisations of companies representing the producers subject to the acceptance obligation to assume the acceptance obligation of their member producers subject to the acceptance obligation.
3.2.2.1(2)	A managing entity shall fulfil all of the following conditions: 1° the managing body is established in accordance with the Law of 27 June 1921 on non-profit associations, international non-profit associations and foundations; 2° the management body's statutory objective is to take charge of the take-back obligation on behalf of member producers; 3° the trustees or persons who can bind the association possess their civil and political rights; 4° the managers or persons who may commit the association have not been convicted of an infringement of the environmental legislation of the Regions or a member state of the European Union during the last five years; 5° the management body has the necessary financial, human and technical resources to fulfil the acceptance obligation; 6° the management body shall homogeneously serve the entire territory where producers place their products on the market so as to ensure the collection, recycling and recovery of waste, with a view to fulfilling the take-back obligation.
3.2.2.1(3)	Within six months from signing the acceptance obligation agreement, the managing entity shall submit a management plan to OVAM for approval, covering the entire duration of the acceptance obligation agreement, in which it indicates how the provisions of the acceptance obligation agreement will be implemented. The management plan shall at least include the implementation conditions of the provisions in the acceptance obligation covenant in accordance with Article 3.2.1.2(2). Annually, before 15 November, the managing entity shall submit an update of the management plan for the next calendar year for approval by OVAM.
3.2.2.1(4)	The managing entity shall submit for consultation to OVAM a financial plan for the term of the acceptance obligation agreement no later

	than six months after the signing of the acceptance obligation agreement. The financial plan includes: 1° the budget; 2° the calculation of any contributions seeking differentiation in accordance with Article 21/1(2), 2° of the Materials Decree; 3° the policy on commissions and reserves; 4° the method of financing any losses; 5° the method of financing end-of-life products whose producer is no longer active or can be identified. Here, the responsibility of the managing body is limited to the products that were declared to the managing body when they were placed on the market. If this can no longer be verified, the managing body bears a responsibility corresponding to its share of the market; 6° the investment policy. The budget referred to in the second paragraph, 1°, shall include as a separate item which resources the managing body provides for prevention and for high-quality closure of the cycle in addition to the established collection and processing objectives. The acceptance obligation agreement shall specify the proportion of the budget that will be made available for those purposes. Every year, the managing body submits an update of the financial plan for the following calendar year to OVAM for its opinion by 15 November.
3.2.2.1(5)	If the managing body organises collection and treatment as part of a collective system, the allocation is made on the basis of specifications on which a public enquiry is organised, and the award decision is based on the criteria laid down in the specifications. Requirements specifications shall be submitted to OVAM for approval. Any changes to the specifications must be approved in advance. The acceptance duty covenant may derogate from the duty to organise the allocation on a specifications basis. The managing body shall provide publicly available information on the selection criteria, award criteria and their weighting of the various bids received. That information shall be mentioned in a comprehensive report to OVAM and to all candidates who submitted correct bids. This report shall contain not only a description of the criteria, but also a substantiated justification for each of the offers of points awarded for each criterion. The provision in the first paragraph does not apply in case of collection and/or processing commissioned by individual producers or other actors on a contractual basis.
3.2.2.1(6)	OVAM shall act as an observer in the board of directors and general assembly of the management body on behalf of the region. The convocations for the relevant meetings and the reports thereof shall be sent to OVAM in time.
3.2.2.1(7)	The managing body may not refuse the accession of any company to which the acceptance obligation might apply. The managing entity may deviate from such obligation in case of overriding concerns, subject to prior approval from OVAM.
3.2.2.1(8)	At the request of OVAM, the managing body shall organise consultations at least once a year with the representative organisations of all actors involved in the implementation of the take-back obligation. A summary report of the meeting shall be prepared.
3.2.2.1(9)	The management body shall provide publicly available information on: 1° the members and participants of the management body; 2° the financial contributions of the products marketed by their members per unit sold or per tonne; 3° the selection procedure for waste managers.
3.2.2.1/1(1)	An acceptance obligation agreement shall be concluded between OVAM and one or more organisations of undertakings representing

	producers who are subject to the acceptance obligation. At the request of the parties, other actors may join the acceptance duty covenant. The organisations of undertakings as referred to in paragraph 1 must have legal personality and must have been mandated by their members or a group thereof to conclude an acceptance obligation agreement and to thereby bind the members concerned.
3.2.2.1/1(3)	An acceptance duty covenant is binding on the parties. Subject to what is stipulated in the take-back obligation covenant, it is also binding on all members of the organisations of companies that have given a mandate in accordance with section 1(2), unless a producer fulfils his take-back obligation through an individual take-back obligation plan or another take-back obligation covenant.
3.2.2.2(1)(1)	All documents to be prepared as part of the implementation of an acceptance duty covenant that are of strategic importance are submitted to OVAM for approval. These are at least the management plan, specifications and communication plan.
3.2.2.2(2)(1)	Notwithstanding section 1, the financial plan and the membership agreement shall be submitted for advice only.
3.2.3.4	The holder of the approval mentioned in Article 3.2.3.2, 3°, is required to immediately communicate, changes of the following data in his file to OVAM with a secure transmission: 1° name, legal form, registered office and trade register number or a corresponding registration and company number; 2° its place of residence, address or fax and telephone numbers and, where appropriate, address, fax and telephone numbers of its registered offices, administrative offices and operating offices or place of employment within the Flemish Region; 3° the subject of the approved individual acceptance obligation plan; 4° the commitments in the approved individual acceptance obligation plan.
3.3.1, first paragraph, second sentence	Any individual producer caught by this extended producer responsibility must join a collective plan.
3.3.2, first and second sentences	To implement the collective plan, producers draw up an annual action plan. The action plan shall be submitted annually by 1 October of the year preceding the year covered by the action plan.
3.3.3(1)	The collective plan and annual action plan must be submitted to OVAM for approval.
3.3.5	Annual reports on the implementation of the collective plan during the previous calendar year are due by 1 April.
3.4.1.2, first paragraph	The sector of publishers of free regional press and unaddressed advertising material: 1° provides free stickers to those who want them. The NO and YES stickers are always provided jointly; 2° annually reports to OVAM on the number of stickers distributed, the number of tonnes of paper from distributed unaddressed printed matter, the number of letterboxes with stickers, the number of complaints about incorrect distribution of unaddressed printed matter.
3.4.2.5, first paragraph	Vehicle manufacturers shall provide all dismantling information to authorised centres for depollution, dismantling and destruction of end-of-life vehicles within six months of a new vehicle type being put on the market. That information identifies the various vehicle components and materials and the location of all hazardous materials in the vehicles.
3.4.2.5, second paragraph	At the request of authorised centres for depollution, dismantling and destruction of end-of-life vehicles, vehicle component producers shall also provide dismantling information, information on storage and information on testing of components that can be reused, taking into

	account commercial and industrial confidentiality.
3.4.3.4, first paragraph	The final seller of tyres or the organisation designated for this purpose shall provide to OVAM before 1 July each year an overview of the total amount of waste tyres expressed in kilograms and types, which were received in the context of the exercise of the take-back obligation during the previous calendar year.
3.4.3.4, second paragraph	The tyre intermediary or the organisation designated for this purpose shall provide the OVAM, before 1 July of each year, with an overview of the total quantity of waste tyres, including those eligible for reuse, expressed in kilograms and types received in the exercise of the take-back obligation during the previous calendar year.
3.4.3.4, third paragraph	The producer of tyres or the organisation designated for this purpose shall make the following data for the previous calendar year available to OVAM before 1 July each year: 1° the total quantity of tyres, expressed in kilograms, types and numbers, put into circulation in the Flemish Region; 2° the total amount of waste tyres, including those eligible for reuse, expressed in kilograms and types, collected in the context of exercising the take-back obligation; 3° the establishments where and how the collected waste tyres were processed; 4° the total quantity of waste tyres, expressed in kilograms, which: a) were sorted for reuse; b) got a new tread; c) has been recycled; d) has been usefully applied; 5° the total quantities of rubber, steel and textiles from the recycling of waste tyres that were used, broken down by application.
3.4.4.7, third paragraph	The targets mentioned in the first and second paragraphs apply to each of the categories mentioned in Article 3.4.4.2 and are reported to OVAM annually by 1 July in accordance with Articles 3.4.4.12 and 5.2.5.4.
3.4.4.9	EEE producers shall ensure, in particular through information campaigns, that end-users are fully informed about: 1° the obligation to offer EEE selectively; 2° the collection and recycling systems available to them; 3° their role in promoting the reuse, recycling and other recovery of waste EEE; 4° the potential impact on the environment and public health of the presence of hazardous substances in EEE; 5° the meaning of the symbol of the crossed-out wheeled bin.
3.4.4.10	EEE producers, or their designated organisation, register. To do so, they make the following data available to OVAM or the organisation they have designated for that purpose: 1° the name of the producer or authorised representative, postal number and location, street name and number, country, telephone and fax number, email address and first and last name of a contact. In the case of an authorised representative as mentioned in Article 3.4.4.15, also the contact details of the producer being represented; 2° the business number of the producer of EEE; 3° the category to which the EEE belongs, mentioned in Article 3.4.4.2; 4° the type of EEE, household or professional equipment; 5° the brand name of the EEE; 6° the information on how the producer fulfils its responsibilities, either individually or through a collective arrangement, including information on financial security; 7° the selling technique used, e.g. distance selling; 8° the declaration that the information provided is in accordance with the truth.
3.4.4.12(1)(1)	The distributor of EEE or its designated organisation shall make the

	following data for the previous calendar year available to OVAM or its designated organisation before 1 July each year: 1° the EEE distributor's name, company number, postal number and city, street name and number, country, telephone and fax number, email address and first and last name of a contact; 2° the reporting period; 3° the quantity of waste of EEE, expressed in kilograms and numbers of EEE, household or professional equipment and per category as referred to in Article 3.4.4.2, shipped within the territory, or within or outside the Union which: a) was collected in the exercise of the take-back obligation; b) were offered to a collector, waste dealer or broker; c) were offered to a producer of EEE; d) were offered to a reuse centre for EEE for preparation for reuse,; e) were offered to an authorised treatment facility for waste EEE; 4° ...
3.4.4.12(1)(3)	If a third party was used for one or more of the above activities, the following contact details of that third party shall be provided in each case: the company name, company number, address, telephone and fax number, email address and first and last name of a contact.
3.4.4.12(2)	The producer of EEE or its designated organisation shall make the following data for the previous calendar year available to OVAM or its designated organisation before 1 July each year: 1° the business number of the producer of EEE; 2° the reporting period; 3° the category to which the EEE belongs, mentioned in Article 3.4.4.2, with the separate indication of the quantities, expressed in kilograms and per item, which were placed on the market in the territory; 4° the quantity of waste of EEE, expressed in kilograms and numbers of EEE, household or professional equipment and per category as referred to in Article 3.4.4.2, shipped within the territory, or within or outside the Union which: a) were collected in the exercise of the take-back obligation; b) were offered to a collector, waste dealer or broker; c) were offered to another producer of EEE; d) were offered to a reuse centre for EEE for preparation for reuse; e) were offered to an authorised treatment facility for waste EEE; 5° the quantities of waste resulting from the treatment of waste EEE, expressed in kilograms and broken down by material mentioned in Article 3.4.4.7, and by category mentioned in Article 3.4.4.2, which: a) were prepared for reuse; b) were recycled; c) were otherwise recovered; d) were disposed of in waste incineration plants; e) were disposed of by dumping. If a third party was used for one or more of the above activities, the following contact details of that third party shall be provided in each case: the company name, company number, address, telephone and fax number, email address and first and last name of a contact.
3.4.4.14	Producers of EEE, or their designated organisation, shall organise consultations with recyclers and reuse centres at least twice a year with a view to reusing and improving the recyclability of EEE.
3.4.5.5	Battery and accumulator producers shall ensure, in particular through information campaigns, that end-users are fully informed about: 1° the potential effects of substances used in batteries and accumulators on the environment and human health; 2° the desirability of not disposing of waste batteries and accumulators as unsorted household and similar waste, and of participating in their separate collection in order to facilitate their treatment and recycling;

	3° the collection and recycling systems available to them; 4° their role in the recycling of waste batteries and accumulators; 5° the meaning of the crossed-out wheeled bin symbol and the chemical symbols Hg, Cd and Pb.
3.4.5.5/1, first paragraph	Battery and accumulator producers shall be registered once and assigned a registration number on registration. For registration, producers shall make the following data available to OVAM or the organisation they have designated for this purpose: 1° the name of the producer and, where appropriate, the commercial names under which he operates; 2° the address(es) of the producer: postcode and city, street name and number, country, URL and telephone number, as well as, where appropriate, the contact, fax and email address of the producer; 3° the indication of the type of batteries or accumulators marketed by the producer: portable batteries and accumulators, industrial batteries and accumulators or automotive batteries and accumulators; 4° the information on how the producer fulfils its responsibilities: with an individual or a collective arrangement; 5° the date of the registration application; 6° the producer's national identification code, including European tax number or national tax number of the producer (optional); 7° the declaration that the information provided is truthful.
3.4.5.5/1, second paragraph	If the registered data changes, the producers of batteries and accumulators must notify OVAM or the organisation designated to carry out the registration no later than one month after the change. If producers are no longer active, they must deregister from the register with a notification to OVAM or the organisation designated to carry out of registration.
3.4.5.6	The producers of batteries and accumulators or their designated organisation shall make the following data for the previous calendar year available to OVAM before 1 April each year: 1° the total quantity of batteries and accumulators, expressed in kilograms, placed on the market in the Flemish Region, broken down into the categories portable, industrial and automotive batteries and accumulators and the following types: a) zinc-bronze batteries and accumulators; b) alkaline manganese batteries and accumulators; c) silver oxide batteries and accumulators; d) zinc-air batteries and accumulators; e) primary lithium batteries and accumulators; f) nickel-cadmium batteries and accumulators; g) lead-acid batteries and accumulators; h) nickel-metal hydride batteries and accumulators; i) rechargeable lithium batteries and accumulators; j) other batteries and accumulators; 2° the total quantity of waste batteries and accumulators, expressed in kilograms, collected in the context of exercising the take-back obligation, broken down into the following types: a) discarded button cells; b) waste alkaline manganese and zinc-bronze batteries and -batteries and other similar waste batteries and accumulators; c) discarded primary lithium batteries and accumulators; d) discarded nickel-cadmium batteries and accumulators; e) waste lead-acid batteries and accumulators; f) discarded nickel-metal hydride batteries and accumulators; g) discarded rechargeable lithium batteries and accumulators; h) other waste batteries and accumulators; i) the collection rate for portable batteries and accumulators, including the method of calculation and how the data necessary to calculate the collection rate were obtained;

	3° the establishments and the way in which the collected batteries and accumulators were treated or prepared for reuse or reused as a battery or accumulator in the same or another application as well as the quantity of collected batteries and accumulators to which the above treatment was applied; 4° the recycling level achieved for lead-acid batteries and accumulators, nickel-cadmium batteries and accumulators, and other waste batteries and accumulators as well as the quantity of collected batteries and accumulators to which the above treatment has been applied; 5° the recycling rate for lead-acid batteries and accumulators, nickel-cadmium batteries and accumulators, and other waste batteries and accumulators, calculated in accordance with Regulation (EC) 493/2012 of 11 June 2012 laying down detailed rules for the calculation of recycling efficiencies of recycling processes of waste batteries and accumulators in accordance with Directive 2006/66/EC of the European Parliament and of the Council; 6° an overview of the actions for prevention and the actions to put spent batteries back on the market in the same or another application.
3.4.6.4, first paragraph	The final seller and the intermediary dealer of oil or the organisation designated for this purpose shall provide OVAM, before 1 July each year, with a statement of the total quantity of waste oil, expressed in litres, received in the exercise of the take-back obligation during the previous calendar year.
3.4.6.4, second paragraph	The producer of oil or the organisation he has designated for this purpose shall make the following data for the previous calendar year available to OVAM before 1 July each year: 1° the total quantity of oil, expressed in kilograms, placed on the market in the Flemish Region; 2° the total quantity of waste oil, expressed in kilograms, collected in the context of exercising the take-back obligation. In doing so, he gives a reasoned account of the losses incurred due to consumption; 3° the establishments where and how the collected waste oil was processed; 4° the total quantities of waste oil, expressed in kilograms, which were diverted to regeneration, other recycling operations and other beneficial uses; 5° the total quantity of biodegradable oil, expressed in kilograms, placed on the market in the Flemish Region; 6° the total quantities, expressed in kilograms, of base oil and other useful components derived from waste oil processing and their respective uses; 7° the total amount of waste, expressed in kilograms, from the processing of waste oil, which has been disposed of.
3.4.7.3	The actors listed in Article 3.4.7.1 shall make the necessary awareness-raising efforts for the success of selective collection. The drafts of the awareness actions are submitted to OVAM for approval at least one month before the start of the action.
3.4.7.4, first sentence	A guidance committee shall be established by the actors listed in Article 3.4.7.1.
3.4.7.4, fourth sentence	OVAM is invited to the meetings of the guidance committee.
3.4.7.5	The guidance committee reports annually to OVAM by 1 April on: 1° the modalities of collection, collection and processing of the old and expired medicines; 2° the quantity of old and expired medicines collected and the method of processing; 3° the actions and initiatives taken to encourage selective collection through pharmacists.
3.4.8.3	The final seller and the intermediary dealer of mattresses or the

	organisation designated for that purpose shall submit to OVAM, before 1 July each year, an overview of the total quantity of mattresses, expressed in number and in kilograms, received under the take-back obligation during the previous calendar year. The producer of mattresses or its designated organisation shall make the following data for the previous calendar year available to OVAM by 1 July each year: 1° the total quantity of mattresses, expressed in number and in kilograms, placed on the market in the Flemish Region; 2° the total quantity of discarded mattresses, expressed in number and in kilograms, collected in the Flemish Region under the take-back obligation; 3° the establishments where and how the collected discarded mattresses and the materials resulting from the treatment of the discarded mattresses have been treated; 4° the total quantity of materials resulting from the treatment of the discarded mattresses, expressed in kilograms, which: b) have been recycled; c) have been usefully applied; d) have been disposed of. 5° the total quantity of discarded mattresses, expressed in kilograms, which: a) have been sorted out for reuse; b) has been recycled; c) has been usefully applied.
4.1.4(2)(4)	Any change in the waste holder's administrative data shall be notified to OVAM.
5.1.7(1)	The municipality encourages re-use by at least signing an agreement with an OVAM-recognised recycling centre. That agreement includes at least provisions on sensitisation, mutual referral, collection methods, residual waste and compensation for reusable goods.
5.2.4.3(6)	The authorised centre for depollution, dismantling and destruction of end-of-life vehicles shall, at least quarterly, provide any information required to be kept or provided under the acceptance duty mentioned in subpart 3.4.2 to the vehicle manufacturers or those appointed by them. If the final sellers, intermediaries or vehicle manufacturers rely on a management body for the fulfilment of their take-back obligation mentioned in subpart 3.4.2, the data shall be made available to a unified, computerised data communication system with the central database of the management body, according to a procedure and periodicity to be determined by the management body. The chassis number of an end-of-life vehicle leaving the authorised centre for depollution, dismantling and destruction of end-of-life vehicles shall be communicated in advance to the management body.
5.2.5.4(2)(1)	The collector, waste dealer or broker, processor, reuse centre and notifier or customer, listed in Regulation (EC) 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, who collects, stores or treats discarded EEE or offers it for treatment to a third party, or the organisation designated for that purpose, shall make the following data for the previous calendar year available to OVAM or to the organisation designated for that purpose, before 1 July each year: 1° the name of the collector, waste dealer or broker, treatment facility, reuse centre and notifier or customer, specified in Regulation (EC) 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, who collects, stores or treats waste EEE or offers it for treatment to a third party, the company number, postal number and location, street name and number, country, telephone and fax number, email address and first and last name of a contact; 2° ...;

	3° the reporting period; 4° the quantity of waste EEE, expressed in kilograms and number, household or professional equipment, by category as referred to in Article 3.4.4.2, shipped within the territory, or within or outside the European Union that: a) were collected in the performance of the take-back obligation on behalf of a producer of EEE or a third party acting on behalf of the producer of EEE, and the proportion thereof which: 1) was offered to a collector, waste dealer or broker; 2) was offered to a reuse centre for EEE for preparation for reuse; 3) was offered to a licensed processor; b) was collected outside the take-back obligation, and the proportion that: 1) was offered to a collector, waste dealer or -broker; 2) was offered to a reuse centre for EEE for preparation for reuse; 3) was offered to a licensed processor; 5° the quantities of waste resulting from the treatment of waste EEE, expressed in kilograms and broken down by material mentioned in Article 3.4.4.7, and by category mentioned in Article 3.4.4.2, which: a)For the reuse centre: were prepared for reuse; b)for the processor and the notifier or originator, listed in Regulation (EC) 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste: 1) were prepared for reuse; 2) were recycled; 3) were otherwise put to good use; 4) were disposed of in waste incineration plants; 5) were disposed of by dumping.
5.2.8.3.	Companies that process PCBs communicate the quantity, origin and nature of PCBs delivered to them to OVAM. They also keep that data available for inspection by local government and the public.
5.2.8.4(1), 1° to 3°	The holder of devices containing PCBs shall: 1° if it has not already done so in application of the Royal Decree of 9 July 1986 regulating substances and preparations containing polychlorinated biphenyls and polychlorinated terphenyls, or the Decree of the Flemish Government of 17 March 2000 establishing the disposal plan for PCB-containing appliances and the PCBs contained therein, submit at least the following data to OVAM as soon as possible: a) his name and address; b) location and description of the devices containing PCBs that he holds, as well as the quantities of PCBs in those devices; c) the quantities of PCBs in his possession; d) the quantities of used PCBs in his possession; e) dates and types of treatment or replacement being carried out or contemplated. If such notification was previously made pursuant to the order of 9 July 1986 or 17 March 2000, it shall state any changes made in relation to the earlier notification; 2° inform OVAM of any change in the situation mentioned in 1°; 3° ensure that any device containing more than 1 litre of PCBs is labelled. A similar label should also be placed on the doors of premises where that device is located. For high-current capacitors, the threshold of 1 litre applies to the total of the individual components of a combined device. Appliances in which it is reasonable to assume that the liquids contained therein contain between 0.05 and 0.005 % PCBs by weight may be labelled 'contaminated with PCBs < 0.05 %'.
5.2.8.4. (2)	Any change to the information provided in accordance with paragraphs 1, 1° and 2° must be notified in writing to OVAM within three months.

5.2.10.3(1)(1)	The manager of a port shall draw up an appropriate plan for the reception and handling of waste from ships.
5.2.10.3(2)	The plan shall be drawn up and implemented in consultation with the parties concerned, in particular port users or their representatives and, where appropriate, competent local authorities, operators of port reception facilities, organisations implementing enhanced producer responsibility obligations and representatives of civil society. Such consultation should take place both during the preparation of the waste reception and treatment plan and after its approval, especially if significant changes to the requirements listed in Articles 5.2.10.2, 5.2.10.6 and 5.2.10.7 have occurred.
5.2.10.4(3)(1), first sentence	If there are potentially significant changes in the operation of the port, the port manager shall immediately report this to OVAM.
5.2.10.5, first paragraph	The port manager shall ensure that the following information from the waste reception and handling plan is provided to each port user: 1° the location of the port reception facilities for each berth and, if relevant, their opening hours; 2° a list of waste from ships normally managed by the port; 3° a list of contact points, port reception facility operators and services offered; 4° a description of the waste delivery procedures; 5° a description of the cost recovery system, including, where appropriate, waste management schemes and funds.
5.2.10.8(1)(1)	The cost of operating port reception facilities for the reception and processing of waste from ships, excluding cargo residues, shall be covered through the collection of a fee from ships.
5.2.11.4(1)(1)	Port operators receiving inland vessels and waterway operators shall draw up an appropriate plan for the reception and treatment of ship-generated waste, residual cargo, transhipment residues, cargo residues and wash water.
5.2.11.4(2)	The plan shall be developed in consultation with stakeholders, in particular port users or their representatives.
5.2.11.5(3), first sentence	In case of significant changes in the operation of the network of reception facilities, the port operators receiving inland vessels and the waterway operators must immediately notify the OVAM with a secure dispatch.
5.2.11.6	Port operators hosting inland vessels and waterway operators shall ensure that the following information is available to inland vessels: 1° a brief reference to the fundamental importance of proper delivery of ship-generated waste; 2° the location of the fixed reception facilities, with a drawing or map; 3° a list of the waste streams accepted; 4° a list of contact addresses, operators and services offered; 5° a description of the issuing procedures and of the tariff system; 6° a description of the procedures for reporting alleged deficiencies of port reception facilities.
5.2.12.3(1)(1)	The natural or legal person referred to in Article 5.2.12.1 shall make the following data for the previous calendar year available to OVAM before 1 April each year: 1° the quantity of collected used animal and vegetable fats and oils of household origin; 2° the establishments where and how the collected used animal and vegetable fats and oils of household origin were processed.
5.3.8.2(3), first sentence	The cable and pipeline manager shall inform the manager of the public domain of the initiatives and measures, which are taken in accordance with the first paragraph, and the deadline within which they shall be implemented.
5.4.2, first sentence	The owner of an accessible structure with a risk construction year shall not need to have a valid asbestos inventory certificate if the ground surface of that construction is less than 20 m².
5.4.15, second	In case of changed condition, the owner shall apply for a new

paragraph, second sentence	asbestos inventory certificate within a period of one year from the determination of the change.
6.1.1.6(2)(3), last sentence	The report of each inspection shall be made available to OVAM by the inspection body within two months of the inspection.
6.1.1.6(2)(4), last sentence	The report of each inspection shall be made available to OVAM by the inspection body within two months of the inspection.
6.1.2.4(1), first sentence	Any change in the details submitted shall be reported to the OVAM electronically.
6.1.3.4(1), first sentence	Any change in the details submitted shall be reported to the OVAM electronically.
6.2.3	Notifiers may submit notifications relating to the export of waste to OVAM in the following ways: 1° the notifier may send the original notification, with at least one copy of it, by post to OVAM. If there are transit countries, one additional copy shall be enclosed for each transit country. The exchange of information between the notifier and OVAM as part of the processing of the notification is then done by mail or email; 2° the notifier may, if he agrees to the digital transmission of the annexes to the notification file and the digital processing of his notification, submit the annexes via the web block made available by OVAM via its website. He then only sends the original notification form, the original transport document and the original attestation of the bank guarantee, deposit or equivalent insurance by post to OVAM and uploads the other annexes to the notification form in the web block. The notifier then does not attach a copy and an additional copy for each transit country. All information exchanges between the notifying party and OVAM during processing of the notification will then be done through the web service desk; 3° the notifier, if he agrees to the digital submission and treatment of his dossier, can use the web block offered by OVAM via its website. The notification document, the transport document, a bank guarantee, deposit or equivalent insurance signed digitally by the financial institution and the necessary annexes can then be submitted to OVAM via the web block. Any information exchange between the notifier and OVAM in the context of processing the notification is then done via the web block.
7.1.3(1)	Unless otherwise provided for in this chapter, the following actors are required to provide waste and material data on simple request by OVAM: 1° the collector, waste dealer or broker; 2° waste processing establishments; 3° the waste producers of commercial waste; 4° the municipalities and associations of municipalities in charge of waste management; 5° the raw material producer; 6° the raw material user.
7.3.1.2(1)	The waste producers included in the selection mentioned in Article 7.3.1.1 shall report on the waste produced in the previous calendar year. Raw material producers who do not operate a licensed waste treatment facility shall report on raw materials produced in the previous calendar year.
7.3.1.2(2)	The reporting covers all commercial waste, with the exception of commercial waste similar to household waste collected or collected by or on behalf of the municipality. The reporting shall include annual totals from the register of waste generated, listed in Article 7.2.1.1. Separate totals must be entered for each operating unit for commercial waste that differs in nature, composition, method of processing, collector, waste dealer or broker or waste processor.
7.3.1.2(3)	Reporting covers all raw materials produced.

	The reporting shall include the annual totals from the outgoing materials register mentioned in Article 7.2.2.2. Separate totals should be entered for materials that differ in nature, composition, method of application or destination.
7.3.1.3	Reporting on the production of company waste may be done in accordance with Articles 2 and 3 of the Decree of the Flemish Government of 2 April 2004 introducing the integral environmental annual report, by the date specified therein, and by means of the sub-form 'Identification data' and the sub-form 'Waste notification for producers' of the integral environmental annual report, the model of which is attached as Annex I to the Decree of the Flemish Government of 2 April 2004 introducing the integral environmental annual report. Reporting on the production of raw materials can be done via the IMJV web block and before the date specified in articles 2 and 3 of the Flemish Government's decree of 2 April 2004 introducing the integral environmental annual report.
7.3.2.1	Municipal authorities or associations of municipalities in charge of waste management shall report quarterly to OVAM data on household waste and similar commercial waste collected by them or on their behalf and the collection of household residual waste by private collectors on the territory of the municipality. Municipal authorities or associations of municipalities in charge of waste management may delegate all or part of the implementation of those notifications to other bodies. They inform OVAM of changes in those delegations before the beginning of each quarter. However, they remain responsible for correct and timely reporting of the data. A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Notifications of collections that took place in a quarter specified above must be made no later than the last day of the second month following that quarter.
7.3.2.2, first and second paragraphs	The quarterly reports, mentioned in Article 7.3.2.1, are delivered electronically to OVAM and contain quarterly totals, or more detailed data constituting the quarterly totals, from the waste register of the waste collected by the municipality or collected on behalf of the municipality, mentioned in Article 7.2.1.3, and quarterly totals, or more detailed data constituting the quarterly totals, of the household residual waste collected by private collectors in the territory of the municipality. The quarterly reports of data mentioned in Article 7.3.2.1 cover the origin, nature, quantity, collection method, treatment method and destination of waste. They further cover the identification of the notification, the period during which the waste was collected, and, if applicable, the identification of the collector, waste dealer or broker.
7.5.1	Operators of a licensed waste-processing facility report to OVAM quarterly data on the waste they process. They can delegate the execution of notifications to a third party, but they remain responsible for the timely execution of all notifications themselves. This concerns data on the waste brought in to be processed, the disposal of processed waste and in-house streams produced and processed at the facility by landfilling, incineration with energy recovery, other waste incineration, composting/digestion or recycling. A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Notifications of waste shipped or

	disposed of in a quarter specified above must be made no later than the last day of the second month following that quarter.
7.5.2, (1) and (2)	The quarterly reports, mentioned in Article 7.3.3.1, are delivered electronically to OVAM and contain quarterly totals or more detailed data that make up the quarterly totals, from the waste registers mentioned in Articles 7.2.1.1 and 7.2.1.4. The quarterly data reports mentioned in Article 7.3.3.1 shall cover the origin, nature, quantity, method of processing, mode of transport and destination of the waste supplied and disposed of. They further cover the identification of the notification, the period during which the waste was collected, and, if applicable, the identification of the collector, waste dealer or broker.
7.3.3.1	The registered waste collectors, waste traders or waste brokers shall report to OVAM quarterly data on waste other than household waste and waste comparable to household waste that they have collected in the Flemish Region. They can delegate the execution of notifications to a third party, but they remain responsible for the timely execution of all notifications themselves. A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Notifications of waste collections that took place in a quarter specified above must be made no later than the last day of the second month following that quarter.
7.3.3.2, first and second paragraphs	The quarterly reports, mentioned in Article 7.3.4.1, are delivered electronically to OVAM and contain quarterly totals or more detailed data that make up the quarterly totals, from the waste registers mentioned in Article 7.2.1.2. The quarterly reports of data mentioned in Article 7.3.3.1 shall cover the origin, nature, quantity, registered carrier, treatment method and destination of the collected waste. Furthermore, they relate to the identification of the notification and the period during which the waste was collected.
7.3.4.1	Operators of a licensed waste treatment facility report quarterly to OVAM data on the raw materials they produce. They can delegate the execution of notifications to a third party, but they remain responsible for the timely execution of all notifications themselves. A quarter is a period of three consecutive calendar months. The first quarter of a year starts on 1 January of that year, the second quarter starts on 1 April, the third quarter starts on 1 July and the fourth quarter starts on 1 October. Reports of raw materials produced and disposed of in a quarter specified above must be made no later than the last day of the second month following that quarter.
7.3.4.2, first and second paragraphs	The quarterly reports, mentioned in Article 7.3.5.1, are delivered electronically to OVAM and contain quarterly totals or more detailed data constituting the quarterly totals, from the materials register mentioned in Article 7.2.2.2. The quarterly reports of data mentioned in Article 7.3.5.1 cover the nature, quantity, method of application and destination of raw materials produced. Furthermore, they relate to the identification of the notification, the period during which the raw materials were disposed of, and, if applicable, the identification of the user of the raw materials.
7.4.2(1)	The raw material users included in the selection mentioned in Article 7.4.1(1) shall report on the raw materials used in the previous

	calendar year, respectively.
7.4.2(3)	The reporting shall cover all raw materials used that are included in the selection mentioned in Article 7.4.1(1). The reporting shall include the annual totals from the incoming materials register mentioned in Article 7.2.2.3. For raw materials that differ in nature, composition, method of application or place of origin (within Belgium the region, outside Belgium the country), separate totals must be entered.

Given to be attached to the Decree of the Flemish Government of ### to amend the Decree of the Flemish Government of 1 June 1995 containing general and sectoral provisions on environmental hygiene, the VLAREBO Decree of 14 December 2007 the Decree of the Flemish Government of 12 December 2008 implementing Title XVI of the Decree of 5 April 1995 containing general provisions on environmental policy, the VLAREL of 19 November 2010 and the Decree of the Flemish Government of 17 February 2012 establishing the Flemish regulation on the sustainable management of material cycles and waste.

Brussels, ... (date).

The Minister-President of the Flemish Government,

Jan JAMBON

The Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism,

Zuhal Demir