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LINCOLNSHIRE WASTE PARTNERSHIP

SUBJECT:	COMPOSTING FRAMEWORK CONTRACT FROM APRIL 2013
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Background Information

A report was presented to the February meeting of the Lincolnshire Waste Partnership outlining an issue that had arisen concerning the transposition of the EU revised Waste Framework Directive (rWFD) into UK law, and how the current position of garden waste counting toward recycling performance could be affected.

It had been suggested by Defra at a meeting of the National Association of Waste Disposal Officers, that in order for compostable material to continue to count toward recycling performance then it would need to go through a facility that was operating to PAS 100 standard.

This is a standard of processing that is acknowledged within the composting industry as producing a material that is safe for sale to the public and furthermore produces a usable product, which might satisfy the defined requirements of the rWFD.

Within Lincolnshire there are a number of composting operators used by the Districts for processing garden waste from both kerbside schemes and from Household Waste Recycling Centres, but not all operate to PAS 100.

Waste Partnership consideration

The Waste Partnership agreed at the Partnership's February meeting to write to Defra to seek clarification on this issue as the Lincolnshire composting contract requires re-letting from 1 April 2013. Also a clarification on how the number of PAS 100 facilities would impact on the operational viability of the service, operated by some Councils.

There was a secondary issue that if a decision was taken to use non-PAS 100 sites,

this material would no longer count toward recycling performance, reducing the current high levels being achieved for Collection Councils and the County as a whole.

Present Service

The seven Collection Authorities and the County Council currently send over 70,000 tonnes of garden waste a year for composting. This currently goes to the eight composting operators listed in the following table:

Contractor	WCA	PAS 100 Certification
MEC Swinderby	CLC, NKDC, WLDC	Yes
Organic Recycling Crowland	BBC, SHDC	Yes
Cranberry Composting, Eastville	ELDC	No
Mid UK Caythorpe	NKDC, SKDC	Yes (but not currently in use)
Land Network Gainsborough (Sturton)	WLDC	No
Land Network NE Lincs (South Elkington)	ELDC	No
Clarkeson Recycling Riby	WLDC	Yes
Greenaway, Strubby	ELDC	No

It is estimated that around 30,000 tonnes of green waste will be sent to non-PAS 100 sites in 2012/13.

The DEFRA response

The response from Defra is attached as Appendix 1 to this report which outlines their position as broadly described in the February report to the Waste Partnership.

There is no clear guidance available from Defra as they are still awaiting a response from the EU Commission on whether PAS 100 or a possible EU Quality Protocol will be acceptable as the measure by which garden waste can continue to count toward overall recycling performance.

Non PAS100 Contractors

The use of compost contractors not operating to PAS 100 could continue, but it is likely that at some point in the near future the material processed by them would no longer count toward the recycling performance of either individual Districts or the county as a whole.

The composting contract is dependent upon direct delivery by the WCA's to the composting operators and whilst there are optional sites available to some Districts, there is no viable alternative to the site currently being used.

Consequently, an insistence on only using PAS 100 would pose a risk that a garden service would no longer be viable in some areas, unless additional resources in terms of vehicles and crews were provided. With all Councils currently under financial pressure this is not considered to be a realistic solution.

Increased disposal costs

If a kerbside service had to be withdrawn, then this would have impacts upon residual waste collections as some of this material would end up in these bins or bags. Therefore this would result in increased disposal costs to landfill or require additional transport from Waste Transfer Stations to the Energy from Waste facility (EfW).

The inclusion of additional garden waste in the residual stream would also impact on the overall capacity of the EfW to take this material and if that capacity were to be exceeded then additional alternative disposal costs would be incurred.

Recycling rate reduction

The continued use of non-PAS 100 compost facilities when this material could no longer be counted toward the recycling performance would drop the collective Lincolnshire performance from 52% to 45%.

Due to the short period of time in which it has been operating, this report is unable to take into account the positive impact the new garden scheme in Boston will have on the overall performance of Lincolnshire. An initial analysis indicates that this scheme will help reduce the overall impact of the possible change from the UK meeting rWFD as the Boston material is going to a PAS 100 operator. However there would still be an overall reduction in the collective performance of Lincolnshire.

The rWFD includes the target of 50% recycling/composting by 2020 which Lincolnshire is currently exceeding, but this would cease to be the case if some of the garden waste collected in Lincolnshire could no longer count toward the recycling performance of the county.

Work on the new composting framework contract will be starting in the next month to ensure a new contract can be in place by April 2013. Waste Services have already written to all current contractors advising them that in future contracts LCC is considering only accepting tenders from PAS 100 operators, as a soft marketing exercise.

Options

1. The next County Council framework contract accepts all suitable composting facilities regardless of whether they operate to PAS 100 accreditation or not.
2. The next County Council framework contract only accepts composting facilities operating to PAS 100 accreditation.

RECOMMENDATIONS

Committee is recommended to:

1. Request that LCC structures the next contract to include the acceptance to the framework of composting contractors operating both with and without a certified PAS 100 process.
2. Request that LCC indicate within the contract that preference will be given to the use of facilities operating to PAS 100 wherever this is operationally feasible.
3. Request that LCC let a short contract (one year plus a one year extension) to allow flexibility in the future and avoid being committed into a long term contract that may not be compatible with any guidance that may emerge from Defra or the EU.