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European Union Directives on Waste.

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1. Purpose of Report

- 1.1 To advise the Panel of the main European Union Directives on waste and their implications when reviewing Hertfordshire's Waste Local Plan.

2. Background

- 2.1 Directives are instructions to the European Union's member states to alter or supplement their national laws by some specified time in order to achieve results within another specified time.
- 2.2 It typically takes 2 to 4 years for a directive to be adopted after it has been proposed. Once a directive has been adopted, member states are required to implement it within a specified time, usually two years

3. The Main EU Directives on Waste.

- 3.1 *The Landfill Directive* was adopted in 1999 and needed to be implemented by Member States by 2001. The Landfill Directive sets targets to reduce landfilling of biodegradable municipal waste to 75% of 1995 levels by 2006, 50% by 2009 and 35% by 2016. Countries heavily dependent on landfill, such as the UK, will be able to claim exemptions to delay meeting the targets by four years.
- 3.2 The European Commission will definitely be proposing a *Directive on the Biological Treatment of Waste*. This Directive would aim to promote the biological treatment of biodegradable waste (i.e. composting, anaerobic digestion and spreading on land) to help meet the targets of the Landfill Directive. The Directive would cover not only municipal and similar waste, but also biodegradable residues produced by the agricultural, food and drink, wood processing, paper, leather, textiles and packaging industries.
- 3.3 *The Incineration Directive* was adopted in December 2000 and should have been implemented at the end of December 2002. The Incineration Directive aims to reduce emissions to air, water and land from the incineration of non-hazardous wastes. The Directive applies to a range of different types of plants: municipal waste, sewage sludge and clinical waste incinerators.

3.4 *The Packaging and Packing Waste Directive* was adopted in 1994 and had to be implemented by June 1996. The targets for the recovery and recycling of packaging and packing waste by June 2001 were:

- at least 50 % by weight of packaging waste to be recovered;
- at least 25 % by weight of the totality of packaging materials contained in packaging waste to be recycled with a minimum of 15 % by weight for each packaging material.

These targets have since been revised and a target of 90% of total recovery for each specific material has been proposed.

3.5 *The Waste from Electrical and Electronic Equipment (WEEE) Directive* was adopted in February 2003 and will become law in August 2004. The WEEE Directive is about collecting, treating, recycling and recovering waste electrical and electronic equipment.

3.6 *The End of Life Vehicles Directive* was adopted in September 2000 and implemented in April 2002. The main aims of the Directive are to make vehicles more recyclable in the future and include an increasing quantity of recycled material. Car manufacturers will also need to limit the use of hazardous substances found within their products.

4. The Implications for Hertfordshire's Waste Local Plan.

4.1 *The Landfill Directive* will not impact on existing landfill sites until 2009 (eight years after implementation). However, projections for Hertfordshire indicate that existing landfill sites will reach full capacity by 2007 and any newly identified sites will have to adhere to the Directive immediately.

Under the Directive all landfill sites must be classified as hazardous, non-hazardous or inert. A landfill site can only accept waste meeting its classification and this classification is clearly defined. A site licensed as hazardous will be more expensive to set up and maintain and may lead to a shortage of hazardous sites. This shortage could lead to cross county transportation and higher costs. Costs will increase for all types of landfill sites making landfill less attractive for private sector investment. Provision will also need to be made for sites providing alternative waste management processes to compensate for any reduction in landfill sites.

4.2 *The Directive on the Biological Treatment of Waste* would require biodegradable waste to be separated before household collections. This action would result in fundamental changes to Hertfordshire's 'doorstep' collections. A similar arrangement would need to be set up for Hertfordshire's businesses and their commercial waste collectors. However this directive has yet to be adopted and will not become law until at least 2008.

- 4.3 All incinerators in the UK should now be meeting the tighter emission requirements of the *Incineration Directive*. Hertfordshire only has clinical waste incinerators and the Environment Agency will monitor the requirements.
- 4.4 The higher revised targets (3.4) proposed in the *Packaging and Packing Waste Directive* provides a considerable challenge to Hertfordshire. The annual increases in landfill tax have started to change the waste habits of Hertfordshire's business community but significant investment in reprocessing and recycling facilities is still required. Markets would need to be established to attract investment but investment is required to establish markets.
- 4.5 *The Waste from Electrical and Electronic Equipment Directive* has far reaching implications for Hertfordshire. Mechanisms will have to be set up for the separate collection and recycling of 'electroscrap'. Fly tipping of WEEE goods could become a problem for Hertfordshire unless workable measures are put place.

However the reusable market for WEEE waste is thriving. A large percentage of Hertfordshire's WEEE waste actually still works and has just been replaced by the newer model, old but working computers for example are actively being sought by schools, clubs, charities etc. Only the 'end of life' appliances will need to be recycled and after August 2005 this will be the manufacturers responsibility.

- 4.6 *End of Life Vehicle Directive*: UK figures indicate that 75% by weight of scrapped vehicle metal is already recycled. Virtually all the rest including plastics, glass and electrical components are currently landfilled. To meet the targets of the End of Life Vehicle Directive 85% of the entire vehicle must be recycled by 2006 and 95% by 2015. This places additional costs on the scrap merchants and many are refusing to take end of life vehicles.

In 2007 the manufacturers become responsible for all end of life vehicles entering the market before July 2002. Until 2007 the last owner is responsible for the disposal of the vehicle in a manner that meets the Directives targets. This will lead to an increase in abandoned vehicles and the Waste Local Plan needs to recognise this.

- 4.7 DEFRA / ODPM have advised that there may be an increase in planning applications arising from the *End of Life Vehicle Directive*, either for additional planning permissions for buildings on existing sites to meet the Directive's requirements or to regularise the planning consents at a site which are currently exempt from the licensing regime.