Better Biomass Guidelines for self-declaration – addendum relating to the waste regulations of the Brussels-Capital Region

1. Introduction

In June 2025, Better Biomass published version 1.0 of the ‘Guidelines for self-declaration for waste and residue disposers’ (hereinafter referred to as ‘the Guidelines’). Section 4.1 of the Guidelines specifies that Better Biomass can recognize requirements in legislation and regulations for waste and residues as equivalent if these regulations ensure compliance with Better Biomass’ requirements regarding 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 sets out the grounds on which Better Biomass recognizes the regulations of the Brussels-Capital Region concerning the registration and reporting of waste as equivalent (section 2). It also explains that the self-declaration requirement does not apply to waste collected from households in the Brussels-Capital Region (section 3).

This addendum must 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 incorporated into it.

2. Laws and regulations in the Brussels-Capital Region governing the registration and reporting of waste

2.1 Background

The basic legislation governing the management and processing of waste in the Brussels-Capital Region is the ‘Ordinance of 14 June 2012 on waste’. This Ordinance lays down the principle of mandatory traceability of waste. The specific details of the registration requirements are set out in the ‘Decree of the Brussels-Capital Region Government of 1 December 2016 on the management of waste’, referred to in short as “Brudalex”.

Brudalex ensures the traceability of waste, from the disposer to its final destination.
The requirements in Brudalex relate to a registration system comprising three elements: (1) the traceability document, (2) the waste register and (3) the waste report. These elements are explained in more detail below.

Traceability document

A traceability document is a document containing the information needed to track waste from the disposer to its final processing.
A traceability document must contain the following information for all waste:

- the date of transport, disposal or, where applicable, the frequency of collection;
- the name, address and company registration number of the waste holder/producer; and the address where the waste is received, if different;
- the name, address and registration or accreditation number of the collector, trader or broker, if applicable;
- the name, address and registration number of the transporter(s), if applicable;

- the name, company registration number and address of the place of establishment of the company where the waste is disposed of;
- the nature of the processing (D or R code – Annexes I and II to Directive 2008/98/EC);
- the quantity in tonnes, kilograms, cubic metres or, where applicable, the aggregate total of the quantities collected;
- a description of the waste;
- the EURAL code.

For hazardous waste, the traceability document must also contain a number of additional details.

A traceability document must be drawn up for every transfer of waste.

Waste register

The waste register is a collection of all traceability documents held by a market operator. The following market operators must maintain a waste register:

- the holder/producer of non-household waste;
- the collector, trader or broker of waste;
- the operator of a waste collection or processing facility;
- the transporter of waste.

The register may consist of a collection of paper documents, electronic documents, scanned documents, contracts, etc.

Waste report

The waste report is an annual summary of the data contained in the traceability documents; in other words, the annual totals for the types and quantities of waste.
The following parties are required to draw up a waste report:

- waste collectors, traders and brokers must, for each registered office, draw up and submit a waste report for the waste collected, traded and brokered in the Brussels-Capital Region;
- operators of collection or processing facilities must, for each place of business located within the Brussels-Capital Region, draw up and submit two waste reports:
  - for the waste received at that facility,
  - for the waste that leaves the facility again following separation, sorting or processing.

Any other waste manager is only required to draw up and submit a waste report at the request of Brussels Environment. This applies to waste disposers, operators of a waste collection facility as a secondary activity, and waste transporters.

More information on the traceability document, the waste register and the waste report can be found here.

Responsible authorities

Brussels Environment is the competent authority for waste policy, permits and registrations within the Brussels-Capital Region. Brussels Environment's inspection services monitor waste registrations, carry out checks and ensure compliance.

2.2 Application of the self-declaration requirement

Following an analysis of the Brussels-Capital Region's legal framework for the registration and reporting of waste, Better Biomass has concluded that this framework ensures compliance with various requirements set by Better Biomass. In particular, it ensures:

- the traceability of waste from the disposer to the final waste processor;
- the correct classification of the waste 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 legal requirements, the collector is not required to receive and manage self-declarations from the supplying disposers. Furthermore, 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 registration and reporting to meet the Better Biomass requirements for waste (particularly in relation to the self-declaration requirement).

NB: The regulations for registering and reporting waste ensure that data about waste and disposers are recorded correctly. This is monitored and enforced by the inspection services of Brussels Environment. If the inspection services discover errors in the registration and/or fraud, they will report this and, if necessary, impose sanctions on the collector.
It is undesirable for the Better Biomass auditor to "take over" the supervisory role of the inspection services. Therefore, the basic principle within Better Biomass is that the inspection services of Brussels Environment oversee compliance with legal requirements, and that the Better Biomass auditor investigates whether the inspection services have identified structural errors and/or fraud in the registration and reports. If this is the case, the Better Biomass requirements are no longer met. If the Better Biomass auditor finds that the inspection services have not identified structural errors and/or fraud in the registration of waste, they can assume that the Better Biomass requirements are met in this regard. The Better Biomass auditor must explain the findings of the inspection services in their audit report.

In concrete terms, the above means that the Better Biomass auditor is not required to conduct audits at disposal sites unless the auditor suspects that non-waste materials have been intentionally classified as waste (i.e., do not meet the non-modification requirement of the RED). However, the auditor must have access to reports from the inspection services of Brussels Environment held by the collector in question. The Better Biomass auditor may also need access to the waste collector's waste register during the audit. Waste collectors must grant this access.

3. Self-declaration for waste originating from households in the Brussels-Capital Region

Article 6 of the 'Ordinance of 14 June 2012 on waste' governs the general organisation of waste management in the Region and stipulates that the Regional Government is responsible for organising

waste management, including household waste, and that it lays down detailed rules for the collection and processing of such household waste.
Operational responsibility for the collection of household waste (or for arranging its collection) in the Brussels-Capital Region lies with the Regional Agency for Cleanliness, also known as Brussels-Cleanliness (‘Ordinance of 19 July 1990 establishing the Regional Agency for Cleanliness’).

Collected household waste must be clearly registered in accordance with the requirements of the traceability scheme. The traceability of household waste begins once it has been collected by a collector, trader or broker, or handed over to a collection or processing facility. The inspection services of Brussels Environment monitor compliance with the registration requirements for household waste.

Requiring households to sign a self-declaration would offer no added value beyond the legal requirements for registration and the monitoring carried out by the inspection services. Furthermore, it would be practically unfeasible to require all households to sign a self-declaration. For this reason, households in the Brussels-Capital Region are not required to submit a self-declaration within Better Biomass for the waste they present.