

Feedback on GBER

Art. 47 (3): Aid supporting investments in improving the environmental aspects or the energy efficiency of Waste-to-Energy (WtE) plants and in line with other articles of the GBER (e.g. efficient district heating and cooling, renewable energy production, hydrogen production, CCUS, pollution prevention) should remain exempt of notification.

The proposed Art. 47 (3) creates uncertainty in case of investment in infrastructures linked but independent from WtE facilities. For example, building or extending an efficient district heating and cooling network (covered under Art. 46 of the GBER) also requires work inside the WtE plant in order to connect this network to the facility. It is not clear from a first look if this aid should be notified (as a part of it will go to a WtE plant) or not (as the aid is for the creation of the DH network, not for the “waste recovery operation”).

This could be avoided by clarifying Art. 47 (3), for example by aligning it with current legislation (e.g. ERDF exclusion list - Art. 7 (1) (f): *“increasing the capacity of facilities for the treatment of residual waste”*), or by rephrasing it as so: “Aid for **new** waste disposal and waste recovery **capacities operations** to generate energy shall not be exempted...”.

While we understand the aim to align the GBER with current Commission policies, such as the Circular Economy Action plan, we strongly believe that environmental and energy efficiency improvements of existing WtE facilities should stay exempted from notification under the state aid rules, in order to avoid unnecessary administrative burden for these needed improvements.

CEWEP (Confederation of European Waste-to-Energy Plants, transparency register 7899845424-69)