



**Environmental Protection Agency submission  
to the Department of the Environment,  
Community & Local Government following  
public invitation for submissions on the  
national review of the Producer  
Responsibility Initiatives**

October 2012

## EPA submission on the Producer Responsibility Initiative Review

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## Producer Responsibility Systems Design

Producer Responsibility Initiative (PRI) schemes are multi-stakeholder systems with complimentary roles for registration bodies, compliance schemes, waste collectors, waste processors, brokers and regulatory authorities and have operated most effectively where all parties are clear about their roles and responsibilities and more importantly work collectively to achieve the objective of the PRI. The EPA consider that stakeholder monitoring groups akin to the existing ones in place in the Waste Electrical and Electronic Equipment (WEEE) and waste batteries regime would be appropriate for all PRIs to provide a mechanism for stakeholder engagement and discussion on any issues arising.

The EPA recognises that existing PRIs have achieved significant benefit for waste management in Ireland especially with respect to packaging waste, farm plastics, waste electrical and electronic equipment and waste batteries ( see appendix). This has taken place in the context of a limited number of schemes and this success should not be lost by the creation of a mechanism which unduly increases the number of schemes without a logical reason to do so. The EPA does not see a need for a large number of competing compliance schemes as being warranted in the geographical context of a small island nation. The EPA does however see that limited competition within a PRI can drive efficiency and effectiveness in scheme operations. Given the relative complexity and variety of potential PRIs, the EPA suggests that a tailored approach be developed on the basis of the product/waste in question.

The EPA considers that there is merit in having compliance schemes that can provide services to Producers across a variety of PRI obligations, not least in reducing the administrative costs of scheme membership and providing efficiencies in logistical aspects of their operations. Irrespective of the scope of any scheme, where additional PRIs are put in place a robust mechanism to require innovative cooperative actions to prevent additional cost from competition for PRI waste within the market is needed.

In the Waste Management licensing regime the possession of significant previous offences may preclude an applicant from successfully applying for a waste licence. The approvals system operated by the Department should similarly ensure that only fit and proper legal persons are approved. Furthermore, Schemes should ensure in entering into arrangements with waste management companies that they undertake an assessment that the company is a fit and proper person and should consider what actions are merited in the case of future compliance issues with their contracted companies and ensure that this is encompassed within their contractual agreements with them.

The EPA recognises that with the development of remote product sales direct to the end user via the internet have created significant difficulties for enforcement within the WEEE and batteries PRIs. Notwithstanding this difficulty provisions should be included in all PRI schemes to provide for national representatives for distance sellers to meet the compliance obligations of that producer irrespective of their base of operations.

The EPA notes the success of the not-for-profit WEEE Register Society as a registration body for producers under the WEEE and batteries PRI schemes. The scope and function

of such a body could be expanded to provide the same registration function to other producers obligated under other PRI mechanisms thereby reducing the potential for increasing administrative costs. This would be sensible in the case of Producers with multiple obligations under a variety of PRI regulations having a single register body with whom they are required to interact. The WEEE Register Society provides the initial point of contact for producers and as such has a significant role in ensuring that all obligated parties are aware of their legal obligations. This has provided significant benefit for the WEEE and batteries systems and could be replicated for the packaging, tyres and other schemes already in existence. It also has the added benefit to producers of providing a confidential reporting system with respect to the placement of product on the Irish Market.

Having no *de minimis* has been effective for WEEE and battery PRIs as there is then no time lost in determining whether an entity is obligated or not from this perspective thereby making enforcement less onerous on regulatory authorities. On the other hand, determining if someone is obligated from the perspective of determining whether their products are within the scope of the PRI can be problematic (e.g. EEE). It may be helpful if the function and responsibility for determining scope of products covered by the PRI was clearly defined in legislation.

The Plastic Bag levy has been a remarkably successful form of Producer Responsibility initiative, through taking a different approach involving taxation. This structure could be used successfully for other materials to improve recovery. Deposit return levies on household batteries would without doubt yield considerably higher return rates. The commercial food waste regulations and the planned household food waste regulations are another form of producer responsibility that yields environmental gains. In this context, the EPA considers that a complex PRI structure scheme is not necessarily the only way to achieve producer responsibility. Different approaches through taxation, levies, and limits have been taken and can further still be taken for specific streams or activities that yield more sustainable waste management behaviours. The EPA urges consideration of this wider pallet of options and opportunities when developing new or revising existing PRIs.

## Self-Compliance

Self-compliance mechanisms are a facet of a number of existing PRI schemes notably packaging, WEEE and batteries. In each case a number of commercial operators have decided to avail of self-compliance as it can constitute the least cost option for them or where there is no compliance scheme available to them. A self-complying Producer can be in competition with compliance schemes for waste to meet its obligations to fund the recovery of waste. Competition of this sort is likely to increase the cost of meeting compliance as this competition will increase the cost of the waste and is contrary to the intention of the PRI which is to achieve least cost environmentally correct management of the waste in question. A self-compliance mechanism is required where there is a single compliance scheme within a PRI; where there is more than one compliance scheme

providing Producers with a choice there is less need for a self-compliance option. In the latter situation any obligation that would require Producers to join a compliance scheme should be considered. However, it is recognised that in certain circumstances self-compliance presents the best environmental management option where reuse, recovery and eco-design are intrinsic to the Producer's business model.

Currently there is no compliance scheme mechanism for business to business (B2B) producers under the WEEE scheme and these B2B organisations are required to meet their requirements via self-compliance. Compliance schemes should be required to offer services to all obligated producers within their PRI.

The EPA notes that effectiveness of self-compliance is difficult to assess in the context of environmental benefit. In cases where business has traditionally managed its own materials through reuse of components and refurbishment the WEEE regulations have made limited difference, apart from improving reporting of the quantities involved. Self-complying EEE producers often place products on the market that are long-life and this creates the potential that the Producer may no longer be operating when the product arises as WEEE. In this situation there is no mechanism to require financing for the management of such material. Consideration should be given to the creation of a Producer Recycling Fund for such business-to-business orphan WEEE otherwise the end user will end up footing this cost. Similarly this approach could be used in other future PRIs.

Although WEEE self-complying producers are aware of their obligation to manage their products at end of life, they very often accept nothing back. The WEEE re-cast transposition may require Producers to collect a percentage of WEEE relating to EEE placed on the market. This will impact on B2B Producers who historically have not sought back WEEE from end users. It appears that unless it's in their interest to take material back, then they may not do much about inviting it back from their customers. This is a lost opportunity for good management as the B2B producers very often interact directly with the end users, their customers. It is suggested that B2B producers should be obligated to advertise take-back facilities open to end users (similar to B2C requirements).

## **Enforcement**

The EPA recognises that a robust compliance enforcement mechanism is required where producers do not meet their statutory obligations and that this will be an on-going function on public authorities. Where PRIs relate to currently positive value wastes, scheme costs should be minimised to allow only for the development of adequate reserves to deal with reasonable fluctuations in commodity prices to ensure that there is no disincentive for Producers to become members. Notwithstanding the need for direct

enforcement, the design of the PRI systems should predicate, in so far as possible, compliance by all obligated commercial operators. Regulatory systems should facilitate the norm for any party obligated under a PRI to become compliant. While public regulatory authorities can undertake direct enforcement, member producers should also undertake actions to ensure via their own procurement processes that they do not purchase products covered by PRIs from non-compliant operators and that appropriate arrangements are in place to take back waste at end of useful life. The EPA notes that the Green Public Procurement Action plan would support such action. One of the functions of compliance schemes should be to advise their members of actions that they can take to promote compliance via procurement across all PRIs thereby incentivising compliance across a wide population of Producers. Where possible, compliance with PRI legislations should become a facet of all procurement processes in the private and public sectors.

To date enforcement functions have been distributed between the EPA and local authorities. In the context of existing PRIs, this has worked well with high levels of compliance being evidenced by the high numbers of participating producers in the WEEE, batteries and packaging PRI schemes. The EPA considers that there is need to continue to have a local authority enforcement function for PRI schemes given the nationwide distribution of obligated Producers, many of whom are SMEs, but that some economies of scale could be achieved by concentrating the enforcement function nationally or regionally. In the context of the review of Regional waste management plans and the reduction in planning areas from 10 to 3, consideration should be given to similarly concentrating enforcement activity on a regional basis. The creation of national lead authorities for waste collection permitting and waste movement tracking provides an alternative model for the creation of a national enforcement authority for producer responsibility operated by a lead local authority. Such a model would provide for clear consistent approach to enforcement that would reduce some of the consistency issues around many authorities providing this service. The EPA notes that National Waste Policy provides for the creation of a dedicated unit for dealing with serious waste crime.

It is recognised that where producers do not comply in a timely fashion with their obligations under a PRI that the costs of compliance thereafter increase over time including costs of back reporting, registration costs and payments to compliance schemes. This increasing disincentive for Producers to comply places an enforcement burden on regulatory authorities both in relation to evidence collection and complexity of enforcement action required. While it is recognised that robust action is needed at the commencement of a new scheme where a Producer is identified after a number of years of entry into force of a PRI consideration should be given to providing a flexible mechanism for them to fulfil their historic obligation so as not to provide such a strong disincentive to compliance.

The EPA notes that the review project will consider international best practice in relation to the enforcement of PRI initiatives and looks forward to considering the findings of the report which will inform future actions by regulatory authorities within Ireland.

## Data and informational requirements

The National Waste Report continues to provide high quality independent information to inform national policy and action. These reports are predicated on the data and information from a wide variety of organisations operating within the waste industry. Data from compliance schemes is an important input to these reports and a general requirement on all compliance schemes and waste management operations contracted to them should be an obligation to provide to the regulatory authorities all relevant information in relation to the collection and management of PRI wastes in a timely fashion. This obligation should include an explicit obligation to provide to the EPA information on collection and management of PRI waste for the National Waste Report and reports required under EU legislation. Where issues arise as regards the quality or timeliness of responses to data requests from the EPA (or other regulatory authorities) some mechanism should be included in the approvals system operated by the DOECLG to require the scheme in question to comply. These obligations should also be copper-fastened in any legislation to give effect to a PRI scheme.

The success of PRI schemes requires verification via the development of meaningful and accurate waste statistics. The development of these statistics is costly. The recently created WEEE recast includes targets based on WEEE arisings and this may require additional waste compositional analysis of residual wastes to determine the extent to which WEEE wastes are forming part of this stream. Waste compositional analysis needs to be reviewed on an ongoing basis as waste management practices change within the State and/or new treatment technologies come on stream (e.g. incineration with energy recovery, anaerobic digestion), or as a consequence of changes to existing PRIs or new PRIs. There is significant cost in undertaking such studies and this needs to be considered within the funding model developed for PRIs in the future.

While reuse needs to be promoted there is need for some metrics to inform how much is taking place. The development and on-going data collection and analysis with respect to reuse implementation will similarly require additional resourcing.

The EPA considers that any review of PRI schemes and PRI legislation should examine the requirements for record keeping, reporting content and reporting frequency, to see if this can be rationalised and matched with reporting needs under Commission Decisions and other Eurostat or EEA reporting requirements. Reported data is only useful if it is validated by the regulator. Therefore any future legislation should ensure that record keeping and reporting requirements are pragmatic, fit for purpose, don't overlap with existing waste reporting requirements under other legislation, and that there are sufficient resources within the regulatory authority to effectively enforce such reporting.

Any opportunities for data sharing between regulators and compliance schemes to reduce the reporting burden for producers and their treatment operators should be availed of. Where the EPA (or other regulators) develop an e-reporting system, compliance schemes should contribute to the development process and seek to share data from such systems rather than separately polling for waste data, where this is feasible. Similarly, if a compliance scheme develops an e-reporting system, they should consult with the

regulators on its development and allow for maximum data sharing in order to reduce administrative burden of multiple reporting on producer members and waste treatment operators.

## **Cost internalisation and minimisation**

In the context of the Polluter Pays Principle, consideration should be given to internalise public services costs associated with PRI schemes. Areas where these costs should be internalised include:

1. Full costs of provision of collection infrastructure and operating costs at publicly operated civic amenity sites;
2. Funding of public research into the generation, collection and treatment of PRI wastes;
3. Funding for on-going collection of waste statistics and waste compositional research relating to PRI wastes;
4. Funding for provision of enforcement functions by public authorities including resources to investigate illegal waste activities relating to PRI wastes and provision of the national environmental complaints line;
5. Funding for policing activities by An Garda Síochána including crime prevention activities relating to PRI waste collection and investigations of theft of valuable PRI wastes (i.e. WEEE);
6. Funding of awareness raising activities via local authorities;
7. Funding for local reuse projects developed in association with public authorities; and,
8. Funding to provide for clean-up of illegally dumped PRI wastes.

There is need to continue to ensure the independence of the regulatory authorities and a mechanism to make funding available to authorities via central government would be needed. Possible vehicles for this would be via annual charges for approvals to operate compliance schemes or via levies to the Environment Fund which currently provides much of the funding for the listed activities.

The National Hazardous Waste Management Plan recommends consideration of a variety of other PRIs (see next section) and it should be noted that where these are put in place additional independent evaluation of target achievement will be required. Costs associated with such evaluations will need to be funded from the producer base for that PRI.

## **Additional PRI schemes that require consideration**

The National Hazardous Waste Management Plan 2008-2012 (NHWMP) recommended that PRI should be progressed for a variety of hazardous products to provide for their management when they arise as wastes. The EPA reiterates that there is need to progress PRI initiatives for these wastes to improve hazardous waste collection rates and management.

In the NHWMP, the EPA set out a number of hazardous waste streams that should be considered for new PRI schemes namely:

- Human medicines;
- Farm chemical containers;
- Plant protection products and animal remedies ;
- Waste oils and oil filters;
- Paints and paint containers;
- Pesticides and herbicides; and
- Ink and ink containers.

A number of these wastes are amenable to collection via retailers similar to the existing systems for batteries and WEEE take back including out of date and unused medicines and paints and paint containers. Waste oils/filters and animal and plant protection product wastes could be co-collected with farm plastics, tyres and farm batteries which would provide a more cost effective mechanism for collection of these wastes. An obligation to provide for co collection would need to be considered in the development of conditions within approvals for PRI compliance schemes.

It should be noted that farming enterprises and garages are key sources of a variety of wastes that could be subject to a PRI scheme. In developing new PRIs and amending existing ones, consideration should be given to these sectors as important stakeholders.

The EPA notes that the Programme for Government contains consideration of a PRI scheme for C&D wastes over a certain threshold and includes the use of compliance bonds. This waste stream may no longer be as high a priority as previously with the significant reduction in C&D waste arising. However, consideration should be given to looking at some action in relation to large scale infrastructure projects. The rate of recovery of construction derived waste materials is very high (98%+). Moreover, the vast majority of the waste generated is mineral in nature (soil & stone). This is very expensive to excavate and move, there is no incentive to produce it in the first place. But excavation is often necessary on account of poor ground or planning restrictions that require less visual intrusion. National infrastructural developments are the main generator of this stream. We are not convinced that a PRI for this stream is necessary or appropriate. There is ample authority in the Planning Legislation (via Section 22(10D) of the Waste Management Acts) to address this material (segregation, etc.,) and to incorporate developer responsibility into exiting planning bond structures.

Other wastes where PRI may need to be considered are waste gaseous refrigerants including ozone depleting substances and fluorinated greenhouse gases, as well as news-print and chewing-gum.

## **Awareness, Compliance Promotion and Enforcement**

Significant effort and resource has been expended by the compliance schemes and public bodies to inform the public of their rights in relation to take back provisions of legislation. The EPA considers that additional work to ensure that commercial companies are similarly advised of their access to take back provisions where they exist is needed.

While this work continues to be undertaken, no formal independent evaluation has been undertaken of the efficacy of awareness raising activities and the EPA recommends that the PRI review should consider how effective these measures have been to date and suggest how awareness measures could be strengthened. WEEE and batteries inspections undertaken by the EPA at retailer premises in 2010 indicated that over time awareness of their obligations has reduced significantly (e.g. small household EEE). It is important to provide for on-going evaluation of the awareness raising activities and their effectiveness in order to ensure adequately targeted expenditure on such activities continues as long as is needed. Such evaluation should be based not on a scheme specific basis but rather as regards the key messages that end users should be aware such as take back.

The EPA considers that producer responsibility schemes should provide for awareness raising to effectively promote resource efficient behaviours with respect to PRIs including promotion of energy efficient products with lower total lifecycle costs.

With respect to the continuation of visible environmental management costs (vEMCs), the EPA has found from its inspection activities that they do give rise to increased awareness of the availability of take back provisions. Consumers are more aware of entitlement to take back once a cost is displayed and retailers are more aware of their take back obligations. Consequently the EPA recommends that vEMCs would continue to be required where products subject to a PRI are made available.

The EPA sees value in developing a single platform for the development and dissemination of PRI awareness messages and promotion of responsible management of PRI wastes. This platform should encompass and cooperate with existing waste prevention vehicles including the national waste prevention programme, Community reuse networks, local authority waste prevention and environmental awareness officers networks. With increasing value of metal waste many charities and local groups have sought to seek funds for their organisations via metal collection events. Good community involvement can be promoted in assisting compliance schemes to meet national targets.

The EPA considers that there is merit in developing a single branding for all PRIs so as to increase public awareness of PRI schemes and build brand value.

## Prevention

The pinnacle of the waste hierarchy is prevention and future development of PRIs should place significant emphasis on promotion of prevention in the design and operation of all schemes. Compliance schemes should incentivise their members to place products on the market that are easy to recycle and that do not need to be recycled for a long time (i.e long life products). Schemes should consider the eco-design of products in developing their charging scheme for members with benefits for those placing very energy efficient or long-life products on the market. Compliance schemes should also promote systems where companies have contracts for items to be returned to them for end of life where effective recycling then takes place. These actions would encourage better product designs. The Packaging Waste Prevention programme operated by REPAK is an excellent example of what can be achieved.

Prevention and resource efficiency must also be encompassed in scheme operations/logistics. All parties and compliance schemes in particular should seek to minimise the expenditure of resources to effect collection and processing of PRI wastes. In this context high degrees of cooperation will be required between all schemes and this should be predicated by any Approvals granted.

## Reuse

National waste policy highlights that the areas of reuse and opportunities for preparation for reuse will be encouraged and promoted through the producer responsibility initiative compliance schemes as well as by other players. National Waste policy further highlights that this should build on existing examples of reuse websites such as SMILE and Freetrade Ireland, which facilitate the reuse of unwanted goods between businesses and between members of the public. In the context of the Polluter Pays Policy, consideration should be given as part of this review to how Producer Responsibility Compliance Schemes should work to fund such reuse networks.

Reuse is a business norm in the catering sector where equipment is often refurbished and reused. Where possible, components are reused where the whole appliance is not suitable for reuse. The EPA considers that there is merit in developing reuse initiatives within the B2B sector initially due to the relative maturity of this practice in that sector. However the EPA notes that business to consumer action is also required. In this context support for existing community based reuse schemes should be provided by compliance schemes. Considering the delicate nature of many electrical and electronic products and their sensitivity to moisture, it is generally accepted that the opportunity for reuse is very limited once an item arrives at a civic amenity site or retailer. Therefore, in order to drive reuse of consumer products, alternative channels would be required, perhaps by creating direct partnerships between the source of the reusable products and the demand side.

The EPA would welcome the development of a reuse policy for electrical and electronic equipment and more specifically a public sector reuse policy<sup>1</sup>. The EPA considers that significant cost savings can be achieved for the public service by sensible reuse. This reuse policy should suggest an indicator of the environmental impact of reuse so as not to incentivise the reuse of energy inefficient products.

## Collection

National waste policy suggests that collection mechanisms should be integrated where possible via cooperation between compliance schemes, regulatory authorities and producers to provide a least cost model. The EPA considers that this a logical requirement and in this context of PRI wastes recommends that where possible PRI wastes should be co-collected via publicly and privately operated civic amenity sites and collection days run by compliance schemes. Significant economic and environmental benefits are possible from the co-collection of wastes via collection days. In addition where there are designated collection points there is potential for cooperation in collections from specific geographical locations that schemes could leverage to improve the efficiency of transportation of waste.

The EPA notes that National Waste policy indicates that the collection permitting system will be strengthened further so that 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. In this context consideration will need to be made of how to incentivise privately operated civic amenity sites to collect PRI wastes on behalf of compliance schemes.

While the batteries and WEEE compliance schemes have achieved significant improvements in the collection and management of their PRI wastes, further action is required to meet current and future EU targets. The EPA recommends that a feasibility study should be undertaken to see if increased collection rates of small WEEE and batteries can be achieved via kerbside collection.

## Treatment

The EPA considers that where possible and economically viable PRI wastes should be managed in Ireland. To that end the PRI schemes may be required to support national infrastructure, job creation, and added value processing, where possible, rather than exporting the resource.

## Legislative amendments

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<sup>1</sup> In line with Section 7.2 of “A Resource Opportunity-Waste Management Policy in Ireland”, DoECLG, 2012

Where PRIs emerge as a consequence of EU legislation they are implemented under the European Communities Act whereas nationally developed PRIs tend to be developed under the auspices of the Waste Management Act. From a regulatory perspective this has given rise to a range of authorisations for enforcement inspectors and creation of specific offences under each set of regulations and associated penalties. This review of Producer Responsibility schemes provides a significant opportunity to consolidate regulatory authority articles of existing regulations. In this context, the development of a single set of powers for authorised persons, dealing with all PRI systems would reduce the burden on regulatory authorities to maintain multiple and differentiated authorisations for enforcement personnel. Similarly consolidation of registration, offences and penalties and reporting obligations could be provided for all PRI schemes.

## **Comments on certain existing PRIs**

### **WEEE & Batteries**

The EPA notes that WEEE leakage has been raised as a significant issue in relation to this PRI system. In this context, the EPA understands leakage to include the management of WEEE outside the compliance scheme control. National waste statistics indicate that high value WEEE is increasingly being collected by permitted waste collectors, other than those operating on behalf of a compliance scheme. Many collectors are permitted for the collection of WEEE. National Waste policy indicates that the collection permitting system will be strengthened further so that 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. As there is need to ensure that all WEEE is appropriately identified and managed in accordance with the requirements of the WEEE regulations and directive further cooperation between facility permit holders who deal with metal, upstream metal recycling companies and WEEE compliance schemes is required to ensure the proper management of the WEEE and the correct reporting on its management. Waste facility permits that allow an operator to accept WEEE must ensure compliance with the storage and treatment obligations for WEEE and the appropriate tracking and reporting on its management to ensure that national waste statistics relating to WEEE are accurate. Where there are issues with such tracking/reporting waste permitting authorities should enforce the permits to ensure compliance.

The Department of Communications, Energy and Natural Resources has been designated as the Market Surveillance Authority for eco-design and energy labelling in Ireland. In effect, this means they are responsible for the inspection of household electrical appliances and other electrical goods throughout Ireland, under both the Eco-design (2009/125/EC) and Energy Labelling (2010/30/EC) Directives. While these directives do not relate to the waste phase of EEE products there is need to consider in the context of better regulation how inspection and enforcement work under these directives can be efficiently aligned with distributor obligation enforcement by local authorities.

Some additional consideration is required of certain single use products to increase recovery rates including small batteries and single use EEE (e.g. electric cigarettes). In such cases a deposit and refund scheme or discounting on sales where takeback occurs should be considered.

## ELVs

Ireland is failing to meet the current targets under the End of Life Vehicle (ELV) Directive. The voluntary PRI scheme in place is not working. In this context the EPA recommends that a structured PRI scheme with a legal obligation on all producers to participate in a compliance scheme needs to be put in place. Clear reporting requirements and mechanisms across the ELV recovery chain, from Authorised Treatment Facilities to shredders are needed. Clarity is required as to the overall objective of the scheme and the roles of all stakeholders.

## Tyres

The EPA considers that significant strengthening of the national tyre PRI is required. The EPA recommends that the tyre PRI scheme should be underpinned by legislation placing obligations on tyre producers/compliance schemes to register with a registration body and finance the take back and management of waste tyres in a manner similar to the obligations that exist in the WEEE and batteries regimes. Most importantly, levies on new product should only be disbursed where appropriate treatment of waste tyres is taking place and can be demonstrated to have taken place. There is also the potential that some tyre Producers could also be obligated should new PRI be commenced for waste oils and oil filters and consideration should be given to encompassing these wastes within an automotive PRI scheme.

END

## Appendix:

### Progress towards EU waste recycling, recovery and diversion targets

Directive	Title	Article	Targets		Current progress to target in Ireland (2010)	Indicator
			Target date	Specifics		
94/62/EC as amended	Packaging Directive	6(1)	31-12-2011	60% as a minimum by weight of packaging waste will be recovered or incinerated at waste incineration plants with energy recovery.	74%	Achieved
				55% as a minimum by weight of packaging waste will be recycled.	66%	Achieved
				No later than 31 <sup>st</sup> December 2011 the following minimum recycling targets for materials contained in packaging waste will be attained:		
				(i) 60% by weight for glass;	78%	Achieved
				(ii) 60% by weight for paper and board;	84%	Achieved
				(iii) 50% by weight for metals;	63%	Achieved
	WEEE Directive	5(5)	(31-12-2006) 31-12-2008 <sup>2</sup>	(iv) 22.5% by weight for plastics, counting exclusively material that is recycled back into plastics;	39%	Achieved
				(v) 15% by weight for wood.	83%	Achieved
				Separate collection of > 4kg of WEEE from private households per person per year.	8 kg	Achieved
				For large household appliances and automatic dispensers:-	83%	Achieved
				— recovery shall be increased to a minimum of 80% by an average weight per appliance; and	80%	
		7(2)		— component, material and substance reuse and recycling shall be increased to a minimum of 75% by an average weight per appliance.		

<sup>2</sup> Ireland secured a two-year derogation.

Directive	Title	Article	Targets		Current progress to target in Ireland (2010)	Indicator
			Target date	Specifics		
				For IT, telecommunications and consumer equipment:- – the rate of recovery shall be increased to a minimum of 75% by an average weight per appliance; and – component, material and substance reuse and recycling shall be increased to a minimum of 65% by an average weight per appliance.	85% 83%	Achieved
				For small household appliances, lighting equipment, electrical & electronic tools, toys, leisure and sports equipment, monitoring and control instruments:- – the rate of recovery shall be increased to a minimum of 70% by an average weight per appliance; and – component, material and substance reuse and recycling shall be increased to a minimum of 50% by an average weight per appliance.	85% 83%	Achieved
				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.	91%	Achieved
2000/53/EC	End of Life Vehicles Directive	7(2)(a)	1-1-2006	Reuse and recovery to a minimum of 85% by average weight of vehicle and year.	78% <sup>3</sup>	Not achieved
				Reuse and recycling to a minimum of 80% by average weight of vehicle and year.	77% <sup>3</sup>	Not achieved
		7(2)(b)	1-1-2015	Reuse and recovery to a minimum of 95% by average weight of vehicle and year.	(78%) <sup>3</sup>	- Risk - Due January 2015
				Reuse and recycling to a minimum of 85% by average weight of vehicle and year.	(77%) <sup>3</sup>	- Risk - Due January 2015
2006/66/EC	Batteries Directive	10(2)	31-12-11	Minimum 25% collection rate for batteries & accumulators.	14%	On Track <sup>4</sup> Due December 2011
			26-9-2016	Minimum 45% collection rate for batteries & accumulators.	(14%)	- Risk - Due September 2016
		12(4)	26-9-2011	Recycling processes shall achieve the following minimum recycling efficiencies:		

<sup>3</sup> Based on preliminary 2010 data analysis. Up-to-date recycling and recovery information on depolluted ELV shells exported in 2010 was not available at the time of publication.

<sup>4</sup> DECLG confirm that Ireland is on track to meet the 2011 EU target, despite the relatively low collection rate for 2010.

Directive	Title	Article	Targets		Current progress to target in Ireland (2010)	Indicator
			Target date	Specifics		
				(a) recycling of 65 % by average weight of lead-acid batteries and accumulators, including recycling of the lead content to the highest degree that is technically feasible while avoiding excessive costs;	Full data due in NWR 2011	To be reported to Commission in June 2012
				(b) recycling of 75 % by average weight of nickel-cadmium batteries and accumulators, including recycling of the cadmium content to the highest degree that is technically feasible while avoiding excessive costs; and		To be reported to Commission in June 2012
				(c) recycling of 50 % by average weight of other waste batteries and accumulators.		To be reported to Commission in June 2012
1999/31/EC	Landfill Directive	5(2)	(16-7-2006) 16-7-2010 <sup>5</sup>	Biodegradable municipal waste going to landfills must be reduced to 75% of the total quantity (by weight) biodegradable municipal waste produced in 1995 (< 916,000 t)	860,000 t	Achieved
			(16-7-2009) 16-7-2013	Biodegradable municipal waste going to landfills must be reduced to 50% of the total quantity (by weight) biodegradable municipal waste produced in 1995 (< 610,000 t)	+ 250,000 t (estimate) <sup>6</sup>	- Risk - Due July 2013
			16-7-2016	Biodegradable municipal waste going to landfills must be reduced to 35% of the total quantity (by weight) biodegradable municipal waste produced in 1995 (427,000 t)	+ 433,000 t (estimate) <sup>6</sup>	- Risk - Due July 2016
2008/98/EC	Waste Framework Directive	11(2)(a)	12-12-2020	Preparing for reuse and recycling of 50% by weight of household derived paper, metal, plastic & glass ( <i>includes metal and plastic estimates from household WEEE</i> ).	53%	Achieved
		11(2)(b)	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)	98%	Achieved
		29	12-12-2013	Establishment of a National Waste Prevention Programme (NWPP)	NWPP established in 2004	Achieved

<sup>5</sup> Ireland secured a four-year derogation on first and second targets.

<sup>6</sup> Based on 2010 BMW to landfill, and assuming no increase in BMW to landfill (standstill).

## Progress towards national waste management targets

Issue	Target	Source	Current progress (2010)	Indicator
<b>Household waste</b>	50% diversion from landfill of managed household waste by end 2013	Waste Management: Changing Our Ways (DECLG, 1998)	41%	- Risk -
<b>Municipal waste</b>	Recycling 35% of municipal waste by end 2013		38% (excluding energy recovery)	Achieved
<b>Construction &amp; demolition waste</b>	Recycling 85% of C&D wastes by end 2013		98% (excluding energy recovery)	Achieved
<b>Biodegradable waste</b>	Recycling of municipal paper and card:	National Strategy on Biodegradable Waste (DECLG, 2006) (selected targets)		
	(i) 55% of that managed by end 2010		56%	Achieved
	(ii) 65% of that managed by end 2013		(56%)	On Track
	(iii) 67% of that managed by end 2016		(56%)	On Track
	Recovery of source separated municipal derived organic wastes (including home composting), as a proportion of biowaste content of MSW managed:			
	(i) 35% of that managed by end 2010		19%	Not achieved
	(ii) 43% of that managed by end 2013		(19%)	- Risk -
	(iii) 50% of that managed by end 2016		(19%)	- Risk -
<b>Batteries</b>	Achieve interim collection targets of waste portable batteries based on the quantity of portable batteries placed on the market in the State:	DECLG communication to EPA		
	(i) 15% by 26 <sup>th</sup> September 2010		14% <sup>7</sup>	Not achieved
	(ii) 30% by 26 <sup>th</sup> September 2014		(14%)	- Risk -

<sup>7</sup> Based on information provided by the battery compliance schemes (WEEE Ireland and ERP Ireland) and verified by DECLG.