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16th December 2015

Re: Draft Eunomia Factsheet on Waste Management in Ireland and Recommendations for the EU Commission

Dear Philip,

On behalf of the IWMA, I offer the following comments on the above referenced draft Factsheet and Recommendations.

FACTSHEET

Table 1-1 contains a number of errors and we make a few suggestions as follows:

- Total inhabitants and dwelling stock are assigned to the wrong rows in the Table.
- The total Kg/capita/annum was 587kg in 2012 (see EPA National waste Report). This figure should be used instead of 636 in 2010.
- The household waste generated per person figure of 344kg/capita per annum (2012) is a more relevant indicator as the MSW figure includes C&I waste. This should be used instead or in addition to the MSW figure for clarity.
- The references to landfill directive targets are out of date. The EPA can confirm that the 2013 target was met and Ireland is well on track to meet the 2016 target.
- We would question the word 'active' in relation to authorised MBT or pre-treatment capacity. The permits and licences are sometimes active at facilities that are not operational. This figure should be scrutinised. (The IWMA questioned these figures in the draft plans and the Regions agreed to publish a database with the details on their websites. This has not been done yet and these unsubstantiated figures are now becoming established at EU level, despite their dubious nature and the lack of an opportunity for peer review.)
- Carranstown WtE is currently treating 230Kt/a and Poolbeg WtE is designed to treat 600Kt/a and we are advised that it is capable of taking the higher tonnage.

Section 1.1 - Roles and Responsibilities of Key Actors

The role of the new regional planning authorities and regional enforcement authorities should be introduced in this section.

Table 1-2

The Pay by Weight charging to household customers and proposed PBW charging to commercial customers should be included as ways that the Polluter Pays Principle is implemented.

Section 1.2 - Summary of Legislative Framework for Waste Management

Erroneous reference to 'EPA' introducing legislation – should be 'DECLG'.

Secondly, the Department (DECLG) issued more than 2 “pieces of legislation” in May. There were 5 separate “pieces” of legislation in the form of Waste Management (Collection Permit) (Amendment) Regulations 2015, Waste Management (Facility Permit and Registration) (Amendment) Regulations 2015, European Union (Household Food Waste and Bio-Waste) Regulations 2015, Waste Management (Food Waste) Amendment Regulations 2015, Waste Management (Landfill Levy) Regulations 2015.

This section should also refer to the change to our primary “piece” of waste legislation enabled by the Environmental Miscellaneous Provision Act that came into effect at end of August.

Section 1.3 - Status of Waste Management Plans

Public consultation in relation the 3 Plans was not just confined to November 2014 to end of January 2015. In fairness, pre-draft consultation was initiated in October 2013 and ran until 19 Dec 2013.

Section 1.4 - Summary of Key Objectives of Plans

Reference to 200Kt/a at Carranstown and 550Kt/a at Poolbeg should be increased to 230 and 600 respectively.

Section 1.5 - Progress towards the Fulfilment of Targets

1.5.1 Landfill Directive Targets

This section requires updating. The report would benefit from referring to up to date statistics such as those contained in EPA recent enforcement report for 2014. e.g. use reference to 6 open municipal landfills at end of 2014 (instead of 11 in 2013)

They could also refer to waste export statistics from 2014 (50% increase from 2013 in waste being exported for use as fuel to more than 560,000 tonnes in 2014)

Reference to Poolbeg WtE providing 550Kt/a capacity in Late 2017, should be 600Kt/a in mid 2017.

The reference to 550,000 t/a biological treatment available capacity appears to be too high. The

source appears to be the EPA State of the Environment Report 2012 Table 5.1. This in turn puts the IWMA as the source. We assume that the IWMA source was the Table included in Attachment 1, which appeared in a report for the IWMA prepared by SLR Consulting in November 2011, entitled “Emerging Waste Recovery Infrastructure”.

The Table details 418,400 t/a biological treatment capacity, including 158,600 t/a open windrow composting capacity that is only suitable for treatment of green/garden waste. Since 2011 there have been new developments and also facility closures. We estimate that the current figure is similar to the 2011 figure.

We also note that there is an additional 474Kt/a biological treatment capacity planned, but much of this capacity is unlikely to be constructed for a variety of reasons. We expect that supply of biological treatment will grow to meet demand, given the unbuilt capacity that currently has planning permission and licence or permit approvals.

1.5.2 Waste Framework Directive Targets

Ref. To WDF instead of WFD

1.6 Implementation of Specific Waste Framework Directive Articles

1.6.1 Article 4: Application of the Waste Hierarchy

No comment

1.6.2 Article 10: Recovery

Out of date information in relation to food waste should be corrected. Example, they refer to “National Waste Report 2011 records that 37% of households provided with a waste collection service already had a separate organic bin in 2011”.

The IWMA has tracked the brown bin roll-out in Ireland as shown in Attachment 2. The figure presented for 2014 shows that 570,000 houses have been given a brown bin out of a total of 1.2 million houses with a collection service (i.e. 47.5%). The 2014 data was derived from a survey of waste companies.

We do not recall the sentiment at last April’s meeting that “most areas also now have access to separate collections for glass”. This should probably read that glass packaging from households is either collected at kerbside or collection is facilitated through a bottle bank network.

Reference to 550Kt/a at Poolbeg should be changed to 600Kt/a.

1.6.3 Article 11: Reuse and Recycling

Paragraph 1 should be updated in relation to roll out of the household brown bin

The opening sentence in Paragraph 2 is challenged by the IWMA. We do not accept that the market structure negatively impacted on the management of household waste in Ireland either currently or historically. There have been a lot of positive implications associated with this market structure including competitive prices and innovative service provision. The decision

made by some householders to opt out of the service is due to the direct charging mechanism which is preferred in Ireland ahead of local taxation. A competitive tendering system that requires direct charging to households would have the same challenge, so this would not improve the number of houses availing of a service. The removal of direct charging would go against the Polluter Pays Principle, so we do not consider that to be a better option. Co-ordination of efforts within the enforcement authorities, with assistance from the IWMA will tackle this challenge without changing the market structure. The EU Commission and their consultants must not jump to conclusions on the market structure without a thorough assessment of the current market and other options. There appears to be a rush to judgement without any analysis to back up that judgement.

The sentence “Other than the introduction of bio-waste systems which is proposed at the household level, the plans do not specifically identify the need for further changes in collection system in the future” appears to miss the many changes that are proposed for household waste collection, include the Pay By Weight requirement and the requirement to incentivise the MDR and brown bins through pricing. This is expected to improve recycling rates.

1.6.4 Article 14: Costs of Waste Management

We challenge the sentence “*There is an open market for collection at local level, and previous research has indicated that this has resulted in a relatively high cost of service to the householder*”.

We understand that the previous research refers to a Eunomia report carried out in 2009 for the Department of the Environment (DEHLG)¹. The conclusion on the high cost of service was based on the green bin service in Dublin which was an example of a ‘competitive tender’, not an example of ‘open market competition’. The conclusion was therefore fundamentally flawed and was challenged at the time by the IWMA, as follows:

“In Section 64.2 of the International Review, reference is made to the green bin recycling services in Dublin and a calculation made by the authors suggests that this collection cost the equivalent of 70 per household per annum in 2006. This cost is high compared to annual collection costs in England in 2005/06, as shown on Figure 64-1, which were generally between 40 and 60 per household. The English local authority collection systems were presumably weekly collections compared to the monthly Dublin green bin collection, so the cost differential is even greater.

The International Review appears to miss the point that the Dublin green bin collection in 2006 was an example of competitive tendering operated by the four Dublin local authorities. Rather than a comparison between side-by-side competition versus competitive tendering, the data offered in the International Review therefore compares competitive tendering in Ireland with competitive tendering in England in 2006. The results provide evidence that competitive tendering in Ireland has proven to be very expensive in an international context. This does not provide confidence that future competitive tendering will offer cost savings to the householder.”

The EU Commission cannot conclude that competitive tendering would result in lower costs or prices in Ireland. In fact, we expect the opposite.

Section 1.6.5 - Article 22: Encouraging the Separate Collection of Biowaste

¹ International Review of Waste Policy, Eunomia for DEHLG in 2009.

The Section should be updated to reflect newer legislation concerning Household Food Waste and the current status of the roll-out.

Section 1.7 - Summary of Policy Mechanisms and Instruments to Meet Targets

Updating required from DECLG.

Section 1.8 - Investing in Waste Management Infrastructure

Carranstown WtE is treating 230Kt/a rather than 200.

Poolbeg WtE can treat 600Kt/a rather than 550.

The three cement kilns should be included at this point with a capacity of 340Kt/a.

The figures in the second bullet point do not seem to add up and appear to be incorrect. Biological treatment capacity is currently estimated by the IWMA to be about 230Kt/a for brown bin waste, sludges and organic fines plus another c.150Kt/a capacity in open windrow composting for green/garden waste. As mentioned earlier, the IWMA estimates that there is an additional 474Kt/a biological treatment capacity planned, including two 90,000 t/a Wet AD plants planned by Stream Bioenergy in Dublin and Cork (a breakdown of all these figures can be provided upon request).

The final paragraph of this section is not clear. Ireland has adequate material sorting capacity for the recyclables that are currently collected and can quite easily increase that capacity in a relatively short time period, if and when supply of mixed recyclables increases. After sorting, most recyclables are exported, but not predominantly to the UK or to China. Materials are exported to many countries in Europe and in Asia, depending on the market. Development of reprocessing capacity for materials in Ireland is difficult due to the global nature of the market and the small size of the Irish Economy. In the last decade or two Ireland has experienced the closure of a major steel mill, paper mill and glass bottling plant due to their lack of competitiveness in an international context. The export of recyclables must be seen in this context, rather than in the context of material sorting capacity.

Section 2.0 - Summary

The final bullet point should remove the reference to high costs, as discussed earlier in this submission.

The role of the private sector in waste management in Ireland was discussed at the April meeting and the Irish Authorities all agreed that the private sector played a positive role. This should be reflected in the document.

There should be recognition of introduction of PBW charging in 2016 rather than reference to pay as you throw systems.

The recent report² by Bipro on behalf of the EU Commission should be considered also in

² Assessment of separate collection schemes in the 28 capitals of the EU. Reference: 070201/ENV/2014/691401/SFRA/A2. Bipro in cooperation with the Copenhagen Resource Institute. Final Report 13 November 2015.

comparing the waste collection system in Ireland with other EU Member States.

1.0 SUMMARY OF RECOMMENDATIONS FOR IRELAND

Point 1.

The IWMA strongly objects to a recommendation that assumes that ‘*competition for the market*’ will fix any and all problems associated with the waste collection market in Ireland. Any problems identified after a review of the new legislation should be fully analysed before any recommendations are put forward.

As detailed earlier in this submission, there is no evidence that the current system generates higher costs and the issue of households not availing of a service is related to direct charging rather than to the market structure. Direct charging is the best way to influence householder behaviour in a manner that encourages waste prevention and encourages source segregation of recyclables. The Bipro/EU Commission report cited above, proves that the collection system in Ireland is very effective with regard to waste prevention and source segregation of recyclables and food waste.

Capital cities across the EU that have competitive tendering in place for household waste collection are performing poorly compared to Dublin, with regard to waste prevention and source segregation, as is evident in the Bipro report.

Dublin comes 3rd out of the 28 Capital cities for capture of paper, plastics, metals, glass and biowaste.

Dublin comes 1st with respect to waste generation per capita at just 270.8 Kg/person.

We fail to understand how an assumption can be made that competitive tendering would result in better source segregation in the context of the findings of the Bipro report.

Point 2.

The DECLG is currently consulting with the public and stakeholders on this and other policy measures. It would be premature of Eunomia and the EU Commission to recommend such a measure in advance of a meaningful consultation. The recommendation could more suggest a review of this and other possible policy instruments after the consultation is complete.

Section 2.0 - Potential Issues with Approach to Waste Management

Number 1.

The fragmentation of the household waste collection market is not an issue in itself and should not be identified as one. There are many positives that come with open competition including competitive pricing and innovation.

The reference to historical high costs should be removed as discussed earlier in this submission. The final part of the “Reasons for the Issue” is also unfair as it assumes that quality services are not currently offered. This is not true and the Bipro report cited above shows that the collection services are performing very well in Dublin when compared against other EU Capital cities.

There is also reference to the “introduction of PAYT systems” in this section. These systems were introduced many years ago and are now being refined as per kilo pay by weight systems, so this will not increase fly tipping or evasion by householders. Direct charging encourages some householders to behave badly and that needs enforcement, but pay by weight encourages good behaviour by the majority of householders and that should be recognised as a positive in the report’s recommendations.

Number 2.

The reference at the bottom of the ‘description’ column to ‘formal systems’ is not clear. It should really refer to charging for waste collection by way of taxation as that is the system that discourages fly-tipping. Direct charging in a competitive tendering scenario would result in an equal number of households not availing of the system. The current attempt by the Irish Government to charge directly for water is a good example of the difficulty with this issue. Direct charging by private companies tends to be more successful.

Number 3.

Ireland has achieved more or less all EU waste targets to date within the current structure. Financial instruments such as the landfill levy and PRI subsidies have proven to be very effective. Whilst the State has a lot of control over waste companies through licensing and permitting, we find that financial instruments work best to influence behaviour. The recommendations for Ireland should focus on this area rather than on direct control and associated sanctions.

Section 3.0 – Recommended Measures

As discussed above, the IWMA strongly objects to a recommendation that assumes that ‘*competition for the market*’ will fix any and all problems associated with the waste collection market in Ireland. Any problems identified after a review of the new legislation should be fully analysed before any recommendations are put forward.

The Anticipated Impact is that this measure would address Issues 1 and 2.

Issue 1 is not an issue if it does not have negative consequences and the Bipro report shows that the fragmented collection system in Ireland is performing very well in comparison with competitively tendered waste collection in most EU Member States.

Issue 2 would not be resolved by a switch to competitive tendering. It has arisen from direct charging. The consequences of moving away from direct charging to a local tax would have to be analysed before this could be recommended. We expect that such a move would result in widespread non-payment of the tax and in poor performance with regard to waste prevention and source segregation.

This recommended measure should therefore be reconsidered.

The timing of the review of the waste collection system should be mid 2018 rather than 2017 as the new rules take full effect in July 2016.

I hope this submission is helpful and look forward to further engagement on these matters.

Yours Sincerely,

A handwritten signature in black ink that reads "Conor Walsh". The signature is written in a cursive, flowing style.

Conor Walsh
IWMA Secretary

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Attachment 1

Biological Treatment Facilities in Ireland in 2011

(source: 'Emerging Waste Recovery Infrastructure' SLR Consulting for IWMA, November 2011)

Operational Biological Treatment Facilities in Ireland									
No.	Facility	Operator	Regulated by	Capacity t/a	Reported Feedstock			Technology	Comment
					Green Waste	Brown Bin	MBT Materials		
1	Aran (Inis Mor), Timpeallacht n'Oilean	Timpeallacht Na Oileann	LA Permit	500	Yes	Yes	0	In-vessel Biosal Unit	
2	Bandon, Cork County Council	Cork Co. Council	Cert of Reg	900	Yes	0	0	Open Windrow	
3	Bord Na Mona, Athy, Co. Kildare	Bord Na Mona	EPA Licence	96,000	Yes	0	0	Open Windrow	50Kt/a in 2004 rising to 96Kt/a by 2009
4	Carrowbrowne, Galway City Council	Galway City Council	EPA Licence	9,500	Yes	Yes	0	Concrete Tunnels and ASPs	Upgraded in 2007 from ASPs
5	Cork City Council, Kinsale Road	Cork City Council	EPA Licence	6,000	Yes	0	0	Open Windrow	Operated by CTO Environmental Solutions
6	CTO Env. Solution, Middleton, Cork	CTO Env. Solutions	LA Permit	6,000	Yes	0	0	Open Windrow	Capacity due to increase to 15,000 t/a with ABP approval
7	Enrich, Kilcock, Co. Meath	Enrich Environmental Ltd.	LA Permit	20,000	Yes	Yes	Yes	Open Windrow & IVC	
8	Enviro Grind Ltd., Donegal	Enviro Grind Ltd.	LA Permit	10,000	Yes	Yes	Yes	Membrane covered ASPs	
9	GreenKing, Wicklow	GreenKing Composting	EPA Licence	40,000	Yes	0	0	Open Windrow	
10	Inagh, Clare County Council	Clare County Council	EPA Licence	2,000	Yes	Yes	0	In Vessel	
11	Johnstown Recycling, Mullingar	Johnstown Recycling	LA Permit	2,000	Yes	Yes	0	In Vessel	
12	Marine Harvest, Donegal	Marine Harvest	LA Permit	900	Yes	Yes	0	In Vessel	Fish waste plus paper and card.
13	Mungret, Limerick County Council	Limerick County Council	Cert. of Reg.	5,000	Yes	0	0	Open Windrow	
14	O'Toole Composting, Carlow	O'Toole Composting Ltd.	LA Permit	15,000	Yes	Yes	Yes	Concrete Tunnels (Gicom)	
15	Pat Cleary, Monasterevin, Kildare	Pat Cleary & Sons	LA Permit	1,000	Yes	0	0	Open Windrow	Capacity estimated
16	Sligo County Council, Ballisodare	Sligo County Council	Cert. of Reg.	2,000	Yes	0	0	Open Windrow	In conjunction with Ballisodare Community Council.
17	Terralift Ireland, Monaghan	Terralift Ireland Ltd.	LA Permit	9,000	Yes	Yes	Yes	IVC plus prototype aerobic thermophilic digester system	
18	Thorntons, Kilmainhamwood, Meath	Thorntons Recycling	EPA Licence	20,800	Yes	Yes	Yes	Aerated Bays in Large Building	Operating at full capacity. Due to increase to 40Kt/a.
19	V and W Recycling, Dundalk	V & W Recycling	LA Permit	1,000	Yes	0	0	Windrow	
20	Waddock Composting, Carlow	Waddock Composting	LA Permit	5,000	Yes	Yes	Yes	Aerated tunnels with tarpaulin cover	Celtic Composting Design
21	Green Road, Kilbarry, Waterford City Council	Waterford City Council	EPA Licence	10,000	Yes	Yes	0	Aerated steel containers & ASPs	Operated by Veolia. Currently closed due to upgrade to concrete tunnels. Available if needed.
22	Waterford County Council, Dungarvan	Waterford County Council	EPA Licence	1,000	Yes	0	0	Windrow	
23	Panda, Slane, Co. Meath	Panda	EPA Licence	20,000	Yes	Yes	Yes	Wright System Steel Tunnels	Has planning permission for 40Kt/a AD facility.
24	CTO Greenclean, Milltown, Cashel	CTO Greenclean	LA Permit	10,000	Yes	Yes	Yes	Aerated Bays in Building	Applied for Licence
25	McGill, Castletownroche, Cork	McGill Environmental Systems	LA Permit	10,000	Yes	0	0	Aerated Bays in Large Building	
26	Cremin Farm Compost, Co. Limerick	Cremins	LA Permit	5,000	Yes	Yes	Yes	In-vessel	
27	OD Recycling, Clonmel, Tipperary	OD Recycling & McGill	LA Permit	10,000	Yes	0	0	Aerated Bays in Large Building	
28	McGill, Cappoquin, Co. Waterford	McGill Environmental Systems	LA Permit	12,000	Yes	0	0	Aerated Bays in Large Building	
29	Acorn Recycling, Littleton, Tipperary	Acorn Recycling (Arlo Group)	EPA Licence	45,000	Yes	Yes	Yes	Aerated Bays in Large Building	
30	Barna Waste, Carrowbrowne, Galway	Barna Waste & Recycling	EPA Licence	20,000	Yes	Yes	Yes	Aerated Bays in Large Building	
31	McGill, Glenville, Co. Cork	McGill Environmental Systems	EPA Licence	20,800	Yes	Yes	Yes	Aerated Bays in Large Building	Greenstar MSW Fines
32	P. Mooney, Maynooth, Kildare	Paul & Bronwyn Mooney	LA Permit	2,000	Yes	0	0	Windrow	estimated tonnage
				418,400	418,400	225,500	200,600		
					(max)	(max)	(max)	(using full capacity of each facility)	

Attachment 2

Brown Bin Roll-Out in Ireland 2006 to 2014

Brown Bin Roll-Out in Ireland 2006 to 2014

