



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

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ADVISORY COMMITTEE

Mr Clifford Maxwell
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 Maxwell

CONSULTATION ON THE INTRODUCTION OF RESTRICTIONS ON THE LANDFILLING OF CERTAIN WASTES

I am writing to present the LARAC response to the DOENI First Stage Consultation on the Introduction of Restrictions on the Landfilling of Certain Wastes, which is contained below, and I 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.

LARAC is generally supportive of landfill bans for all the proposed materials subject to a number of caveats. Landfill bans send a clear message that the landfill disposal of biodegradable waste and wastes with high material/energy value is not sustainable, and as far as is practicable should be stopped.

However, LARAC would encourage the Department to also consider other complementary policy measures to work concurrently with a landfill ban in order to reduce reliance on landfill, reduce greenhouse gas emissions and increase



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ADVISORY COMMITTEE

resource efficiency. Such interventions include Landfill Tax, Extended Producer Responsibility, more rigorous enforcement of existing Pre-Treatment and Duty of Care requirements, and economic support and incentives to develop markets and outlets for recycled materials, thus holistically driving forward diversion from landfill.

LARAC would also suggest that, in order for the requisite infrastructure to be put in place, a suitable lead-in time for the introduction of a landfill ban should be between 7-10 years. Timely consideration of the issues regarding planning, communications and funding is also paramount to ensuring a smooth and well-managed transition.

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 larac@armagh.gov.uk

Yours faithfully

Ms Liz Drew
LARAC Policy Team



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GREEN GLASS

CONSULTATION ON THE INTRODUCTION OF RESTRICTIONS ON THE LANDFILLING OF CERTAIN WASTES

Q1. Given the evidence available, do you think there is a case for a landfill ban on this waste type?

Overall, LARAC is supportive of the introduction of restrictions on the landfilling for all of the waste streams identified in the consultation, namely: metals, glass, food, wood, textiles, card/paper, plastics, green (garden) waste and Waste Electronic and Electrical Equipment (WEEE).

Whilst research would suggest the greatest scope for reducing greenhouse gas emissions and increasing resource efficiency is to be found in preventing food, paper/card, green (garden) waste wood and textiles from being landfilled, there is also evidence to support landfill bans for WEEE, metals, glass and plastics on an energy efficiency basis.

LARAC would propose that the introduction of landfill bans is not accompanied by a requirement to sort, but that such bans are introduced in tandem with more robust and rigorous enforcement of pre-existing sorting requirements.

LARAC would also suggest that consideration is given to the use of other complementary policy measures to work concurrently with a landfill ban. Such measures include Landfill Tax, Extended Producer Responsibility/Duty of Care requirements, Quality Standards, and economic support and incentives to develop markets and drive diversion forward.

LARAC is aware that the Departments planned Second Stage Consultation will focus in more depth on the practical, physical and economic implications of the introduction of landfill bans, and as such awaits the opportunity to comment further.

Q2. What would be the practical difficulties and issues in implementing a landfill ban on this waste type?

LARAC would suggest that one of the key practical difficulties surrounding the introduction of a landfill ban lies in the planning, time and costs involved in the development and provision of suitable waste treatment and



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ADVISORY COMMITTEE

processing infrastructure, and in the development of strong and stable markets for materials.

Introduction of landfill bans will also require substantial regulatory guidance, education and communication for a wide range of key stakeholders, including members of the general public, waste producers and landfill site operators.

LARAC acknowledges and agrees with the Departments` position that "landfill should be the home of last resort for most wastes", however members feel that a total ban would exclude landfill as a last resort in exceptional circumstances e.g. collapse in recyclables markets, and would suggest it may therefore be prudent to allow some form of contingency arrangement.

Other issues which may arise in response to a landfill ban include difficulties in further increasing householder participation, a possible increase in indiscriminate dumping/fly-tipping, and confusion or misinterpretation regarding identification of materials at the point of disposal e.g. of mixed loads.

Again, LARAC is aware that the Departments planned Second Stage Consultation will focus in more depth on the practical, physical and economic implications of the introduction of landfill bans, and as such awaits the opportunity to comment further.

Q3. What would be your proposed solutions in dealing with such difficulties and issues in implementing a landfill ban on this waste type?

LARAC would suggest that moving smoothly toward the introduction of landfill bans will not only require timely planning and funding consideration, but also consideration of the following:

- Support and incentives to stimulate markets for materials.
- Increased/Extended Producer Responsibility requirements, for example for packaging materials.
- Clear education, communication, support and guidance on regulatory requirements for all stakeholders, including for example members of the public, waste producers, hauliers and landfill site



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ADVISORY COMMITTEE

operators.

- Revision and modification of existing Duty of Care Waste/Pre-treatment requirements to reflect the introduction of landfill bans.
- Increasing the resources available to deal with greater enforcement of existing pre-sorting requirements, and the possible increase in indiscriminate dumping/fly-tipping.
- Continued strong leadership from the NI Assembly.

Q4. If you support a ban on this type of waste what should the lead in time be for a ban on this waste type, to allow for necessary infrastructure to develop?

Based on the evidence detailed in the consultation document, LARAC would suggest a lead in time of no less than seven years, and no longer than ten years.

Q5. If you do not support a ban on this waste type, do you think other measures should be used to divert it from landfill and if so what would they be?

As stated in our response to Q1, above, LARAC is supportive of the introduction of restrictions on the landfilling of certain wastes but would suggest that such bans are introduced in tandem with a range of other policy interventions and initiatives including:

- more robust and rigorous enforcement of pre-existing sorting requirements
- Landfill Tax
- Extended Producer Responsibility/Duty of Care requirements
- Quality Standards, and economic support and incentives to develop markets and drive diversion forward
- Clear communications supporting effective waste minimization, reuse and recycling practices across all sectors.

We believe that landfill bans should support other measures, rather than being the main driver for diversion.

We would particularly like to see greater focus on producer responsibility for packaging, which we believe should be ring-fenced in law. Similarly, strengthening producer responsibility requirements for materials such as



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ADVISORY COMMITTEE

small WEEE, and introducing requirements for other materials such as paint, could help divert from landfill to recycling and reuse.

We would welcome consideration of best practice as exemplified in the producer responsibility work undertaken in the Republic of Ireland with the council credit scheme <http://www.repak.ie>, although acknowledge that adaptation would be required for the Northern Ireland situation.

Q6. There may be other possible approaches to improve resource efficiency and reduce GHG emissions from this waste type (for example, encouraging manufacturers and retailers to move away from using materials that are hard to recover or recycle). We would welcome observations and suggestions for each waste type.

LARAC would welcome proposals to move toward the use of single type materials in the manufacture of plastic products, packaging and WEEE, for example.

For hard to recover/recycle materials such as sofas, mattresses or carpets, LARAC would welcome consideration of the benefits of setting standards for their manufacture and end-of-life treatment.

Q7. Are there any other waste types which you think should be subject to a landfill ban?

No.