



Regional Waste Coordinator,
Southern Region Waste Management Office,
Limerick County Council,
Lissanalta House,
Dooradoyle,
County Limerick.

19th December 2013

Re: Southern Regional Waste Management Plan

Dear Sir/Madam,

The Irish Waste Management Association (IWMA) welcomes the opportunity to participate in consultation on the Southern Regional Waste Management Plan (RWMP). The IWMA is the voice of the private waste management industry in Ireland. IWMA members are active in every county in Ireland and contribute to the management of waste at each level of the waste hierarchy. Our membership includes small, medium and large companies, with some operating internationally, managing both hazardous and non-hazardous wastes.

We employ more than 5,000 staff in waste collection and treatment and we operate approximately 50 licensed or permitted waste management facilities in Ireland. These facilities have approved capacity to process more than 3 million tonnes of waste per annum. This processing includes segregation, transfer, mechanical treatment, biological treatment, solid recovered fuel production, incineration and landfill.

It is clear therefore that our members will be impacted by the new Regional Waste Management Plans, but it is also clear that our members have a significant contribution to make to these plans and I wish to make it clear that our members intend to fully co-operate and fully consult with the authors and the steering groups of the Plans. It is only through such co-operation and consultation that effective Waste Management Plans can be developed in Ireland.

This submission should be considered an initial contribution only and we ask that the IWMA is given an active role in the development of these Plans through consultation with the authors and the steering committee.

The first set of regional waste plans in Ireland (c.2000) had reduced consideration of private sector involvement in wastes management and ultimately this led to a reduction in the effectiveness and efficiency of the management of wastes in this country. The second set of regional waste plans (c.2006) attempted to overcome these difficulties with some (limited) success. Local authority involvement in collection and treatment of waste is now greatly reduced, so the new plans provide an opportunity to improve the effectiveness of waste collection and treatment through in-depth consultation with the private sector waste industry, backed up by support that our members will provide to the process.

We suggest that it is important that we learn from the shortcomings of the existing Plans. The three new Plans offer an opportunity to stimulate further investment in the infrastructure required to ensure that our national targets are met.

Our initial comments on a number of important areas are addressed below.

Rationalisation

The rationalisation of waste management regions from 10 to 3 is a welcome development arising from the new national policy and will be expected to ensure improved co-ordination in achieving national goals and targets as defined in the Waste Framework Directive.

Modern waste industry depends on economies of scale which are often not achievable within the population of individual waste regions (even if this is reduced to 3). Today's municipal waste is also very mobile, with component waste streams travelling in a variety of directions for processing, recovery and disposal. We suggest that the new waste plans should not be restrictive on the movement of waste in the country and abroad (unless for disposal).

Article 17 of the EC (Waste Directive) Regulations inserts a new section into the Waste Management Act (Section 37A) which defines the responsibility of regulatory bodies in accounting for the principles of self sufficiency and proximity in establishing "*an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste*"

Subsection 4 of Section 17 of the Regulations however, acknowledges that any individual Region or indeed the State itself does not have to provide a full range of final recovery facilities.

"The principles of proximity and self-sufficiency shall not mean that the State has to possess the full range of final recovery facilities within the State".

The IWMA is in favour of providing all necessary waste infrastructure in Ireland, but the Association is realistic in recognising that where economies of scale are too small an Irish facility will not survive in the international waste recycling market. The RWMPs should be cautious about trying to control waste within the country and should definitely avoid interfering with inter-regional movements of waste.

Meeting Targets

The waste industry in Ireland has been successful in meeting many targets set by EU Directives as shown on the following Tables. These targets have been achieved in some cases through working with established compliance schemes and in other cases through appropriate reactions to financial instruments, such as levies and subsidies.

Table 1 – Compliance with EU Packaging Directive Targets

Packaging Waste Targets (31/12/2011) (%) (w/w)	Progress (31/12/2011)	Achieved
60% of Packaging recovered or incinerated with Energy Recovery	79%	Yes
55% packaging recycled	71%	Yes
Material Specific		
60% Glass	81%	Yes
60% Paper & Board	92%	Yes
50% Metals	67%	Yes
22.5% plastic (recycled back to plastic)	48%	Yes
15% Wood	93%	Yes

Table 2 – Compliance with EU Landfill Directive Targets

Targets (Dates)	Biodegradable Waste Diversion from Landfill	Progress
16/07/2010	Reduction to 75% of 1995 tonnages	Achieved
16/07/2013	Reduction to 50% of 1995 tonnages	Achieved
16/07/2016	Reduction to 35% of 1995 tonnages	On Track (Achieved in 2 nd Quarter 2013) ¹

¹ EPA Presentation by Jim Moriarty on 24th October 2013 to Waste Workshop in Hodson Bay Hotel, Athlone.

Table 3 – Compliance with WEEE Directive Targets

Recovery of WEEE (31/12/2008)	Progress 31/12/2011	Achieved
Separate collection of > 4kg of WEEE from private households per person per year	7.6 kg	Yes
<u>For large household appliances and automatic dispensers:-</u> recovery shall be increased to a minimum of 80% by an average weight per appliance; and	83%	Yes
component, material and substance reuse and recycling shall be increased to a minimum of 75% by an average weight per appliance.	82%	Yes
<u>For IT, telecommunications and consumer equipment:-</u> the rate of recovery shall be increased to a minimum of 75% by an average weight per appliance; and	88%	Yes
component, material and substance reuse and recycling shall be increased to a minimum of 65% by an average weight per appliance.	87%	Yes
<u>For small household appliances, lighting equipment, electrical & electronic tools, toys, leisure and sports equipment, monitoring and control instruments:-</u> the rate of recovery shall be increased to a minimum of 70% by an average weight per appliance; and	87%	Yes
component, material and substance reuse and recycling shall be increased to a minimum of 50% by an average weight per appliance.	87%	Yes
For gas discharge lamps, the rate of component, material and substance reuse and recycling shall reach a minimum of 80% by weight of the lamps.	88%	Yes

Table 4 – Compliance with Waste Framework Directive Targets

Targets (Dates)	Biodegradable Waste Diversion from Landfill	Progress
12/12/2020	Preparing for reuse and recycling of 50% by weight of household derived paper, metal, plastic & glass.	On Track (45% in 2011)
12/12/2020	Preparing for reuse, recycling and other material recovery (incl. beneficial backfilling operations using waste as a substitute) of 70% by weight of C&D waste (excluding natural soils & stone)	Achieved (97% in 2011)

Household Waste Collection

We understand that the Regional Waste Management Plans (RWMPs) will be based on the National Policy Document '*A Resource Opportunity*' issued by the Department of Environment, Community and Local Government (DECLG) in July 2012. The IWMA welcomes this policy document and our members are cognisant of the measures proposed to improve household waste collection in Ireland, summarised on Page 6 of the Policy document as follows:

"Through collection permits issued under a strengthened permitting system, waste collectors will be required to:

- manage the waste collected in accordance with the waste hierarchy and in a manner supportive of the development of a resource efficient and sustainable approach to the management of waste;
- Deliver mandated service levels; and
- operate pricing structures designed to incentivise environmentally sustainable behaviours by households in terms of waste reduction and segregation.

The collection permitting system will be strengthened further so that:

- robust controls are in place to ensure that only "fit and proper" individuals and companies are allowed to hold such permits and appropriate corporate governance arrangements are implemented;
- producer responsibility initiative waste is always provided to the obligated compliance scheme or waste collector and is recovered and recycled appropriately by, the relevant sectors at all times; and
- the permit fee structures reflect the value of the permission to collect waste conferred by a permit, the need to contribute to the costs of essential enforcement of the permitting system and the potential liabilities for the state which may arise from poor collection and management practices.

All household waste collection service providers will be required to put in place customer charters, clearly setting out information for customers in relation to issues such as charging structures, procedures for dealing with customers who may fall into arrears, and arrangements for switching from one waste collector to another. These will be audited annually as part of the permitting process.

Measures will be introduced through the strengthened collection permit system to manage better the nuisance, emissions and health and safety risks of overlapping household waste collection networks.

Inspection and enforcement resourcing for collection permits will be increased, funded in part by the revised permitting fee structure."

The IWMA welcomes these proposals and has been actively supporting this policy through implementation of the following measures over the past 15 months:

- Introduction of a Customer Charter agreed by all our members
- Increased and ongoing roll-out of organic (food waste) bins
- Engagement with the National Consumer Agency to ensure that household customers are treated fairly by our members
- Consultation and agreement with Dublin City Council on designated days for household waste collection in Dublin City, as provided for in the new Dublin City Council Bye-Laws. This means that, in all areas of Dublin City outside the Central Commercial District, there will be only one day in the week when bins will be presented for collection,

compared to seven days currently. This is a big step forward in cleaning up the look of household collections.

- Engagement with the DECLG on implementation of the new Policy document '*A Resource Opportunity*', including a progressive discussion on mandated service levels and pay-by-use charging systems
- Engagement with the National Waste Collection Permit Office to assist with data collection and policy implementation
- Engagement with the EPA on the area of enforcement of unauthorised waste collection
- Continuation of Waiver schemes in many areas without seeking recompense from the State.

The DECLG has now commenced a separate consultation on household waste collection to address mandated service levels and other issues and we expect that the RWMPs will be cognisant of that consultation and its outcome.

Brown Bin Roll-out

In relation to roll-out of brown (organic waste) bins, the IWMA has compiled the chart presented below as Figure 1, based on data from the EPA and NWCPO, combined with a survey of the waste industry. This shows the brown bin roll-out to date and the expected additional roll-out in 2014.

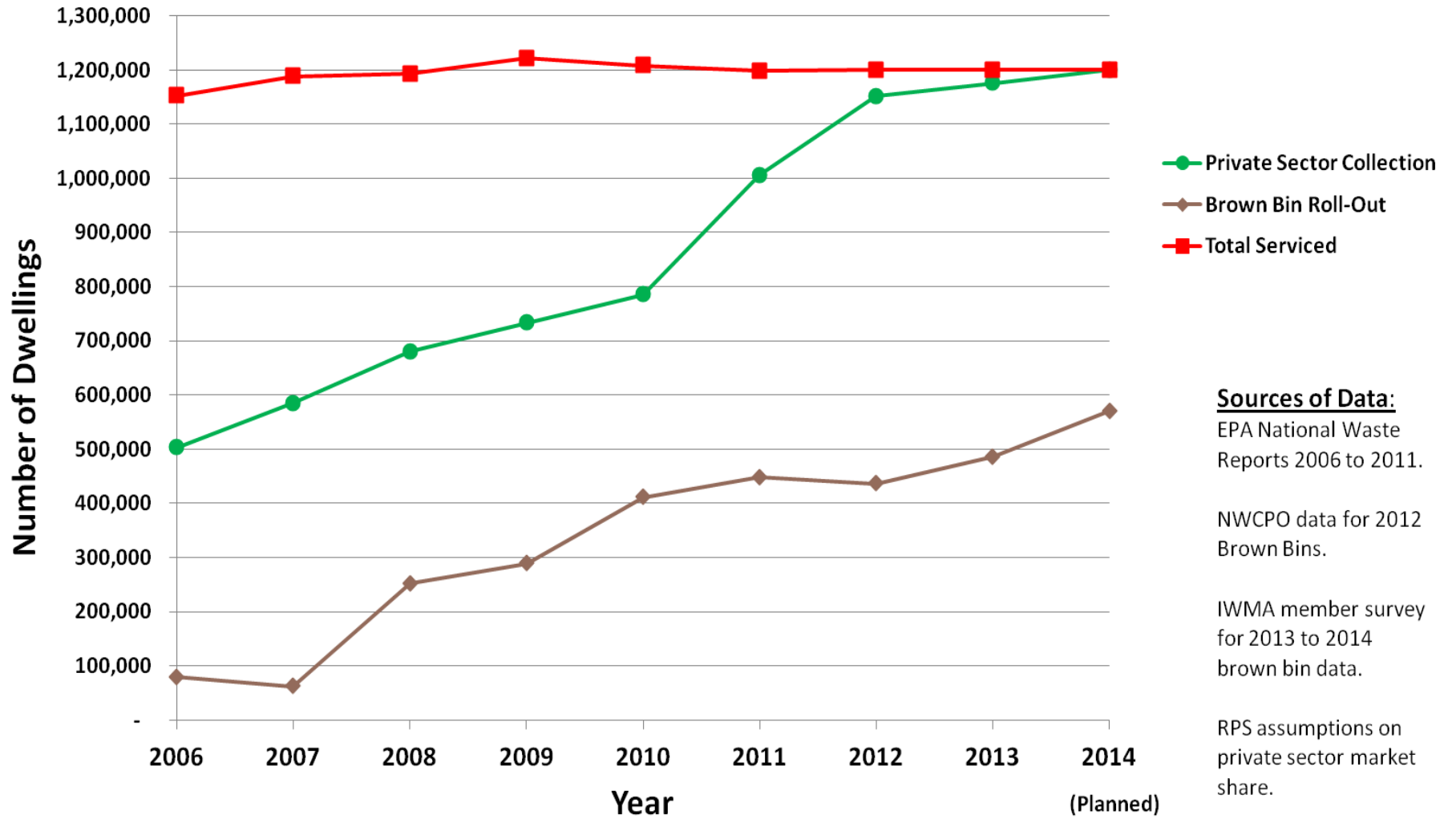
The data suggests that the roll-out of the brown bins progressed very well before 2011 and once again after 2012. The stagnation experienced during the 2011 to 2012 period was undoubtedly due to the uncertainty in the market resulting from ongoing consultation at that time relating to the formation of the household waste collection market (i.e. potential introduction of franchise bidding/competitive tendering).

Waste management companies struggled to roll-out additional household waste collection services at a time when there was a serious threat that their waste collection routes would be taken from them in an attempt to re-organise the market. The publication of the new National Policy in July 2012 brought certainty back to the market and the evidence shows that the roll-out of the brown bin has progressed well since that date, with a projected coverage of nearly 600,000 dwellings by the end of 2014.

It is also important to note that our survey found that more than 70,000 households in Ireland have returned or refused the offer of a brown bin. Also, participation rates are highly variable across the country. Any future mandated service levels must consider these issues and must incentivise participation in regular food waste collections, as well as encouraging home composting of garden wastes.

The quality of material received in the brown bin is also an issue that requires attention. Currently, contamination levels appear to be between 10% and 20% on average and this causes great difficulty at biological treatment plants.

Figure 1 - Brown Bin Roll-Out in Ireland 2006 to 2014



Uncollected Household Waste

The IWMA supports National Policy in relation to uncollected waste as summarised on Page 6 of *A Resource Opportunity*, as follows:

“all householders will be obliged to demonstrate that they are availing of an authorised waste collection service or are otherwise managing their waste in an environmentally acceptable manner, in accordance with legislation and the provisions of waste management plans, in order to combat illegal fly-tipping, littering and backyard burning of waste by a minority of households, and to avoid the compliant majority having to bear the costs of dealing with the consequences of such activities.”

There are two scenarios whereby household waste remains uncollected. First, there are parts of the country where no collection service is available due to accessibility issues and second, there are householders that refuse to take-up a service even when one passes their door.

Some roads in rural Ireland are unsuitable for waste collection vehicles, so it is inevitable that some households will never have a waste truck passing their door. In these situations, some waste companies (with the agreement of relevant local authorities) provide alternative arrangements for such householders to deliver their waste to communal points and some CA sites accept residual as well recyclable waste. The extent of this issue is limited and can be managed with a little flexibility by waste companies and local authorities, with respect to secure and sanitary drop-off locations.

There is no evidence to suggest that accessible areas are being deprived of kerbside waste collection services and the IWMA believes that Ireland currently has full coverage household waste collection in all, except the most inaccessible, areas.

The second issue is a greater problem and must be addressed. It is recognised by local authorities and waste companies alike, that many householders are passed by one or more waste collection service, but these householders refuse to avail of a collection service.

Historically in Ireland, household waste was collected by local authorities without direct charging to customers, so this issue did not arise. However, the introduction of direct charges for household waste in accordance with the polluter pays principle has had positive and negative effects. On a positive note, householders are encouraged to prevent and reduce the production of waste by methods such as selective purchasing, reuse in the home, home composting, etc.

Differential charging between residual, recyclable and compostable wastes also encourages source segregation of wastes in the home and this assists with the achievement of recycling targets for household waste.

The OECD in a 2008 report² stated the following in relation to the charging system to householders for waste management in Ireland:

“With respect to the pricing of waste collection, Ireland’s extensive use of volume-based waste collection charges and the market pricing of services seems to have worked well once the principle of user charges was accepted. Ireland’s application of the “polluter-pays” principle would probably be a good model for other countries to follow. It has given Ireland a relatively

² Ireland, Towards an Integrated Public Service, Public Management Reviews, OECD, 2008.

high cost recovery rate for waste management services, and has probably been an added incentive for household recycling.”

The negative effect of direct charging to the householder is that many householders see an opportunity to avoid paying for their waste management and illegally dispose of their waste rather than pay for its collection and treatment.

One obvious solution to this issue is the requirement for Statutory Declaration Forms to be completed by householders that do not utilise a waste collection service. Such a form would require householders to declare their method of waste management, where they do not avail of an authorised waste collection service. Failure to make the declaration or provision of false information would both be deemed an offence under the relevant legislation. The waste industry can assist in identifying houses that have no waste collection service.

A number of local authorities have sought to resolve this issue by the introduction and enforcement of bye-laws. A co-ordinated approach is clearly required to address this issue.

PTUs

The provision of Pay to Use (PTU) receptacles for household waste at many petrol stations and supermarkets throughout Ireland has caused major concern to our members. These units are threatening the viability of kerbside waste collection systems, due to the unfair advantages associated with a form of waste collection that ignores National Policy on the waste hierarchy, mandated service levels, incentivised pricing structures, obligation on householders to avail of a waste collection service, awareness and education measures, source segregation, polluter pays, brown bin roll-out, etc (see Section 4.3.1 of ‘A Resource Opportunity’).

We consider that the RWMPs should prohibit these units in all areas except where waste collection services are not provided, due to access difficulties for waste collection vehicles. In those cases, we expect that PTUs should be regulated in a manner consistent with door-to-door household waste collection with regard to provision of dry recyclables and food waste receptacles, as well as pay-by-use measures to incentivise waste prevention and recycling. We expect that the requirements of the new household waste regulations will be known in advance of finalisation of the RWMPs and mandated household waste collection requirements will be fully known at that time.

Provision of Infrastructure

The previous set of RWMPs in Ireland issued c.2001 and updated in c.2006 included many infrastructure projects to be developed by local authorities or through the PPP process. Many civic amenity sites and bottle banks were developed by local authorities as planned, as were a number of MRFs and landfills. However, the development of Public Private Partnership (PPP) waste facilities in Ireland has been unimpressive to date. The following examples come to mind:

- The PPP process to develop a range of municipal waste treatment facilities at Kilshane Cross in Fingal was terminated after the local authority claimed that none of the tender bids represented value for money.

- A PPP process to develop a biowaste treatment facility at Ballyogan in Dun Laoghaire-Rathdown was terminated for similar reasons.
- The PPP process to develop a landfill at Nevitt/Tooman in Fingal shortlisted four bidders for selection as the private sector partner. Subsequently three bidders withdrew and the fourth was bought by one of the bidders that had previously withdrawn. According to the Evaluation Report for the Waste Management Plan for the Dublin Region (published December 2012), the development of the Nevitt/Tooman landfill has been cancelled by Fingal County Council due to the large costs and changed market circumstances which have rendered the project no longer viable.
- The PPP process to operate a landfill and develop an MBT plant at Corranure in Cavan has ended badly. Two of the four shortlisted bidders withdrew from the competition when it became apparent that the landfill was not included in the Brief. However, the landfill was introduced in the award of the contract to the preferred bidder. The contract has now terminated and no MBT plant was constructed.
- The PPP process to develop an incinerator at Poolbeg in Dublin has been ongoing for approximately 15 years now with no sign of the commencement of construction.
- The PPP to develop an incinerator in the South East Region appears to be stalled or shelved.
- Development of household waste treatment infrastructure in Northern Ireland currently relies on three regional PPP processes that commenced over 5 years ago. Each region invited tenders and then three bidders were shortlisted for each region and invited to submit detailed solutions. All three regions have experienced withdrawals of short-listed bidders with the result that the level of competition in each region has reduced significantly. In fact, it now appears that 2 regions have been reduced to just one bidder and the SWAMP region has been abandoned altogether. This has cast serious doubt over the whole process of providing waste infrastructure in Northern Ireland using this methodology.

We suggest that the new RWMPs should recognise that provision of future waste infrastructure in Ireland will be predominantly market-led. The Government must provide the appropriate fiscal measures to encourage provision of the necessary infrastructure to facilitate movement of waste up the waste hierarchy and improve Ireland's self-sufficiency in this area. For these fiscal measures to be effective, the RWMPs must not be specific with regard to the provision of infrastructure at specified locations and/or using specified technologies. Successful fiscal instruments will encourage the market to react by providing the best infrastructure at the best locations, in accordance with county development plan policies.

The data in each RWMP will be based on a moment in time and the Irish waste management market is very dynamic and market driven. Overly prescriptive statements on infrastructure provision are more likely to prevent new infrastructure than encourage it as companies lose and gain market share in ever evolving geographical markets. Companies are likely to select locations and technologies (within appropriate levels of the European waste hierarchy) that suit their businesses rather than any which could be identified in regional plans.

Other Issues & Suggestions

We suggest that the methodology for determining waste projections and for target setting should be transparent as this was not the case in the previous set of regional waste management plans. Targets should be consistent with the requirements of EU Legislation.

It is critical that there is co-ordination between the 3 Regions in terms of statistics and target development.

It is critical that the new Plans facilitate regular revision to allow for consideration of newly available waste statistics as they become available and to allow for changes to policy that arise over the lifespan of the Plan.

It is recommended that an annual forum/workshop is convened by the Regional Waste Management Coordinators at which progress of the Plans can be discussed with relevant stakeholders (including the waste management industry). This could be organised in conjunction with the annual review of the Plans.

We suggest that the RWMPs should call for the revision of all individual waste bye-laws to enable some consistency.

We suggest that each Region should have a dedicated website designed to facilitate communication between the Region and various stakeholders on aspects of the Plan.

I hope that our submission is helpful and I look forward to further engagement during the preparation of the Plans.

Yours Sincerely,



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