

PRO EUROPE COMMENTS

Extended impact assessment on the thematic strategy on the prevention and recycling of waste

Options subject to consultation

1. Please provide data and/or information on the economic, environmental, and social impacts of conducting future waste prevention and recycling policy on the following strategic approach.

- a) Waste amounts (weight) are considered as an appropriate approximation for environmental impacts on waste generation and management. Policy is developed to reduce the quantities of waste generated, land filled or incinerated.**
- b) Waste amounts (weight) are not considered as an appropriate approximation for the environmental impacts of waste generation and management. Policy is developed to reduce environmental impacts that are important in the life cycle of resources and of products, taking an eco-efficiency approach. A knowledge base is developed on the environmental impacts of waste generation and management taking into account the whole life cycle of resources and products.**

The overall goal of a balanced environmental policy is to reduce the potentially negative effects of waste providing at the same time the services that society demands. In this sense, PRO EUROPE considers that an optimal waste management strategy from an environmental, economic and social point of view should include a balanced combination of waste prevention, material recycling, energy recovery and disposal options.

Therefore, PRO EUROPE supports a waste policy based upon an evaluation of the environmental impact of the whole life of resources and products.

From a prevention perspective, in our opinion, conducting the future waste policy only from a waste amount perspective has some weaknesses:

- As long as policy is focused on waste, the environmental impacts linked to production processes and the use of products phase are not considered. In most of the situations, the main environmental impacts are not related to waste management.
- Weight reduction perspective is limited from a technological point of view. As packaging are concerned, weight reduction has reached in most cases their limit or are close to reach.
- Waste reduction does not necessarily mean that environmental impact of waste is reduced. In the packaging area it has been demonstrated that less packaging is not always more environmentally friendly. When packaging is

underestimated, the outcome is a higher environmental impact: not only packaging waste has to be managed but also product waste¹.

- Waste amount perspective is quite restrictive and does not reflect trends of the economic growth and the demands of society.

On the other hand, from a waste management perspective, the objective should be to establish an economic and environmentally feasible waste management policy with social acceptance. In this sense PRO EUROPE considers that the future policy should take into account that:

- A waste policy based only upon weight could imply setting up continuously increasing recovery and recycling targets. From our experiences in the packaging waste area, infinite recycling is not always the most efficient option from the cost-benefit perspective, as far as resources invested could become higher than the natural resources saved.
- The developing of a market for secondary raw materials is a key issue that could determine the success or failure of a waste recycling strategy. Moreover, European waste policy should consider the introduction of measures aimed to achieve that products made from secondary raw materials would be competitive and count on social acceptance. In this sense, in the packaging area some interesting projects carried out jointly between compliance schemes and trade have achieved very good results on consumer's acceptance towards products made of recycled materials².

Optimising the benefits from recycling of waste

2. Please provide data and/or information on the economic, environmental, and social impacts of setting recycling targets in the following ways.

- a) No further recycling targets- relying on existing legislation and the market to encourage recycling.**
- b) Setting material based binding targets that are equally ambitious for Member States and are additional to targets contained in existing end-of-life products directives. This would concern for example, inert materials, rubber, plastics, PVC and paper.**
- c) Setting material based binding targets that are equally ambitious for Member States whilst repealing existing end-of-life product based recycling targets (other provisions relating to collection, dismantling, etc. remaining unchanged). This would concern, for example, inert materials, rubber, plastics, PVC and paper.**
- d) Setting additional recycling binding targets that are equally ambitious for Member States for priority end-of-life products. This could include, for example, furniture, buildings, tyres, toys, newspapers and magazines.**
- e) Setting targets differentiated by Member State.**
- f) Basing targets on collection of waste destined to recycling.**

¹ “Effective packaging-effective prevention. Packaging prevention by an integrated approach” PRO EUROPE 2004, page 10.

² Eco-emballages and Carrefour Project “Métamorphose”, carried out in 2004. This joint action tries to improve the awareness of consumers on the positive impact for the environment of products made of recycled materials.

There could be potential environmental and economic benefits to setting up a comprehensive approach of waste recycling by materials, but there are also a number of practical difficulties and we recommend that further research and consultation work be undertaken. Detailed information will be necessary on each waste stream in order to conduct the necessary cost-benefit analysis to determine how each one could contribute to a global material target.

Producer responsibility based schemes have demonstrated to be environmentally and economically efficient solutions for packaging waste. In this sense, producer responsibility in conjunction with an equitable division of costs between the parties involved yields the final objective: to reduce the potentially negative effects of waste.

Regarding the waste collection systems, it should be necessary to look for potential synergies among those waste streams whose joint collection could be more efficient from an environmental and economic point of view. This could be acceptable if it improves current waste collection systems and the quality of the packaging waste collected material is equally good, optimising at the same time collection costs.

In the area of packaging, in some countries there are already implemented joint collection systems of paper-cardboard packaging and journals, magazines, etc... and some new pilot projects are being implemented like the "Yellow Bin Plus" (Gelbe Tonne Plus) in Leipzig, collecting lightweight packaging (plastic, beverage carton, metals) together with waste from the same materials and some electrical and electronic equipment. Nevertheless, as we have mentioned, the equitable division of costs between the parties involved is a key question in order to implement a fair system.

Additionally, when a comprehensive waste management policy for municipal solid waste is planned it is necessary to take into account that selective collection systems have to count on consumers' acceptance. Consumers play a key role in the success or failure of selective collection programmes. They should be as simple as possible in order to motivate the consumer to participate on them.

Under the scope of PRO EUROPE compliance schemes, more than 400 million of inhabitants have incorporated to their lifestyle packaging waste selective collection habits. Moreover, during the last years some surveys have been conducted to figure out consumers' patterns on selective collection which shows that in Germany, nine out of ten households separate their waste, in Sweden, 81 per cent and in Spain 73 per cent of the population do so.³

Hence, before any change regarding consumers' selective collection patterns would be included, it has to be analyzed carefully from an environmental, economic and social perspective its impact on the already existing programmes. Any measure derived from the Thematic Strategy should profit the experience of packaging waste collection and recovery schemes throughout the EU, which have demonstrated very good results. The contrary could lead to important environmental, technical, economical and social losses.

For all the above mentioned reasons, in PRO EUROPE's opinion, a material based approach could be investigated further to work in parallel and in complement with product based targets for particular waste streams.

³ "Effective packaging-effective prevention. Packaging prevention by an integrated approach" PRO EUROPE 2004.

On the other hand, PRO EUROPE considers that waste recycling targets should be set up as common national targets for all Member States, like the already existing packaging waste recycling and recovery targets. European targets could have a difficult practical application implying many obstacles and problems of competition.

3. Please provide data and/or information on the economic, environmental and social impacts of taking the following measures to achieve waste recycling target.

- a) Introducing an obligation for Member States so set waste disposal charges in such a way that the total costs of these operations reach minimum levels, at around 70-90 € per tonne, i.e. broadly equivalent to the cost of incineration.**
- b) Introducing further producer responsibility obligations bearing on the manufacturers of products, assuming that recycling targets would be fixed at levels so that across the EU the economic costs would not exceed the environmental benefits.**
- c) Introducing producer responsibility obligations bearing on the producers of materials, assuming that recycling targets would be fixed at levels so that across the EU the economic costs would not exceed the environmental benefits.**
- d) Negotiating voluntary agreements at EU and/or national level including a mix of measures.**
- e) Recommending to Member States to systematically implement “pay-as-you-throw” schemes.**

As a premise, PRO EUROPE supports a global approach mixing legal, voluntary and economic instruments involving every stakeholder from producer to consumer which could reinforce the effects of implementing each of these instruments by themselves.

All the proposed measures should be analysed from a cost-benefit perspective. Although PRO EUROPE is fully aware of the methodological limitations of cost-benefit analysis, it believes that it can be used by policy makers to provide criteria for the necessary framework to develop a balanced waste management policy from the environmental and economical point of view.

Regarding the concrete measures proposed, PRO EUROPE welcomes those initiatives aimed to foster waste recycling and which contribute to a sustainable waste management policy.

In relation to the implementation of landfill taxes, they have to reflect the real current and future costs of managing a controlled landfill. This will help to balance landfill costs with recovery options due to the fact that, at this moment, landfill is often the cheapest waste management option.

Concerning Pay-as-you-throw schemes, they have already been implemented in several Member States with a positive impact on consumer awareness and selective collection results. From our experience, we can point out a risk that this kind of schemes sometimes implies: the pressure on the “refused fraction” can lead to an “illegal dumping” placing the “refused fraction” in the containers aimed to certain selectively collected wastes, like packaging. Additionally, consumers should

not be charged twice for the same concept (producer responsibility fees + waste management municipal taxes). Therefore, when implemented pay-as-you-throw schemes, it is necessary to increase the control of collection system and the education of the consumer.

At European level, although it seems difficult to implement due to the local factors involved, we consider that the Commission has an important role to play promoting the exchange of experiences at EU level.

4. Please provide data and/or information on the economic, environmental and social impacts of taking the following measures to ensure common waste treatment standard waste treatment facilities throughout the EU, thus achieving a level playing field for recycling activities and for recycled material. Please include data and information on how these options could contribute to reaching recycling targets.

- a) Extending the IPPC Directive to all waste treatment operations. Stakeholders should assume that installations below a certain threshold would not be covered.**
- b) Defining EU-wide criteria for recycled materials.**
- c) Reinforcing the powers of Member States to object to shipments of waste destined to facilities that have lower environmental standards than national facilities.**
- d) Reinforcing EU requirements that waste management facilities be subject to regular inspection and reporting obligations such as informing on the flows of waste entering and exiting the individual facilities.**

From an environmental perspective, the main goal of the European waste management policy should be to reduce the different impacts that waste can produce.

Therefore, considering the great number of potential impacts and agents involved, PRO EUROPE thinks that a voluntary approach combining flexible mechanisms would be the most effective way to prevent and reduce environmental impacts. A great variety of measures and mechanisms would be available for all the agents implied and, for this reason, all the above mentioned measures like IPPC, common criteria for recycled materials, etc. could be appropriate.

Regarding the proposal of extending the IPPC Directive to all waste treatment operations, we would like to point out that most polluting activities of the waste management sector are already under its scope. The possibility of enlarging the scope of this Directive to the whole waste management operation has to be carefully assessed in order to establish proportional measures to the environmental impact of each process.

From an economic perspective:

- It is necessary to avoid excessive economic burden on the different agents implied in order to have balanced measures from an economic point of view.
- The situation of the new Member States should be taken into account. Our cooperation with the new UE members has revealed that many countries still have enormous deficits as far as operational waste and resource management systems are concerned. In the view of PRO EUROPE,

therefore, these countries will remain in need of material and personnel support for several years to come. In this sense, requiring excessive efforts could discourage them.

In this sense, it has to be considered that recycling industry does not have a long tradition and, for the above mentioned reasons, in our opinion, a stimulating legal and economic framework should be set up. It would create the appropriate conditions to foster efforts towards contributing reaching recycling targets. In this sense, the development of a sound market for secondary raw materials and the investments on research and development play a key role.

Waste Prevention

Important note: We are aware that responding to questions 5, 6 and 7 of this section of the questionnaire is difficult. It may be possible for you only to provide qualitative information. You might also want to express your opinion on the issues raised in the questions. We would then ask you to give the evidence on which your opinion is based and to clearly separate opinion from evidence in answer.

5. Please provide data and/or information on the economic, environmental and social impacts of setting the following type of waste prevention targets and would these impacts vary for different categories of waste flows, for example municipal waste, industrial waste or hazardous waste? For options b, c and d, the same level of ambition should be presumed – the question seeks to ascertain the difference in impact of the different methods of calculation of targets not to discuss particular waste flows.

- a) No setting of waste prevention targets**
- b) Setting weight based waste prevention targets**
- c) Setting substance content based (e.g. heavy metals) targets for qualitative prevention**
- d) Setting environmental pressure based prevention targets. This would target pressures that the generation of the waste exerts on the environmental, for example emissions of greenhouse gases.**

From PRO EUROPE's point of view, prevention should be tackled in a broad sense. Besides qualitative and quantitative reduction, measures directed to reintroduce raw materials into the production process is a way of preventing waste. Besides this, any measure aimed at reducing the environmental impact of waste should cover all phases (production, trade, distribution, use and disposal) and not being focused on one or some of them.

Regarding the possibility of setting up waste prevention targets, the lack of reliable statistics makes very difficult to tackle prevention through a quantitative target. As the Commission recognises in its Communication, "Towards a thematic strategy on waste prevention and recycling", it will be necessary to wait until 2008 to have a first assessment of waste generation trends, as a consequence of the implementation of the regulation on waste statistics.

Nevertheless, when considering the possibility of setting up prevention targets it is necessary to take into account that waste generation depends on two main factors: economic growth and demographic changes. Their concrete influence on waste

generation it is often unknown and its evolution is difficult to predict. Consequently it is not clear for PRO EUROPE how targets, that by their nature are not flexible enough to be aware of the context, can help to reduce the environmental impact of waste taking into account at the same time social and economic changes.

From the experience of PRO EUROPE and its national schemes regarding packaging prevention, industry is really interested to work on prevention, not only for environmental reasons but for economic ones. A direct consequence of the work that has already been done on packaging prevention is the decoupling between GDP and packaging waste that has been reached in countries like Germany, France, Belgium, Spain and Austria (see attached document). Moreover, this clearly shows how the existence of a quantitative prevention target on packaging waste did not lead in Spain to better results in comparison with those reached in countries without this legal requirement.

6. Please provide data and/or information on the economic, environmental and social impacts of setting an European weight based target at the following levels (assuming European annual GDP growth of 3 %)? Would these impacts vary for different categories waste flows, for example total waste, municipal waste, industrial waste or hazardous waste?

- a) Decoupling of waste generation from GDP growth and stabilising waste generation by 2012 to the level of 2002**
- b) A reduction of 5% in waste growth by 2012 compared to 2002 levels.**
- c) A reduction of 10% in waste growth by 2012 compared to 2002 levels**

In the same sense that we have indicated in the previous question, the lack of reliable statistics makes it very difficult to set up a quantitative target. Setting up unrealistic targets would imply discouraging all agents from making efforts to achieve those too ambitious targets.

On the other hand, waste generation can not be completely decoupled from the economic growth as any of the above mentioned options. The reasonable objective should be to achieve that those parameters would not grow at the same rate. Regarding packaging waste, this objective has already been achieved in countries like Germany, France, Belgium, Spain and Austria, as it has been indicated in question number 5.

7. Please provide data and/or information on the economic, environmental and social impacts of setting waste prevention targets in the following way?

- a) Setting EU wide indicative prevention targets (All Member States have to reach X%).**
- b) Setting binding targets at European level that are differentiated by Member States (Member State N1 has to reach X %, Member State N2 has to reach Y %, depending on their individual situation).**
- c) An obligation for Member States to set prevention targets at national level.**

On the basis of PRO EUROPE national compliance schemes' experience, to tackle waste prevention through quantitative targets does not imply better results.

Therefore, in case a prevention target would be finally set up, in our view neither it is justified to set up targets differentiated by Member State nor to allow each country to set up their own targets at national level, due to the fact that it could cause future problems of unfair competition along EU.

8. Please provide data and/or information on the economic, environmental and social impacts of meeting waste prevention targets through the following categories of waste prevention measures?

- a) Putting in place producer based measures, such as for example eco-design obligations in the general line of the EuP Proposal.**
- b) Production process based measures (e.g. while reviewing IPPC BREFs increase their focus on waste prevention, promote the systematic targeting of waste prevention in environmental management systems).**
- c) The promotion of consumer based measures (information campaigns, eco-labelling, PAYT).**
- d) An obligation for Member States to draw-up waste prevention programmes.**
- e) Negotiation of sectoral agreements at EU and /or national level containing prevention targets and a mix of measures.**

For the above mentioned reasons, the Commission should adopt a global and voluntary prevention approach, comprising not only wastes but resources and involving every stakeholder from producer to consumer.

PRO EUROPE agrees with the main measures to minimize the environmental impact of waste addressed in the Thematic Strategy. As it has been mentioned before, a global approach mixing legal, voluntary and economic instruments could reinforce the effects of implementing each of these instruments individually.

In order to achieve good results on prevention, it is necessary to combine different instruments and not to put all the responsibility only on one agent. PRO EUROPE and its members are supportive of further inclusive action such as information campaigns aimed at consumers, different actions concerning eco-design, promotion of research and development activities concerning new packaging materials technologies, etc...

Fully aware of the importance of consumer education, PRO EUROPE has carried out different projects, like the recent "European Youth Eco- Parliament" (Berlin, 22nd and 23rd September 2004). It is an environmental education initiative, aimed at hundreds of young people aged 13-15 years from ten countries across Europe. Young participants have written a "White Paper on environment" containing 5 resolutions and 15 proposals for action on the themes of air, energy, food, waste and air (more information on the website: www.eyep.info)

Moreover, as long as many factors and different agents are involved, PRO EUROPE recommends an approach towards prevention based on voluntary and sectoral agreements, which could lead to more effective results.

A successful example of a voluntary and integrated approach is Le Conseil National de l'Emballage in France. Its members are packaging material suppliers, packaging manufacturers, fillers, compliance schemes, retailers, consumers associations, environmental associations and representatives of local authorities.

The main objective is to develop a pragmatic and pedagogic approach towards packaging waste prevention. In this sense Le Conseil National de l'Emballage promotes among the companies and organisms involved in the whole packaging chain their engagement in a prevention active policy and to apply it during conception, manufacturing, use and waste management.

As a result of this voluntary and integrated approach, a broad consensus among all stakeholders supports all the activities carried out by this organisation. (www.conseil-emballage.com)

Accompanying measures

9. Please provide data and/or information on the economic, environmental and social impacts of taking the following actions relating to the definitions of recovery and disposal?

- a) **Adapting definitions of recovery and disposal operation to technical progress within the limits of comitology – this would mean that the essential objective to substitute natural resources would remain central, i.e. as interpreted in current jurisprudence of the European Court of Justice.**
- b) **Reviewing in depth the definitions of recovery and disposal with a legislative act. This would allow the objective of recovery to be refined and the use of criteria to distinguish between recovery and disposal.**
- c) **Re-organizing the legal framework to move to a waste shipment control systems based on the control of waste flows rather than the use of the definitions of recovery and disposal.**

It is necessary to have clear definitions on recovery and disposal operations. Nevertheless, it is necessary to choose a flexible option to define those operations, as long as technical progress should be taken into account.

10. Please provide data and/or information on the economic, environmental and social impacts of taking the following actions on the definition of waste?

- a) **No action on the definition of waste**
- b) **Developing informal guidelines for the case by case application of the definition of waste – dealing with, for example when a by-product is or is not a waste.**
- c) **Introducing in the waste framework Directive a provision allowing the exclusion from the definition of waste of materials complying with technical criteria – these could include aggregates and bio-diesel among others.**

This is a very complex question, which is still under consideration within PRO EUROPE.

11. Please provide data and/or information on the economic, environmental and social impacts of combining certain options, where you consider the impact of a given combination to be important.

Does your submission include confidential information that should not be published on Commission's website?

No: none

Yes _____

Please sepecify in the following field which part of your submission in confidential (if you selected "No" please indicate "None")