

SUBJECT:	DEFRA CONSULTATION ON THE INTRODUCTION OF RESTRICTIONS ON THE LANDFILLING OF CERTAIN WASTES
REPORT BY:	WASTE OFFICER GROUP
CONTACT NO:	IAN TAYLOR – 01522 552376

BACKGROUND INFORMATION

DEFRA have recently released a consultation paper on the possible introduction of restrictions on the landfilling of certain types of waste.

The consultation runs until Thursday 10th June.

If implemented the proposals could have significant impact on the Waste Collection Authorities and the Waste Disposal Authority. Therefore the Waste Officers Group considered it essential that elected members were briefed on the consultation, and that it was appropriate that a response be sent on behalf of the Lincolnshire Waste Partnership.

DISCUSSIONS

The DEFRA paper is fulfilling a commitment made in the Waste Strategy for England 2007 to consult on the impact of further restrictions on the landfilling of biodegradable and recyclable wastes.

The paper cites two key objectives behind the proposals:

- Reducing the emissions of greenhouse gases related to waste activities,
- Increasing resource efficiency from re-using materials that may currently be going to landfill.

The paper targets a number of wastes streams:

- Metals
- Glass
- Food
- Wood
- Textiles
- Paper/card
- Plastics
- Garden
- Waste Electrical and Electronic Equipment

There are then extensive details of two separate pieces of research done on behalf of DEFRA by the Green Alliance and Eunomia/WRAP that looked at case studies of practice elsewhere. These are supported by an assessment of the overall net benefit to society in monetary terms of the introduction of a restriction in some form for each separate material.

There is also a review of current policy measures in place in the UK such as landfill tax and LATS, and what changes might need to be made to support the introduction of a restriction. Consideration was also given to forthcoming European legislation including the implementation of the new EU Waste Framework Directive.

The paper concludes that the types of waste which offer the greatest opportunities to reduce greenhouse gases and increase resource efficiency are:

- Metals
- Glass
- Food
- Wood
- Textiles
- Paper/card
- Garden

All of these waste streams were considered to offer net benefits to society of the introduction of a restriction on these materials continuing to go to landfill.

The case for a restriction on each of the streams was then considered in detail, and a further category of a ban on bio-degradable wastes (paper/card, food, wood, garden and textiles) was also considered. This last category was considered to show the greatest net benefit to society should a restriction be introduced.

The plastics and electrical waste streams were considered to have a net cost to society should a restriction be introduced, and that of glass was considered to only offer marginal net benefit that was dependent on the end use of collected material.

Four separate policy measures are outlined:

1. Do nothing;
2. Introduce landfill bans either a) on their own or b) accompanied by a

- requirement to sort;
3. Introduce a sorting or tougher pre-treatment requirement but without a landfill ban;
 4. Introduce producer responsibility systems linked to recycling targets.

.The consultation considered the issue of a requirement to sort materials (with or without a landfill restriction) and highlighted evidence from the research that where a requirement to sort was in place that the amount of waste diverted from landfill increased significantly.

The DEFRA document acknowledged the not insignificant costs that would be involved in implementing any form of landfill ban or sorting regime, and that a suitable lead-in period would be required of at least five years.

The final conclusion drawn from the evidence is that DEFRA believe there is a good case for considering bringing in landfill restrictions on biodegradable wastes (food, garden, textiles, wood, paper/card) and on metals.

If this issue is to be pursued beyond this first stage consultation Defra have committed to a second stage which will include firm proposals supported by draft regulations.

OPTIONS

Although the Lincolnshire Joint Municipal Waste Management Strategy has been produced to enable the County to meet the EU targets for a reduction in the use of landfill for final disposal, it does still continue to make use of landfill up to the level allowable by the EU Landfill Directive.

This also reflects the on-going minimum tonnage and life of site contract commitments currently in place between the Waste Disposal Authority and the private sector landfill operator in Lincolnshire.

Whilst the consultation document is intended to cover waste streams of the targeted materials that are in the private sector, there is a clear indication that for household waste the responsibility for implementing any new policy would rest with the waste collection authorities.

It appears that any of the targeted waste streams being collected and sent for energy recovery would not lie outside any sorting or landfill restriction requirement. This could have a significant impact on the material being sent to the EfW and would very significantly affect the CV of such arisings. The consultation paper acknowledges this impact under both policy options 2(b) and 3 (see list above).

There is also the prospect that if the restrictions were implemented then any authority wishing to continue the use of landfill for operational reasons (e.g. East Lindsey at Middlemarsh) then such waste would need to be free of the biodegradable materials and metals.

This would also apply where the WDA was requesting a WCA to deliver a specified tonnage to a landfill to meet a contractual obligation (e.g. West Lindsey at Gainsborough), where again the waste would need to be clear of materials subject to any restrictions.

As well as the prospect of additional kerbside collections being required to cover waste streams such as food there is also the issue of there being no infrastructure in place in the county to deal with some of the materials under consideration for a ban, most particularly food waste.

There are both environmental and economic reasons in favour of the implementation of bans on the landfilling of certain materials, but there would be a significant cost attached to such a course of action. As well as the possible impact on waste collection regimes the consultation proposals as presented could also have very significant implications for the continued use of EfW in this country, affecting the plans of both the County and numerous other Disposal Authorities who have also opted for EfW as the solution to meet EU landfill Diversion targets.

RECOMMENDATIONS

The Lincolnshire Waste Partnership is recommended to:

- Consider the issues highlighted in this report and the potential impacts for all Lincolnshire Authorities;
- Agree that a reply is required from the Lincolnshire Waste Partnership;
- Give guidance to the Waste Officer Group on the issues to be raised, and instruct that a formal response be produced and submitted to DEFRA.