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**Sent:** Thursday, 8 August 2019 18.54  
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**Subject:** Revised Directive 2008/98/EC – Your letter Ref. Ares(2019)3807153 - 14/06/2019

Dear Ms Nelen,

Thank you for your letter ref. Ares(2019)3807153 of 14/06/2019 concerning the interpretation of Article 9 of the revised Waste Framework Directive (WFD) 2008/98/EC.

Please let me take the opportunity to express my surprise with the interpretation provided by your services, whereas they insist on the applicability of Article 9 to space systems disregarding the fact that products sent into space and the related means of transport such as launch vehicles typically do not result in waste on the EU territory. Therefore, such products are not part of the Circular Economy and appear to fall outside the scope of the WFD.

With this interpretation the implementation of Article 9 does not seem to promote any added value for the Union, its citizens and workers, nor for the environment. But it will clearly increase the financial and administrative burden for the industrial sector, as well as for ECHA and the relevant national authorities. Furthermore, the obligations for information disclosure may potentially conflict with other regulations applicable to the space sector.

As a consequence, and considering also the recent Commission non-paper on WFD (ref. Ares(2019)3936110 of 20/06/2019) a dedicated WFD Task Force of the European Space Industry has been created (see Eurospace News Alert, <https://eurospace.org/new-space-industry-task-force-to-address-the-eus-revised-waste-framework-directive/>) to further the analysis of all issues arising.

We will communicate any revised WFD position prepared by our Task Force to you, ECHA and the Member States.

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Best Regards

Pierre Lionnet  
Research Director / Secretary General