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EUROPEAN SPACE SECTOR FEEDBACK ON COMMISSION CALL FOR EVIDENCE: SIMPLIFICATION OF ADMINISTRATIVE BURDENS IN ENVIRONMENTAL LEGISLATION

Reference: Call for evidence - Ares(2025)5953566¹

PREFACE

This is the joint contribution of the European Space Industry, represented by ASD-EUROSPACE – with the support of European Space Agency (ESA), national space agencies and the European Defence Agency (EDA) as an observer – to the European Commission call for evidence concerning the Simplification of administrative burdens in environmental legislation.

It has been prepared by the participants of the *Waste Framework Directive Task Force of the European Space Sector addressing Substances of (Very High) Concern in Products “SCIP” (WFD/SCIP Task Force)* under the Materials and Processes Technology Board of the European Space Components Coordination (ESCC MPTB).²

This contribution follows on and recalls our recent contribution of 20 March 2025 (ref. MPTB-ES-PO-0181)³ to a survey on reporting costs data as part of an assessment of environmental reporting and the potential for simplification conducted for the Commission’s Directorate General for Environment (DG Environment).

DISCONTINUATION OF THE SCIP DATABASE UNDER THE WASTE FRAMEWORK DIRECTIVE

We welcome the present initiative by the European Commission to reduce unnecessary administrative burden stemming from environmental legislation. In particular, we **strongly support** the discontinuation of the SCIP (substances of concern in products) database under the Waste Framework Directive.

¹ Available at https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14794-Simplification-of-administrative-burdens-in-environmental-legislation_en.

² A list of WFD/SCIP Task Force participants can be found at the end of this contribution.

³ Contribution ID: 628c40e3-4231-4e14-9063-7aac6a4307c3.

As already mentioned in our contribution of 20 March 2025 mentioned above, we have always questioned the benefit of the SCIP Database and have seen a disproportionate effort compared to the promised benefit from WFD and ECHA, even more for space products which do not result in waste for treatment on Earth/in the EU/EEA.

Hence, **launchers, satellites or infrastructures designed to be launched into space** need to be excluded from the SCIP requirements in the first place because the rationale to inform waste operators does not apply. In addition, **on-ground equipment**, whether not launched or returning to Earth for possible reuse, is in fact managed on the basis of the waste classification also due to its hazardous nature as regulated by the European List of Wastes (LoW), i.e. a catalogue adopted by Commission Decision 2000/532/EC of 3 May 2000 within which all waste is identified, divided into categories (Waste Categories), through an European Waste Code (EWC) and certainly not through the SCIP database which in fact is marginally consulted by disposers and those who treat wastes and becomes a duplicate of said regulation.

Early on after the surprising introduction of the SCIP requirements through the revised WFD in 2018, ASD-EUROSPACE had called on regulators to recognise, that space products should be considered to fall out of scope of the WFD.⁴ Since no support could be obtained at the time from the Commission nor Member States when transposing the SCIP notification requirement given the strict wording of WFD Article 9, the Space Sector had to engage in cumbersome SCIP notification work to ensure compliance. To support this costly and tedious effort for space products being highly complex assemblies, ASD-EUROSPACE with the support of the WFD/SCIP Task Force engaged in the preparation of a Best-Practice Guidance: It was first released on 30 September 2020 and has been updated three times ever since to take into account ECHA's requirements for SCIP notification and evolving national transpositions. The Best-Practice Guidance is currently available in its version 1.3 (ref. MPTB-ES-GD-0158, incl. last addendum of 3 March 2025: <https://eurospace.org/download/6975/?tmstv=1741010064>). In addition, the REACH Article 33 declaration template had to be updated to allow for the transmission of SCIP-related data: <https://escies.org/download/webDocumentFile?id=70709>.

In addition to the administrative burden, SCIP notifications to ECHA's public database keep on posing risks of uncontrolled disclosure of classified data as well as know-how / confidential and business sensitive information (CBI) on advanced space technologies, especially for missions with strategic, defence and/or dual use nature (such as European launch vehicles or Galileo, EGNOS, Copernicus and other European space programmes). This underscores the need for quick action by the Commission and Member States in relation to the discontinuation of SCIP and its full removal from publicly accessible domains.

⁴ <https://eurospace.org/spaceindustry-position-regarding-article-9-of-the-revised-waste-framework-directive-2008-98-ec/>.

We wish to highlight, that a discontinuation of the SCIP database would not negatively affect the information about Substances of Very High Concern available in the supply chain, as the reporting requirements under REACH Article 33(1) will fully continue to apply.

LIST OF SPACE WFD/SCIP TASK FORCE PARTICIPANTS

This contribution has been prepared by REACHLaw Ltd. in the frame of the Space WFD/SCIP Task Force, which includes the following members:

The European Space Industry, represented by ASD-EUROSPACE, and the following corporations:

AIRBUS DEFENCE AND SPACE

ARIANEGROUP

AVIO

BEYOND GRAVITY

MT Aerospace

OHB

TESAT-SPACECOM

THALES ALENIA SPACE

the EUROPEAN SPACE AGENCY (ESA) and the following national space agencies:

AGENZIA SPAZIALE ITALIANA (ASI)

CENTRE NATIONAL D'ETUDES SPATIALES (CNES)

GERMAN AEROSPACE CENTER (DLR)

the EUROPEAN DEFENCE AGENCY as an observer;

REACHLaw Ltd. as consultancy.