

ESWET Answers to the Green Paper on Plastic Waste in the Environment

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ESWET, the European Suppliers of Waste to Energy Technology, is an association registered in the Transparency Register with #56047551356-84.

Q1: Can plastic be appropriately dealt with in the existing legislative framework for waste management or does the existing legislation need to be adapted?

ESWET wants to reaffirm the primacy of the existing Waste Hierarchy. Its relevance is fully reinstated in the Green Paper's statement on p. 10 that: *"Although under a life cycle perspective not all plastic waste may be suitable for recycling, there are no technical reasons why plastic should go to landfill rather than being recycled or exploited for energy recovery."*

Indeed, even with the current state-of-the-art sorting and recycling technologies, many plastic streams are not materially recovered for a variety of reasons. Sometimes the material is inseparable from various additives or would require energy- or water-consuming cleaning to allow its material recovery. In other cases, the lack of demand for a material means that it is not currently interesting as a resource. On the path to a closed-loop economy, the non-materially recoverable plastic quantities should decrease, but for the time being the only solutions that exist for these plastics are energy recovery or disposal.

We strongly support the Green Paper's statement on p. 8 that: *"Any landfilling of plastic is an obvious waste of resources which should be avoided in favour of recycling, or of energy recovery as the next best option."* We believe that, in line with the waste hierarchy, waste that was not selected for material recycling should then go to Waste-to-Energy plants, which stand ready to ensure that this material's embedded energy is used to the benefit of local communities instead of being a liability in landfills.

Q3: Would full and effective implementation of the waste treatment requirements in the existing landfill legislation reduce sufficiently current landfilling of plastic waste?

The current legislation at the EU level has already enabled some Member States to virtually end landfilling of unprocessed Municipal Solid Waste, as EUROSTAT data shows. These countries succeeded in minimising landfilling through some forms of bans on landfilling of waste. While the existing EU legislation has allowed such achievements to occur in many locations, it is clear that many other Member States have failed to comply with even the minimum requirements of the Landfill Directive. Therefore the EU legislation should be reinforced with some forms of landfill bans, because these measures have minimised landfilling everywhere they were introduced.¹

¹ AT, BE, DE, DK, LU, NL and SE

http://ec.europa.eu/environment/waste/studies/pdf/Screening_report.pdf, see p. 16 presenting this list of countries that have implemented some form of ban. They are consistently the ones with the lowest landfilling rates.

Q4: What measures would be appropriate and effective to promote plastic re-use and recovery over landfilling? Would a landfill ban for plastic be a proportionate solution or would an increase of landfill taxes and the introduction of diversion targets be sufficient?

We fully support the possibility evoked in section 5.1 that a ban on plastic waste landfilling should be introduced through an amendment to the Landfill Directive. But given that other streams should not be landfilled either, ESWET, along with many other waste-related associations, is calling for a ban on landfilling of recyclable and combustible waste (thus including plastics) in order to move these fluxes towards the more desirable material recovery operations or, when unsuitable, to energy production in Waste-to-Energy plants. By "ban" we mean a severe restriction on landfillable quantities, either based on physical properties of waste streams or prohibitive landfilling costs. The exact format of the ban can vary according to Member States.

To alleviate concerns evoked in the Green Paper, it is reassuring to notice that a landfill ban does not generate preponderance of energy recovery over recycling. EUROSTAT data shows that the 7 countries that have implemented landfill bans (AT, BE, DE, DK, LU, NL and SE) are also the top 7 for material recovery, complemented by energy recovery. The long-term trends show that amounts of their local waste sent for recycling and composting are increasing, much to the contrary of the "vacuum cleaner" speculation. And where the increasing material recovery has led to spare capacity in energy recovery plants, they have continued supplying the energy demand of e.g. district heating systems with waste that would otherwise have been landfilled elsewhere, thus preserving soils, offsetting fossil fuels usage and protecting the climate.

Q5: What further measures might be appropriate to move plastic waste recovery higher up the waste hierarchy thereby decreasing energy recovery in favour of mechanical recycling? Would a tax for energy recovery be a useful measure?

Taxing energy recovery will not increase material recycling rates. Taxation is a tool to change behaviours when alternatives exist. However, when plastic ends up in energy recovery plants, it can be because the producer has put on the market an unrecyclable product or packaging; that the citizen has soiled it or sorted it wrong; or that the recyclers cannot use or do not want this plastic material as it is delivered to them. Taxing energy recovery will not affect these different actors' behaviours. Better product design; enhanced citizen awareness, both as responsible consumers and first level waste sorters; or improved market conditions for plastic waste streams will achieve much more than taxing energy recovery.

Besides, taxing energy recovery will not change anything to the fact that almost 50% of plastics are currently landfilled, according to the Green Paper figures. There is very little recyclable plastic to divert from the 7.5 Mt sent for energy recovery, because most recovery capacity is in countries with sophisticated recycling infrastructure and correspondingly high recycling rates. On the other hand, easily-recyclable plastics constitute the bulk of the 12.1 Mt disposed of in landfills because landfilling takes place mostly in countries without extensive recycling infrastructure.

Therefore if the point is to bring the largest volumes of readily-recyclable waste towards material recovery, the single most effective way is through a ban on landfilling, not by taxing the energy recovery of unrecyclable plastics.

Q8: Is it necessary to introduce measures to avoid substandard recycling or dumping of recyclable plastic waste exported to third countries?

ESWET fully supports the EU environmental standards for waste management, which are among the strictest in the world. For instance, Waste-to-Energy plants in the EU apply Best Available Techniques resulting in very low emissions meeting the strictest air protection requirements. The same yearning for high-quality treatment should therefore also apply to recycling operations, whether they are carried in Europe or beyond.

Since it is not desirable that waste is shipped outside the EU to be combusted in substandard installations, why are we tolerating that some recycling activities take place in substandard installations abroad?

On the path towards resource -efficiency and -independence, Europe should ensure that recoverable materials are not sent to substandard installations abroad. This will bolster the EU recycling industries while ensuring that non-materially recoverable plastics are used as an EU energy source. Besides, the global environment can only benefit from the growth of quality recycling in Europe and of a reduced usage of fossil fuels thanks to clean Waste-to-Energy plants. This is why ESWET supports the introduction of measures to avoid substandard waste treatment activities beyond the EU.

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