



"Working for our members to be the voice of government on waste minimisation and recycling issues"

LOCAL AUTHORITY RECYCLING
ADVISORY COMMITTEE

Mr Paul Burns
Climate and Waste Division
Central Policy and Resources Group
Department of the Environment
Calvert House
23 Castle Place
Belfast
BT1 1FY

7 October 2010

Dear Mr Burns

CONSULTATION ON MEETING EU LANDFILL DIVERSION TARGETS

I am writing to present LARAC's response to the DOENI Consultation on Meeting EU Landfill Diversion Targets, which is highlighted below. Thank you for the opportunity to respond to the above consultation.

The comments below are sent on behalf of the Local Authority Recycling Advisory Committee (LARAC), in liaison with the NILGA Waste Working Group and the Northern Ireland Technical Advisors Group.

LARAC is an association of nearly 90% of the 440 local authorities across England, Scotland Wales and Northern Ireland whose waste management and recycling professionals' co-ordinate and operate waste management services. Membership is drawn from all types of authority including statutory Waste Collection (WCA), Waste Disposal (WDA) and Unitary.

Overall LARAC supports the principle of aligning Northern Ireland's waste definitions with the EU's in an effort to foster convergence between the management of household, commercial and industrial waste so that the environmental impacts of waste (especially Biodegradable Municipal Waste) are addressed regardless of its source, with a robust monitoring system in place. Overleaf are our detailed comments as requested in the consultation.

If you have any queries on this response or would like to discuss the matter further then please contact me on 028 37529624 or email larac@armagh.gov.uk

Yours faithfully

Ms Liz Drew
LARAC Policy Team



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Consultation Response – Meeting EU Landfill Diversion Targets

Reporting and Monitoring Obligations

Q.1: Which of the possible approaches to reporting on the amount of Biodegradable Municipal Waste (BMW) sent to landfill should the Department develop further? Is it right to favour measuring a landfill target at the point of landfill, provided a robust and credible method can be determined?

LARAC is supportive of the proposal to broaden the definition of municipal waste for the purpose of reporting against targets set out in the EU Landfill Directive. This will mean that regardless of source, the environmental impacts of wastes can be monitored and managed in a consistent manner.

We would agree that the current approach is focused too narrowly on waste collected by local authorities and this waste stream is too small in proportion to the total produced to enable the environmental objectives of the EU Landfill Directive and Northern Ireland Waste Management Strategy: Toward Resource Management to be met.

LARAC agrees that it is right to favour measuring a landfill target at the point of landfill. Our preferred approach is based on returns made by landfill operators with an assessment of the biodegradable content of mixed European Waste Catalogue Codes (EWC) - provided a robust and credible method can be determined. If this does not prove possible/practicable we would suggest the Department give consideration to introducing a suitable alternative system to record and monitor the flows of commercial and industrial waste streams.

LARAC believes that the monitoring authority should continue to be the Northern Ireland Environment Agency (NIEA), and that Waste Data Flow should continue to be used for reporting council waste in addition to landfill operator returns.

LARAC would suggest that in developing a credible and robust system, consideration is given to the following:

- Further analysis of the composition, and tonnages, of commercial and industrial wastes
- The need for further training and guidance for key stakeholders to ensure all waste streams are correctly classified and regulatory requirements clarified, in particular landfill site operators
- A need for synergy between public/private sector reporting obligations in order to prevent, for example, missed loads or double counting

Q.2: Are there approaches the Department should be considering?



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N/A

Policies to divert biodegradable waste from landfill

Q.3: Do you consider that NILAS is an effective policy to assist NI in meeting its share of the UK landfill diversion target in:

- a) 2013**
- b) 2020**

Please provide evidence to support your views if possible. In particular it would be useful to know the role NILAS plays in future planning by District Councils/waste management groups to divert waste from landfill.

LARAC accepts that NILAS has been an effective policy in assisting Northern Ireland in meeting its share of the UK landfill diversion targets to date, however we would suggest that the main driver for reaching targets now is Landfill Tax. The Landfill Tax Escalator provides a fiscal incentive for diversion across both the public and private sectors of both biodegradable and non-biodegradable wastes from landfill.

As outlined in the consultation document, it is estimated that Northern Ireland will meet the 2013 target, but that the 2020 target will be more difficult to achieve. However, LARAC would suggest that concurrently planned initiatives such as the introduction of waste prevention programmes, increased recycling targets under the revised Waste Framework Directive (2008/98/EC), and proposed landfill bans could provide the incentives required to further divert biodegradable wastes from landfill, and in doing so further diminish the role of NILAS in meeting landfill diversion targets.

With this in mind, LARAC would suggest that the Department consider a suspension of the Northern Ireland Landfill Allowances Scheme as is the current position in Scotland. Suspension would enable the scheme to be reintroduced if deemed necessary at a later date.

Q.4: What policy instruments should the Department consider in its assessment of those necessary to meet the landfill diversion targets in 2013 and 2020? Please provide evidence to support your response if possible.

LARAC has submitted a response to the Department's concurrent consultation on the introduction of restrictions on the landfilling of certain wastes, and looks forward to an opportunity to participate in the recently released second stage consultation on the transposition of the revised Waste Framework Directive.

LARAC would suggest the Department give consideration to greater emphasis being placed on the Polluter Pays Principle and Extended Producer Responsibility, particularly for packaging



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materials which we believe should be ring-fenced in law. We would also be supportive of increased policy integration.

LARAC would also suggest that the Department consider an increased return of landfill tax monies to local authorities for projects aimed at landfill diversion.

Q.5: Are there other policy options specifically to divert biodegradable municipal waste from landfill that the Department should be considering?

LARAC is broadly supportive of measures that could encourage more sustainable treatment of biodegradable wastes in principle, and this would include landfill bans. However, we have concerns that such measures do not unduly increase costs to councils without a commensurate environmental gain.

Amending the existing legislation

Q.6: Do you agree with the proposal to create the concept of "Collected Waste" as a means of NILAS continuing in its current form as a policy addressing waste collected by District Councils?

Q.7: Is "Collected Waste" the best term, or is there a better alternative

LARAC would suggest the term "Council Waste" as a suitable alternative to "Municipal waste" for district councils. The term "Collected Waste" could cause possible confusion, for example regarding waste entering the Civic Amenity Sites/Household Waste Recycling Centres.

LARAC believes that the terminology should be kept as clear and simple as possible. Over-complication may, for example, lead to confusion, misinterpretation or misuse.

Q.8: Do you agree that allocations of landfill allowances to District Councils should be retained as currently allocated for each NILAS scheme year?

As indicated earlier, LARAC believes that NILAS in its current form should be suspended.

However, if it is retained or reintroduced following suspension, the current framework of allocations would appear to be appropriate.

Q.9: Do you think targets for BMW to landfill should be set in non-target years, and if so, on what basis?

LARAC believes that any targets set in non-target years should be non-statutory, and should apply to both the public and private sectors. Such targets could provide a useful indicator of progress toward meeting EU landfill diversion requirements.