

# Development of national criteria for construction-based materials

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# OVERVIEW



- Introduction and context
- Current situation
- Progress to date
- Strategic direction
- Next steps
- Benefits

# INTRODUCTION & CONTEXT

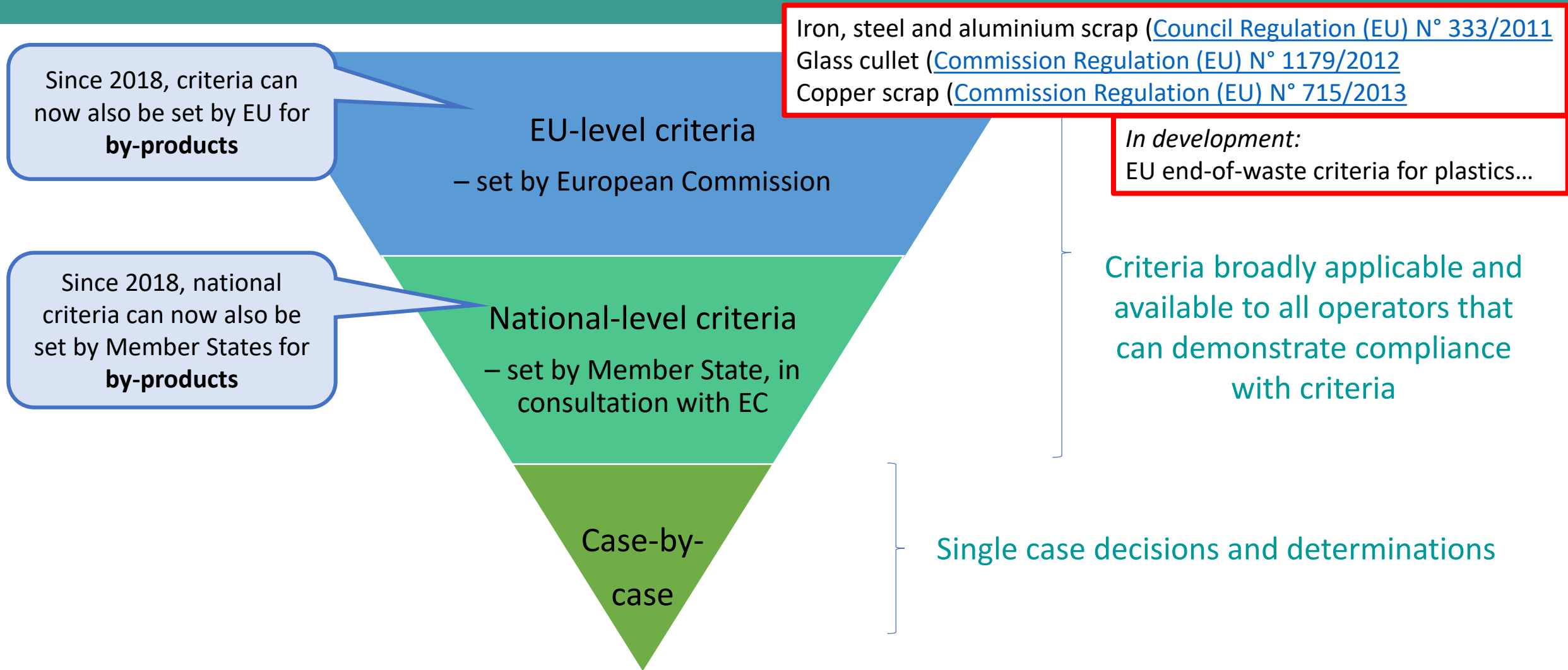


## By-product versus end-of-waste

- By-product → never a waste  
= waste prevention
- End-of-waste → classified as  
waste → waste treatment



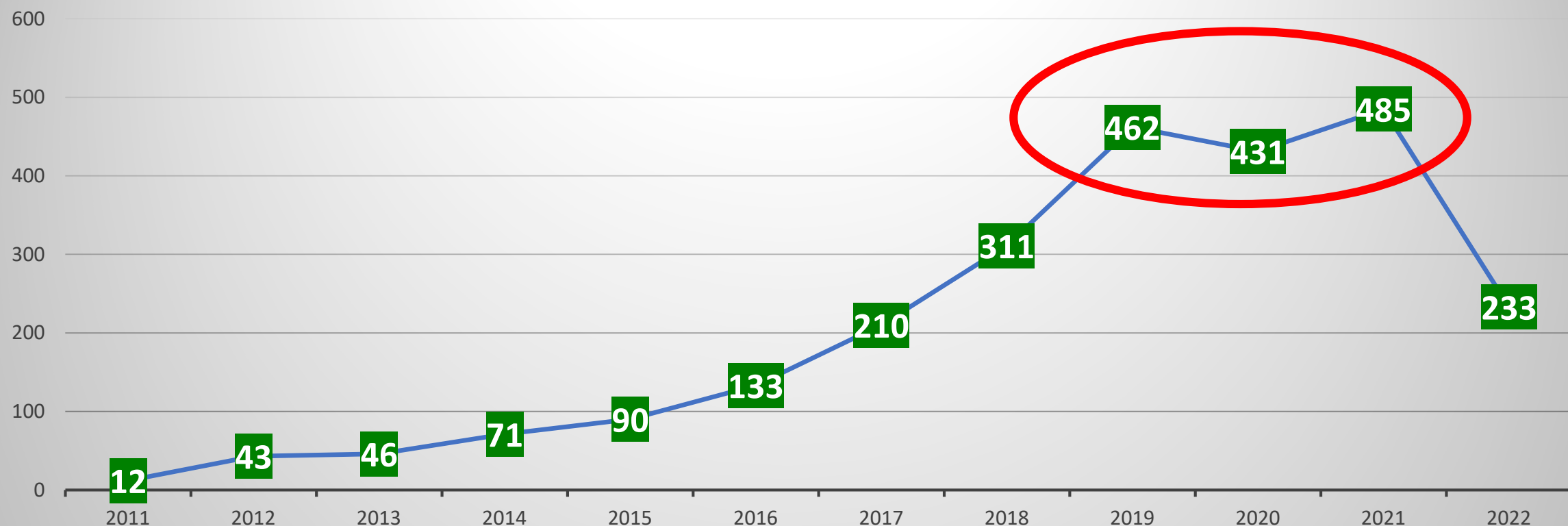
# 3 DECISION LEVELS



# CURRENT SITUATION – BY-PRODUCTS



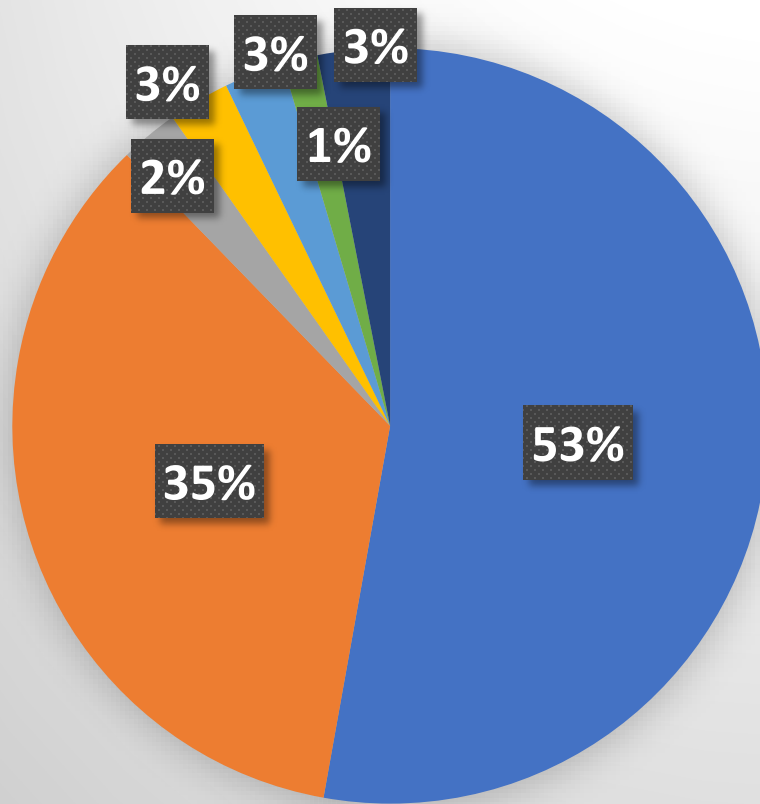
By-product notifications received 2011-2022 (to date)



# CURRENT SITUATION – BY-PRODUCTS



## Notifications on hand awaiting determination (by material)

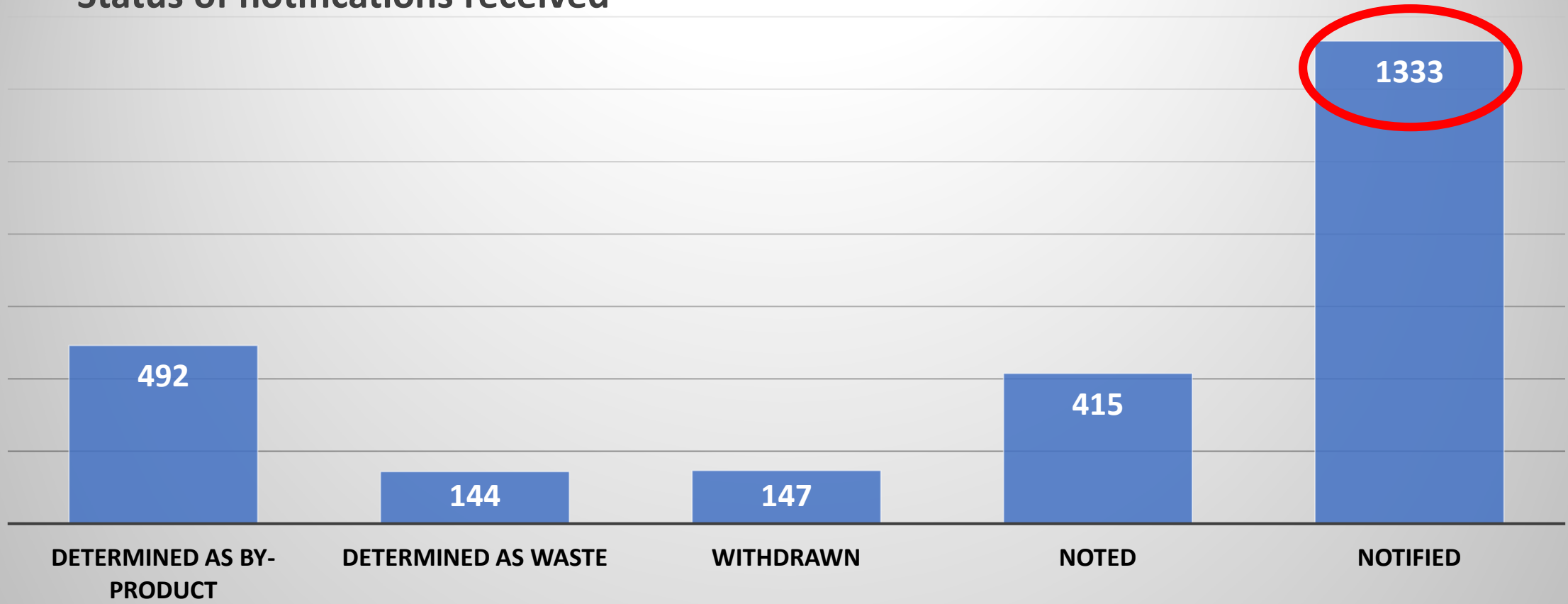


- Soil and stone
- Road planing/bituminous material
- Concrete and other demolition material
- Food and drink sector materials
- Sludges (WWTP/Industrial)
- Ash / Flue Dust
- Glass, Metal, Wood, Chemicals, Other

# PROGRESS TO DATE – BY-PRODUCTS

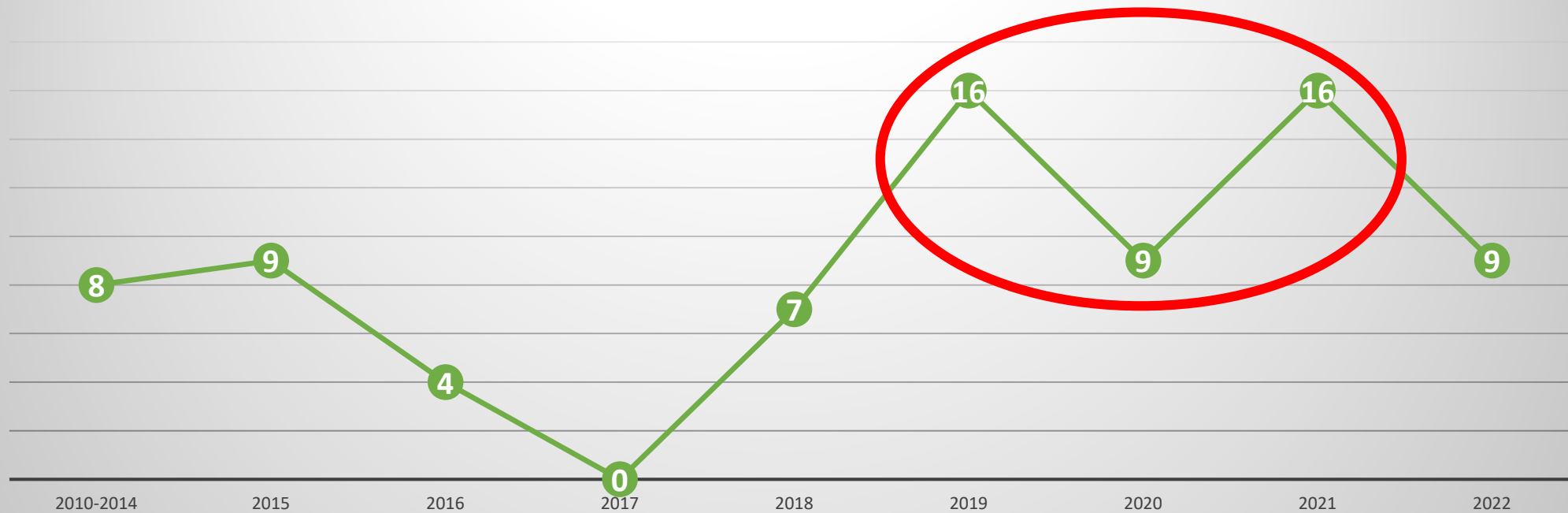


## Status of notifications received



# CURRENT SITUATION – END-OF-WASTE

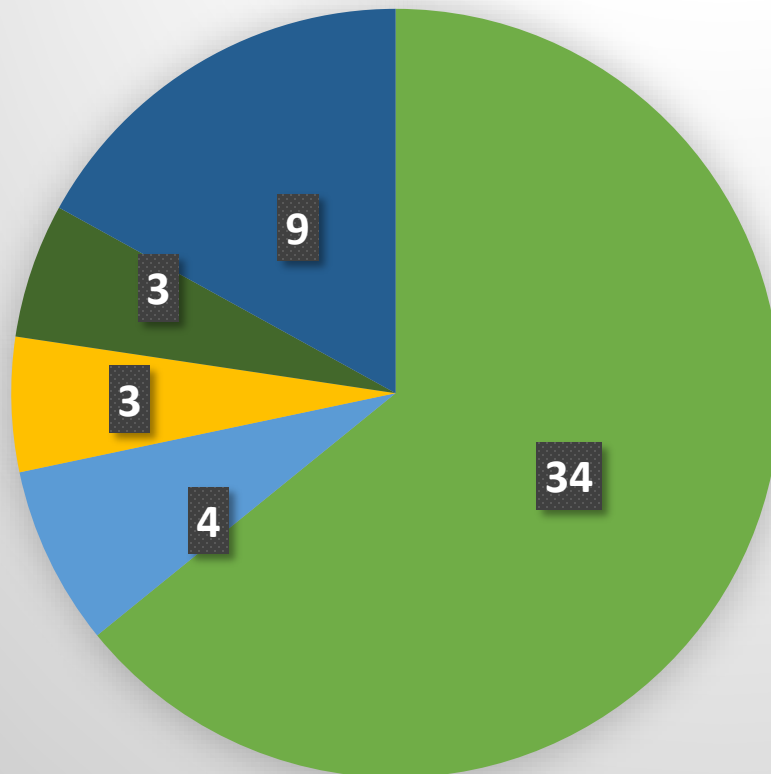
End-of-waste applications received 2010-2022 (to date)





# CURRENT SITUATION – END-OF-WASTE

EoW applications on hand awaiting decision (by material)



■ Recycled aggregates

■ Plastic

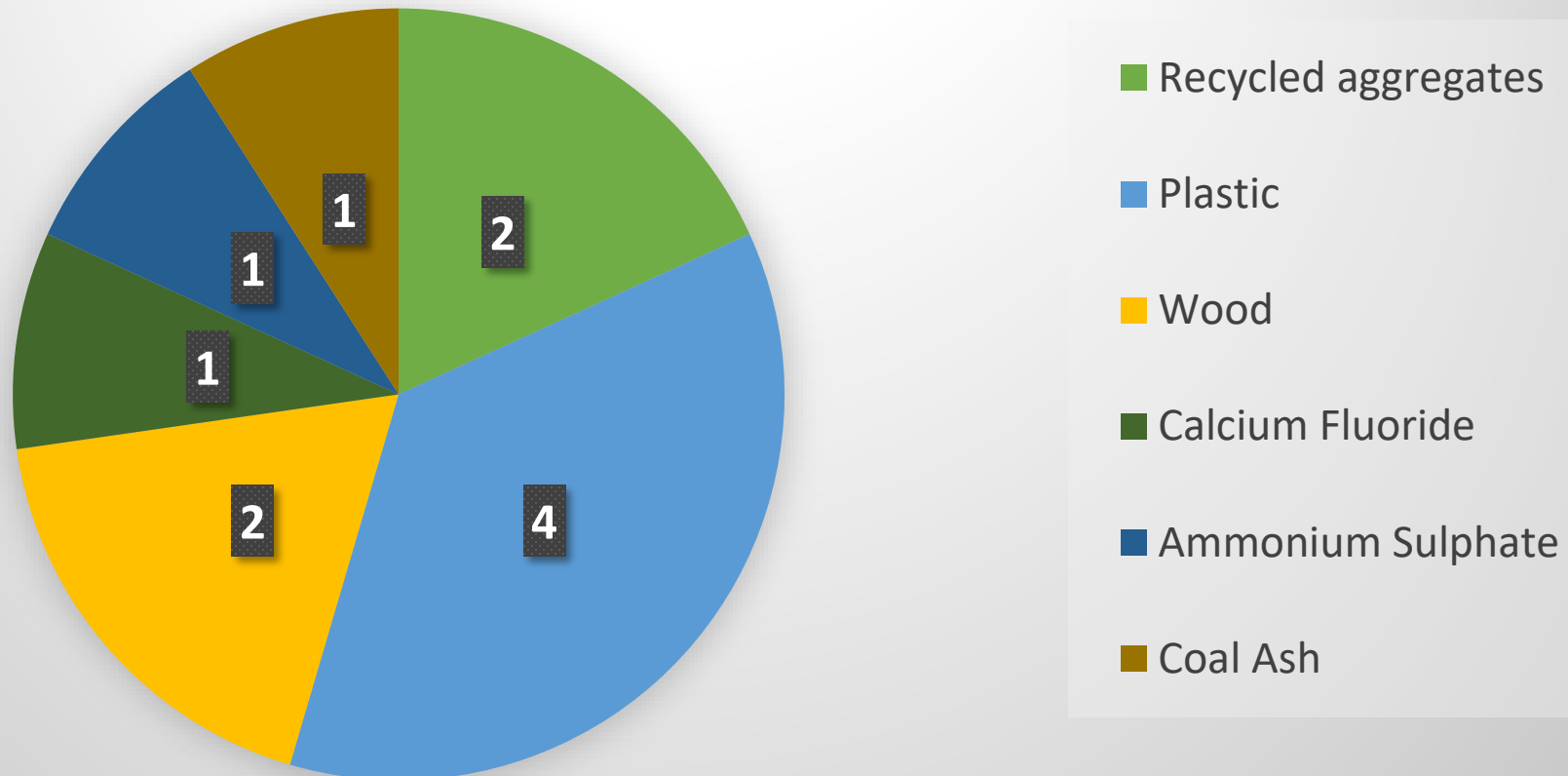
■ Tyres

■ Wood

■ Other

# PROGRESS TO DATE – END-OF-WASTE

## Single-case end-of-waste decisions



# STRATEGIC DIRECTION



## Development of national criteria

Step change in 2022

1. National **end-of-waste** criteria for recycled aggregates
2. National **by-product** criteria for road planings
3. National **by-product** criteria for greenfield soil and stone

# NATIONAL CRITERIA



|                             | End-of-waste   | By-product   |
|-----------------------------|--|--|
| <b>Legislative basis</b>    | Article 6(2) of Waste Framework Directive<br><br>Regulation 28(2) of Irish Regulations | Article 5(3) of Waste Framework Directive<br><br>Regulation 27(7) of Irish Regulations |
| <b>Technical assessment</b> | Used for a specific purpose  | Certainty of use   |
|                             | Market or demand   | Used directly without further processing other than normal industrial practice         |
|                             | Technical requirements, legislation and standards                                      | Produced as an integral part of a production process                                   |
|                             | No overall adverse environmental or human health impacts                               | Further use is lawful, no overall adverse environmental or human health impacts        |

# KEY STAGES IN DEVELOPMENT



Scoping and outline design of project



Early stakeholder engagement



Engagement with local authority and EPA colleagues



EPA Board



European Commission



# 1. RECYCLED AGGREGATES



**Input e.g. crushed  
concrete**



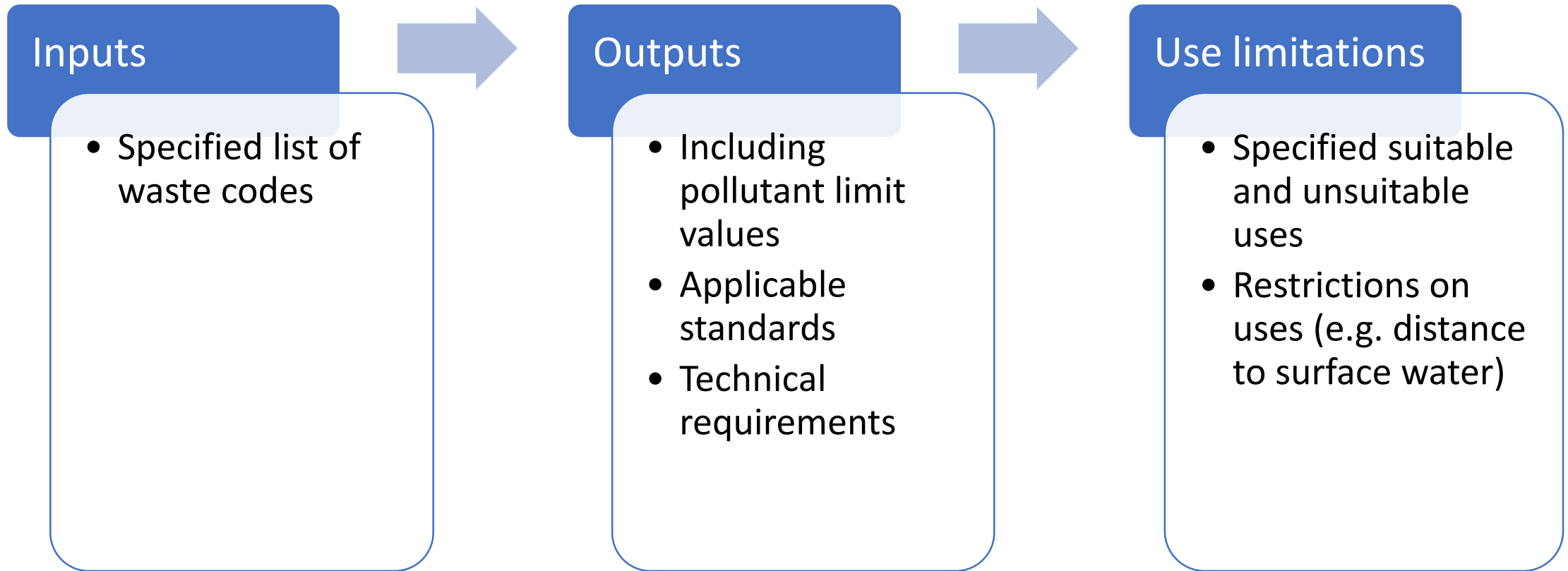
**Waste treatment process –  
crushing/grading**



**Recycled aggregated output**



# 1. RECYCLED AGGREGATES



## Current status:

- \*Assessment of industry submissions complete
- \*Development of pollutant limits underway
- \*National sampling and testing plan underway
- \*Direct stakeholder engagement underway



## 2. ROAD PLANINGS

Road planing by-product



By-product use at RAP Plants



Production of new products



Secondary material  
road planings

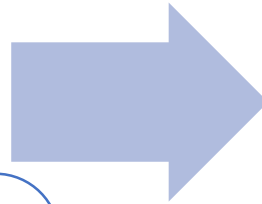


## 2. ROAD PLANINGS



### Road improvement project

- Producer e.g. TII or local authority or contractor
- Statement of Conformity
- Approved Supplier



### RAP Plant

- Appropriate planning permission
- Air pollution licence
- Certified Quality Management System
- IS EN 13108
- Reclaimed asphalt and bituminous mixtures

### **Current status:**

Consultation paper issued 30<sup>th</sup> June 2022 – 10 submissions received

Direct stakeholder engagement underway

### 3. GREENFIELD SOIL & STONE



**Greenfield source site**



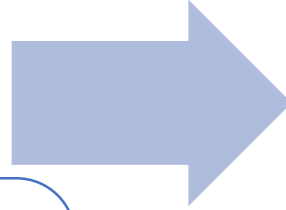
**End-use site**

### 3. GREENFIELD SOIL & STONE



#### Development project

- Producer e.g. developer, site owner or contractor
- Statement of Conformity
- Uncontaminated/ equivalent to virgin soil
- Approved supplier



#### End user

- End-user Declaration
- Proof of planning permission or planning exemption

#### **Current status:**

Consultation paper issued 2<sup>nd</sup> September – open for submissions until 30<sup>th</sup> September  
Direct stakeholder engagement will take place

# NEXT STEPS



| Key milestone   | Recycled<br>Aggregates | Road<br>Planings    | Greenfield Soil<br>and Stone |
|---|------------------------|---------------------|------------------------------|
| Ongoing engagement with stakeholders  | Underway               | Underway            | Underway                     |
| Development of draft end-of-waste / by-product national criteria  | Underway               | Underway            | Underway                     |
| Engagement with stakeholders to ensure draft national criteria are reasonable and achievable                  | Q4 2022/<br>Q1 2023    | Q4 2022/<br>Q1 2023 | Q1 2023                      |
| Approval of draft national criteria by EPA Board  | Q1 2023                | Q1 2023             | Q2 2023                      |
| <b>Notification of draft national criteria to European Commission</b><br><i>(3-month consultation period)</i> | <b>Q1 2023</b>         | <b>Q1 2023</b>      | <b>Q2 2023</b>               |
| Assessment of any submissions received from other Member States   | Q2 2023                | Q2 2023             | Q3 2023                      |
| <b>Finalisation of national criteria and publication</b>  | <b>Q2 2023</b>         | <b>Q2 2023</b>      | <b>Q3 2023</b>               |

# KEY BENEFITS



Incoming  
By-product  
notifications

80%  
reduction

Incoming  
End-of-waste  
applications

75%  
reduction

Timeliness  
of  
decisions

Possible further  
national criteria

# KEY BENEFITS



Provide more certainty to industry

Provide a standardised set of criteria for industry

Ensure confidence and consistency in the market

Reduce the regulatory burden on industry



# RECAP



- Circular economy ambition is alive in industry
- Numbers of notifications and applications are at a high level
- We are changing our approach to support industry better
- 3 significant projects underway to develop national criteria
- Lots more engagement to take place
- New approach will benefit industry as well as EPA

# THANK YOU



## Find out more



Meet the experts today!



Check the By-product Register:  
<https://www.epa.ie/byproduct>



See our end-of-waste decisions made to date:  
<https://www.epa.ie/our-services/licensing/waste/end-of-waste-art-28/>

## Contact us



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