



Better Biomass Guidelines for self-declaration – addendum regarding the Walloon waste legislation

Version 1.0 - November 2025

1. Introduction

In June 2025, Better Biomass published version 1.0 of the 'Guidelines for Self-Declaration for Waste and Residue Disposers' (hereinafter: 'the Guidelines'). Section 4.1 of the Guideline specifies that Better Biomass may recognize requirements in legislation and regulations for waste and residues as equivalent if the legislation and regulations guarantee compliance with Better Biomass' requirements regarding the self-declaration. For collectors subject to these laws and regulations, this means they do not need to receive and manage self-declarations from the supplying disposers, and that risk-based auditing of the disposers as part of the collector's certification process is generally not required.

This addendum substantiates that Better Biomass recognises the Walloon regulations regarding registration and notification of waste as equivalent (paragraphs 2 and 3).

This addendum should always be read in conjunction with the full Guidelines. When Better Biomass publishes a new version of the guidelines, the content of this addendum will be included.

2. Walloon legislation and regulations for the registration and reporting of waste

2.1 Background

The obligations for waste producers, transporters, and collectors in Wallonia are laid down in various legal provisions. The most important provisions in relation to the requirements of the self-declaration are summarized below:

General regulatory framework for waste

First of all, the decree of the Walloon Government of 9 March 2023 on waste, material circularity and public cleanliness is important. (*Le décret du 9 mars 2023 relatif aux déchets, à la circularité des matières et à la propreté publique*) This decree establishes a (new) legal framework for all waste flows.

Article 72 of the aforementioned decree confirms the obligations already contained in the operating conditions for waste management installations and in the registration decisions of collectors and transporters, namely the maintenance of a waste register containing the following information:

- 1° the quantity, nature and origin of the waste;
- 2° the name and address of the original producer or previous holder of the waste;
- 3° the date on which the waste is transferred or received;
- 4° for waste management installations, depending on the regrouping, pre-treatment, recovery or disposal operations to which the waste is subjected: where this waste is recovered, the quantity and nature of the products, materials or waste remaining or resulting from preparing for re-use, recycling or other recovery operations; where this waste is disposed of, the quantity and nature of the products, materials or waste remaining or resulting from the disposal operation(s);

5° where applicable: the destination, collection frequency, means of transport, name and address of the recognized or registered carrier, and the intended method of regrouping, pretreatment, recovery, or disposal for this waste; the destination, collection frequency, name and address of the collector, trader, or broker who has accepted the waste or fractions of products, materials, or waste remaining or resulting from one or more of the operations referred to in 4°, a) or b).

Article 47 of the decree further stipulates the formal obligations of producers and holders of commercial waste. Thus, when they engage a third party for the transport, collection, regrouping, and/or processing of waste, they must demonstrate compliance with the regulations, in particular by means of a written contract or any document issued by the collector or facility, demonstrating compliance with Articles 6 (regarding the waste hierarchy) and 32 (environmentally sound waste management).

Registration obligations for waste collectors and transporters

In addition to the general waste framework, the decision of the Walloon Government of 13 November 2003 concerning the registration obligation for collectors and transporters of non-hazardous waste (*l'arrêté du Gouvernement wallon du 13 novembre 2003 relatif à l'enregistrement des collecteurs et des transporteurs de déchets autres que dangereux*) and subsequent amendments to this decision (for example, the decision of the Walloon Government of 13 July 2017). This decision establishes the registration obligation for natural persons and legal entities that professionally collect and/or transport non-hazardous waste.

SPW Agriculture, Ressources naturelles, Environnement (SPW ARNE) – Département du Sol et des Déchets (DSD) is the responsible administration for registering transporters and collectors of non-hazardous waste. The conditions for registering and reporting waste are further elaborated on the Department's website (https://sol.environnement.wallonie.be/home/formulaires-dechets/collecteurs---transporteurs/conditions.html?utm_source=chatgpt.com under *Conditions – Conditions – Collecteurs / transporteurs de déchets autres que dangereux*). The translation of this is shown in the box below.

Terms and Conditions – Collectors / Transporters of non-hazardous waste

1. Exercise of the function

Waste transported by road, waterway or rail must be accompanied by a fully completed and signed consignment note or shipping invoice.

These documents must contain the following information:

- The description of the waste;
- The quantity, expressed in kilograms or liters;
- The date of transport;
- The name or trade name and the address or registered office of the collector;
- The name or trade name and the address or registered office of the carrier.

The collector and transporter shall hand over a certificate to the person from whom they receive the waste stating:

- Their name or trade name, address or registered office;
- The name or trade name and the address or registered office of the person who transferred the waste;
- The date and place of transfer;
- The amount of waste transferred;
- The nature and code (EURAL) of the waste;

-The name or trade name, address or registered office of the carrier.

2. Reporting and information

Annual reporting

Every year, no later than 60 days after the end of the year in question, the collector and transporter must send a series of documents to the administration:

- a declaration of collection or transport, and providing information on the nature and total quantity of waste transported and the identification of the facilities receiving this waste (grouping, pre-treatment, recovery and disposal facilities);
- the registration numbers of the vehicles used for waste transport,
- and the list of drivers assigned to the transport activities.

Half-yearly tax return

The tax decree of March 22, 2007, to promote waste prevention and recovery in the Walloon Region introduces a tax on waste collected in the Walloon Region and processed outside its territory (Chapter V). In application of this obligation, semi-annual tax returns are required from transporters and collectors who may be liable for the tax.

Information obligation

If there is a change in any material element of the registration application, the registration holder must immediately inform the administration (contact details at the bottom of the page).

More details about the 'annual reporting' and 'half-yearly tax return' mentioned in the box above can currently be found here: <https://sol.environnement.wallonie.be/home/formulaires-dechets/collecteurs---transporteurs/rapportage-et-declaration-fiscale.html>

Mandatory use of Euralcodes

Finally, the obligation to use Euralcodes is important. This is stipulated in Article 2 of the *Arrêté du Gouvernement Wallon van 10 juli 1997* (AGW 10/07/1997) on the establishment of a *Catalogue des déchets*. *Translated, this obligation reads as follows:*

The waste catalogue is listed in columns 1 and 2 of the table in Annex I. The use of the codes and descriptions as listed in the catalogue is mandatory for the submission of each administrative document. The holder of a waste determines this by choosing the description ('libellé') and the most suitable code. In the case of use of a code XX XX 99 ('déchets non spécifiés / waste not elsewhere specified), the indication 'déchets non spécifiés ailleurs' must be replaced by a description indicating the nature of the waste concerned.'

Supervision and enforcement

The Decree of the Walloon Government of 13 November 2003 concerning the registration obligation for collectors and transporters of non-hazardous waste *l'arrêté du Gouvernement wallon du 13 novembre 2003 relatif à l'enregistrement des collecteurs et des transporteurs de déchets autres que dangereux*) assigns responsibility for control and application (in particular for registration applications and waste notifications) to SPW Agriculture, Ressources naturelles et Environnement (SPW ARNE), more specifically the Département du Sol et des Déchets (DSD), via the department Direction des Infrastructures de Gestion et de la Politique des Déchets (DIGPD).

The competent authority for investigating and reporting infringements is SPW Agriculture, Ressources naturelles et Environnement (SPW ARNE), more specifically the Département de la Police et des Contrôles (DPC).

3. Application for the self-declaration requirement

After analysing the Walloon waste legislation and regulations, and in particular the legal system for registering and reporting waste, Better Biomass concluded that this system ensures that various requirements of Better Biomass are met. It provides, in particular:

- the traceability of waste from the disposer to the collector;
- the correct classification of the waste material in accordance with EURAL codes;
- the correct determination and documentation of waste quantities.

If the Better Biomass auditor can verify during the audit that the waste collector meets the specific legal requirements, the collector is not required to receive and manage self-declarations from the supplying disposers. Furthermore, a risk-based verification of the points of origin as part of the collection point certification process is not required. This applies regardless of the amount of waste generated by the point of origin.

If an auditor suspects or has evidence that the non-modification requirement of the RED is not being met, an audit of the points of origin is required. Failure to meet the RED non-modification requirement means that non-waste materials have been deliberately classified as waste to avoid meeting fewer sustainability requirements. Waste regulations do not prohibit modification, making additional oversight by the auditor necessary in this regard.

In the audit report, the auditor must indicate to what extent use has been made of the system of legally required waste registrations and notifications to comply with the Better Biomass requirements for waste residues (especially in relation to the self-declaration).

NOTE: The legislation and regulations for registering and reporting waste require that data on waste and its disposal be recorded correctly. This is enforced by the Walloon government agency DSD/DIGPD. If the DSD/DIGPD becomes aware of errors or fraud, it can revoke or suspend a registration, and the DPC can issue a report.

It is undesirable that the Better Biomass auditor takes over the supervisory role of the environmental inspectorate. The starting point within Better Biomass is therefore that supervision of the legal requirements is carried out by DSD/DIGPD, and that the Better Biomass auditor checks whether the environmental inspectorate has identified structural errors and/or fraud in the registration and reporting. If this is the case, the requirements of Better are no longer met. When the Better Biomass auditor notes that DSD/DIGPD has not identified any structural errors and/or fraud in the registration of notifications, he can assume that on this point the Better Biomass requirements are met. The Better Biomass auditor must explain in his audit report what the findings of DSD/DIGPD were.

In concrete terms, the above means that the Better Biomass auditors are not required to conduct inspections at disposal sites unless they suspect that waste materials have been deliberately classified as waste (not meeting the non-modification requirement of the RED). However, the auditor must have access to DSD/DIGPD reports held by the relevant collector. It is also possible that during the audit, the Better Biomass auditor must have access to the records of the waste transport numbers and notifications. Waste collectors must grant this access.

4. The self-declaration for waste from households in Wallonia

In Belgium, the regions (Flanders, Wallonia and the Brussels-Capital Region) and municipalities are legally obliged to collect household waste (or have it collected) and to ensure correct processing as well as reporting various data.

In Wallonia, the framework is set by the decree of the Walloon Government of 9 March 2023 concerning waste, material circularity and public cleanliness (*Le décret du 9 mars 2023 relatif aux déchets, à la circularité des matières et à la propreté publique*) .

Intermunicipal companies must submit monthly declarations via the CETRA-system in accordance with the Government Decree of September 15, 2016 (infrastructure subsidies). Municipalities must submit annual declarations via the FEDEM system in accordance with the Walloon Government Decree of July 17, 2008 (small subsidies).

This system ensures that:

- waste flows are collected selectively.
- waste types and quantities are clearly registered according to the EURL codes.

Having households sign a self-declaration would not offer any added value beyond this legal guarantee. Moreover, it would be practically impossible to have all households sign a self-declaration. That is why within Better Biomass, households do not have to provide their own declaration for the waste they offer.

More information can be found on the website of the Département du Sol et des Déchets : <https://www.wallonie.be/fr/acteurs-et-institutions/wallonie/spw-agriculture-ressources-naturelles-et-environnement/departement-du-sol-et-des-dechets>.