

**COMMISSION OF THE EUROPEAN COMMUNITIES –
A COMMUNICATION FROM THE COMMISSION.**

**“Towards a Thematic Strategy on the Prevention and Recycling of
Waste”**

1 Introduction

LARAC welcomes the opportunity to comment on the Thematic Strategy at such an early stage, and sees it is of vital importance if UK local government is to drive the changes that will be required in future waste policy.

The EU and most of us accept that there is a need to de-couple resource use and the generation of waste from the rate of economic growth.

By aiming for better resource usage and differing process measures, we could see a reduction in the consumption of non-renewable resources; e.g. Eco-design has the potential to deliver real improvements in this area.

LARAC believes that the thematic strategy should identify all the most effective measures required to promote sustainable waste management in member states, identifying what combination of measures/ waste policy will deliver the strategy. The measures are likely to be a mix of legislative and economic instruments, and could include voluntary methods. The success of any combination of these must be questioned to establish if it can be delivered.

UK local government is currently employing strategies based upon legislative and voluntary measures. Some authorities are experimenting with economic measures. What is clear is that the EU must take a standardised approach to sustainable waste management; however, there should be flexibility in the measures to ensure deliverability at the member state level.

The strategy should encompass the whole of the public, private and voluntary sectors and bring about a joined up approach to sustainable waste management. In the UK at the moment the process is one where the waste management Industry is fragmented and individuals are only interested in delivering their stakeholder specific requirements/ targets. The continuation of this situation could be to the detriment of the whole of society both in meeting targets and also in delivering sustainable waste management in the long term.

2. The Environmental Challenge of Waste

The document highlights that waste generation across the EU is about 1.3 billion tonnes per annum and that municipal waste arisings are large and continuing to grow.

Therefore LARAC fully supports the proposals in the paper that cleaner technologies, Eco-design and Eco-efficient production are keys to the success of waste prevention. These should lead to policies that are clear and transparent and bring about real environmental benefits. Policies such as producer responsibility have had an impact already. However further discussion on the application of producer responsibility in the wider sense is required. It is important that the principles of producer responsibility are understood by the whole of society and that all sectors are held to be accountable.

3. Assessment of Waste Management Policy

Horizontal legislation, i.e. the Waste Framework Directive and the Hazardous Waste Directive have provided the backbone for the protection of the environment, and are the foundation of waste policy across the EU.

LARAC fully supports further policies based around producer responsibility across the EU, following those currently being implemented for Packaging, WEEE and ELVs.

LARAC believes that member states should dedicate sufficient resources to implementing community legislation, while ensuring deadlines and targets are realistic. With more and more legislation it is important that timescales are achievable and situations similar to that which occurred in the UK following the introduction of the Ozone Depleting Substances Regulation do not occur again, due to lack of communication, resources and time management.

Little emphasis has been placed on waste prevention in the UK to date. Delivering waste recycling targets has been the focus and a major challenge. However the challenge of waste prevention must not be underestimated. Quantitative reduction in the amount of waste generated and qualitative reduction in the hazardousness of waste must be tackled, and it will be a major challenge.

Both of these areas have been developed over recent years especially the qualitative aspects with relation to ROHS and WEEE Directives. However, we believe much more will need to be done in linking policy that affects all sectors of the industry especially local Government and industrial/ commercial sectors. The framework may need to be strengthened with fiscal tools to see further developments in Quantitative Waste Prevention. The role of procurement needs to be addressed to ascertain opportunities for waste prevention and increased recycling performance.

We fully support that waste prevention policy will need to be developed further to prevent the failures that have already occurred across the EU, i.e. Spanish and Danish waste policies to stabilise waste generation. Lessons must be learned from past experiences both good and bad.

We believe that a range of incentive schemes will be required to deliver the cultural changes required by society, e.g. take back deposit schemes, reusable products. Such schemes are already being operated in some member states. Their operation and effectiveness in those states should be reviewed so that others may learn how to apply them effectively and in keeping with the wishes and needs of their communities.

We fully support the need for further Research and Development across the industry, and also for better dissemination of the results of R&D. In the UK, the Waste and Resources Action Programme (WRAP) has been granted funding to look into the development of markets for recyclables. It is hoped that market development will remove some of the economic barriers that exist against achieving higher recycling levels, for example, organics and plastics in the UK.

4. Setting of Targets:

Waste Prevention Targets have historically been based upon the weight or volume of waste generated. There is considerable complexity here, and LARAC supports the idea that composite indicators on the environmental impact of waste may be required. Such targets should, however, be related to the real behaviours as well as the aspirations of communities.

LARAC welcomes further R & D to assess whether there is a practical alternative that could replace weight/ volume to express waste prevention targets.

Waste prevention should be recognised as a tool in improving Economic Performance. Industry and commerce in the UK have seen the benefits of waste prevention/ minimisation through the use of tools provided by Envirowise, Environment Agency and Environmental Management Systems. The analysis of waste flows and the application of the principles of mass balance can enable organisations to identify the measures that will most effectively reduce waste. These mean real financial savings and process improvements, as well as improving environmental credentials. This area should be strengthened.

Recycling Targets have, it appears, been easier to establish in society, than the notion of waste minimisation. Targets are useful if a market exists to support the recycling of specific materials. If specific recycling targets are set as proposed then the market must be in a strong enough position to support this. Conversely, target setting could help stabilise markets and lead to the development of new innovative markets.

Statutory recycling targets have driven significant improvements in the services provided by member states. However, it is felt that communication to all stakeholders about targets has done little to encourage a change in behaviour.

We would suggest that awareness of the local environmental issues is the main driver. If links could be strengthened in this area, cultural changes in behaviour may be realised more effectively. Fiscal measures have been shown to be effective in some member states and should be investigated more fully.

Assessment of reprocessing capacity in relation to the proximity principle and regional self-sufficiency should be recognised across the member states. Material specific targets should be considered by the whole of society as a possible tool that could deliver sustainable waste management.

5. Framework for the Future Thematic Strategy

Quantitative Prevention

LARAC fully supports the Commission's view that a comprehensive assessment of the effectiveness of different instruments is required to assess the possible implementation of future waste prevention targets. We look forward to further consultation on these tools.

It is generally accepted that in order to change behaviour we will require a complex range of tools not yet used across the EU to any success.

LARAC also agrees that integrated product policy and resource management will become increasingly important if we are to deliver the challenges of changing production processes and behaviour, and deliver true waste prevention.

A national/ international approach is required across all sectors. An awareness campaign can be driven by the stakeholders if there are the tools to deliver these initiatives. By providing alternatives to consumers, the use of bans on landfilling of certain wastes could be an appropriate instrument to remove problematic products and harmful waste materials from the land.

Qualitative Prevention is being addressed with the use of ROHS and WEEE and the introduction of the future chemicals policy. The proposed REACH (the Registration Evaluation and Authorisation of Chemicals) system is being dealt with under a separate consultation.

We support the notion of stricter controls over the use of dangerous or hazardous materials that would otherwise end up in the waste stream, although we are concerned about the effects that disproportionate regulation of small quantities of chemicals such as are needed for development work

could have on the chemical industries in the EU, compared with industries elsewhere in the World that are less heavily regulated.

Waste prevention plans could contribute to waste prevention if they are implemented at all levels. Although this could be achieved if they were made mandatory, this would place yet a further burden upon local authorities. The benefits of such plans could be made known and implementation left to local agreements.

LARAC agrees with the view of the Commission that the use of economic and market based instruments is the most promising way to promote recycling.

Prescriptive measures such as landfill bans have been effective in preventing specific waste types from being landfilled. Therefore, bans could develop a strong incentive for recycling. We fully agree, however, that their introduction should be carefully assessed so not to cause difficulties in operational delivery, i.e. insufficient resources to implement them.

The issue of landfill taxes is a complex one, and flexibility must be borne in mind especially across EU member states where there may be regional differences and also infrastructure differences – i.e. low levels of technological advancement.

LARAC fully supports the view that in the UK the Essential Requirements Regulations could be an excellent tool to restrict products/ materials entering the market. We are unsure about the effectiveness of this legislation since its introduction in 1997.

Tradable certificates are being introduced in the UK as a means of achieving necessary reductions in the landfilling of biodegradable waste. However care needs to be taken with the use of artificial "market mechanisms" to achieve environmental aims. These could distort markets for recyclable materials and increase inequalities. The experience of schemes using tradable certificates should be reviewed carefully especially in respect of any unpredicted outcomes and the overall cost compared with other means of achieving the same objectives.

LARAC generally supports the view that 'Pay as you Throw' initiatives are a tool that could be used effectively for many segregated waste collection schemes, (they are being used effectively in some member states). We believe that these initiatives encourage social responsibility and could prevent over-consumption of goods. They should be introduced where householders have been given the means of reducing the waste for disposal, for example through recycling facilities and the provision of facilities for food and garden waste reduction in conjunction with public waste awareness programmes. We believe that these schemes should be carefully considered especially in relation to communities with high social/ economic deprivation indices, where we would not wish to see further taxation and isolation of these members of society.

The use of incentive schemes not related to the waste industry is well documented in the UK, especially with department stores and supermarket loyalty cards. This is an area that could be optimised via the use of store deposit schemes. Experience of deposit schemes where they have been introduced, for example in Germany, should be carefully reviewed and evaluated as a means of waste reduction. We welcome these types of initiative both aimed at industry and householder.

We fully support the view that there will need to be a debate on the definition of waste. However, we accept the difficulties that could be experienced if it was significantly amended. What is clear is that clarification is required on at which stage wastes cease to be waste. This is fundamental to the industry if we are to be able to successfully market products made from waste and give assurances to the market place. The definition of "waste" should be applied with caution where discarded materials are used beneficially and efficiently for the improvement of land, the reduction in the use of non-renewable (fossil) fuels and substitution for primary materials in products. We support the view that waste materials that are recovered, re-used or recycled should be seen more as a resource rather than a waste.

Communication and education is one of the most important considerations of this communication. Many local authorities in the UK have, over the last five years, attempted to tackle this issue with vigour and differing approaches.

LARAC believes producers/ sellers of materials/ products need to take a stronger role in educating customers on the environmental issues related to their products.

Consumers make decisions every day when deciding which brand and which item to purchase. If materials were rated on their environmental impact (E.g. like wine – 1* - dry (large impact), 4* - sweet (less impact)) then consumers could make more informed decisions on what they consume.

In the UK, the *Rethink Rubbish* campaign is currently researching point of sale messages about how the materials should be discarded once the product has been consumed.

National or international product coding/ labelling concerning recyclability or recycled packaging content etc should be harmonised across the member states.

Environmental impacts and waste should be included in the curriculum in education systems at all levels – not just adhoc projects aimed at key stage 2 as seen in the UK.

Motivational national advertisement campaigns are vital if we are to change the views of society in order to deliver waste prevention and recycling of the levels that are required. This may be difficult to harmonise across the EU.

6. Link between waste management and human health

The environmental/ health impact of the waste management industry is publicly debated every time a waste facility is proposed.

Recycling and recovery process also have an impact upon the environment and human health, and this must be considered and assessed if the public are to have confidence in the industry in the future as more facilities are required.

Health impact assessments must be carried out and a clear picture presented to stakeholders if we are to fully engage and get the stakeholders on board with the principles outlined in this strategy.

Waste prevention provides us with a real tool to assess the possible environmental and health implications by addressing the use of hazardous / difficult substances in products and banning them, thereby preventing them occurring in recycle.

Measures restricting the use of hazardous substances should be proportionate to the actual risks to the environment and public health and not subject to popular perceptions. For example Persistent Organic Pollutants are generally very harmful and should be eliminated as far as possible. However heavy metals are more harmful in some forms (i.e. as salts in the atmosphere or in soils) than in others (e.g. when encapsulated or in a chemically inert form) - for example the proscription of the use of lead encapsulated in glass may inhibit the recycling of cathode ray tubes and lead glass and increase costs without achieving significant environmental gains.

7. Challenges facing waste management in the context of enlargement of the EU

LARAC fully supports the view of the Commission that Environmental Protection should be harmonised across the EU so as to prevent potential dumping grounds for waste in some member states.

8. Work of the OECD concerning waste management

Improved international co-operation concerning recycling and waste recovery is welcomed, especially in the trading of resources and not wastes across boundaries. However unnecessary restrictions should not be made in the trade of goods for re-use (e.g. textiles) or renovated goods (e.g. consumer goods that may be exported to third world countries subject to high environmental standards being maintained) solely on the basis that they may be designated as "wastes".

9. Comments on Extended Impact Assessment

We fully support the simplification of the regulatory environment.

10. Future development of the Strategy

LARAC looks forward to being involved in the continued development of the Strategy.