EUROCITIES STATEMENT ON THE REVIEW OF EU WASTE POLICY AND LEGISLATION

The Commission proposals to review recycling and other waste-related targets[1] represent an important step towards improving resource efficiency and moving closer to a circular European economy. They set out ambitious goals proposed to increase the share of recycling and preparing for reuse of municipal waste to a minimum of 50% by weight by 2020 and to a minimum of 70% by weight by 2030.

These goals will be very challenging for local authorities. Implementing the systems needed to achieve these targets would lead to significant costs increases for city authorities at a time when public finances are extremely stretched and focussed on making further cost savings. City authorities have already invested heavily in their waste and recycling systems. They have also invested in thermal treatment systems with energy recovery, supplying energy and heat for district heating and district cooling systems.[2]

As city authorities, members of EUROCITIES, the network of major European cities, we stress the importance of effective European and national measures to support local efforts, as well as access to funds for developing new technologies and for investments in waste management. In addition to European Structural and Investment Funds for financing infrastructure and installations, Horizon 2020 should fund pilot projects in cities that help develop and roll out innovative waste management and technologies.

We play a crucial role in improving waste management and transforming waste into raw materials for European industry. Local knowledge of waste treatment must be taken into account to make products more sustainable. Achieving a more resource efficient and a circular economy requires changing production methods, including the use of materials and product design. The EU and member states could facilitate and fund cooperation between cities and industry, building on positive experiences such as the Plastic Zero[3] and the MED-3R project[4].

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[1] COM(2014) 397 final, including revisions of the EU Waste Framework Directive 2008/98/EC, the Landfill Directive 1999/31/EC and the Packaging and Packaging Waste Directive 94/62/EC

[2] For instance, municipalities in England have more than doubled their spending on waste and recycling since 2000. Spending in England was £3.2 billion in 2011/12, projected to rise to £3.7 billion by 2020.

[3] http://www.plastic-zero.com/

[4] http://www.med-3r.org/index.php/en/about/the-med-3r-project

The European Commission should also work more with producers to improve the sustainable design, manufacturing and use of products before they enter the waste stream.

We recommend

1. On reducing recyclable municipal waste going to landfill

The Commission rightly acknowledges the complexity of the municipal waste stream and its management. Efficient management of the waste stream at the municipal level is often a good indicator of efficiency at the member state level.

We support the following economic incentives and instruments:

- a progressive increase of landfill taxes for all categories of waste (municipal, inert[5], others);
- incentivising municipal waste producers, including citizens and local businesses, to reuse products, and to reduce and sort their waste through a progressive extension of 'pay-as-you-throw' systems;
- financial support for local authorities to promote waste prevention, develop and intensify separate collection schemes, as well as support to develop related technologies;
- improvements to Extended Producer Responsibility (EPR) schemes;
- measures to support the development and expansion of the reuse sector;
- phasing out harmful subsidies that support the use of non-recyclable materials.

Certain challenges, however, still need to be addressed. Even if the ambitious 70% recycling target were to be reached, at least 30% of municipal waste would still not be recycled. Most of this 30% will be incinerated to produce energy. Many European cities have invested in a more sustainable energy supply, including efficient 'waste to energy' incineration plants that deliver energy for district heating and cooling systems and electricity generation. These investments have very long payback times, of up to 30 years, and incineration taxes should not punish cities that already have invested in more sustainable solutions The EU and member states should instead cooperate with local and regional authorities to ensure good capacity planning for efficient 'waste to energy' installations. This should help avoid overcapacities in incineration plants and long-distance transport of waste to incineration plants

Public awareness and behavioural change are essential to prevent waste generation and to transform waste into a resource. We agree with the Commission that member states should take measures to increase public awareness of proper waste management and

[5] Waste which is neither chemically or biologically reactive and will not decompose (also see the definition in Directive 1999/31/EC on the landfill of waste)

litter reduction, and we believe that our city administrations can also further contribute to awareness-raising.

All public authorities, from the local to the national level, and industry involved in waste management, need to better coordinate their actions. Member states should take the lead in improving coordination, as proposed by the Commission, for instance when an EPR scheme is in place.

2. On a 70% recycling target for municipal waste in 2030

The 70% target on preparing municipal waste for reuse and recycling is ambitious for all local authorities. Even city authorities that have an advanced municipal waste management system will need to apply new methods to achieve this. Member states and the EU will need to support local infrastructure investments and the development of new sustainable technologies for waste sorting and treatment. For example, the European Structural and Investment Funds, as well as Horizon 2020 funding, can support pilot projects on innovative waste management systems.

Waste prevention and recycling starts with putting the right products and packaging on the market. Producers will need to redesign their products to them more durable and/or recyclable and reduce packaging. Recycling targets should only apply to waste materials that are ecologically and economically viable to recycle. For example, separating different kinds of low-grade plastics, with high impurities, from mixed municipal waste streams results in materials of lower value that are very difficult to recycle. In this case incineration with efficient energy recovery can be more ecological than recycling. This is also the case for plastics from Waste Electrical and Electronic Equipment (WEEE) with a high content of brominated flame retardants.

The EU should define quality standards for ecologically sound recycling and not only quantitative targets for recycling. Effective quality standards would prevent high recycling targets being met through (cheaper) down-cycling, where high quality products and materials are recycled into low-grade material.

In order to make more products more durable and/or recyclable, EU ecodesign rules and the packaging directive must ensure that more packaging waste is prevented, and that a sufficiently large share of products that will end up in municipal waste is recyclable. Future revisions of the ecodesign regulation and the packaging directive should complement the new Extended Producer Responsibility provisions to achieve this.

Ecodesign rules have so far mainly addressed energy efficiency. These rules should be expanded to improve overall resource efficiency by, for instance, requiring higher recyclability, more use of recycled materials and banning hazardous substances. In particular, ecodesign regulation should include specific, effective provisions on plastic product design for repairing, upgrading, reusing, efficient dismantling, and recycling, and possibly also on using recycled material for production.

Many products and materials that end up in the municipal waste stream contain various hazardous substances. Identifying and sorting out these substances will be essential to reaching the proposed 2030 recycling target. The Commission should explore how to address better these substances in the waste stream, including improvements to REACH[6] as well as support for research on the environmental and health risks of substances used in materials to be recycled.

We support a phased-in landfilling ban for untreated municipal waste. However, the restriction of residual waste in landfills for non-hazardous waste by 1 January 2030 to 5% of the total amount of municipal waste generated is almost impossible to achieve. If residual waste is incinerated, about 20% of the input will be ashes that have to be landfilled. This non-hazardous waste is not only produced by municipalities, so a landfilling target should not be calculated based on the amount of municipal waste collected. City authorities will need more financial support to quickly expand their waste treatment infrastructure if they are to reduce landfill significantly. The EU should avoid conflicting measures, such as allowing the ESIF funds to be used for building landfill facilities. Ambitious national programmes aimed at waste prevention and changing consumer behaviour are also crucial.

3. On new targets for packaging waste

Increased targets for recycling of packaging waste will be challenging for municipal waste management, regardless of whether EPR schemes for packaging are in place or not. The packaging industry must become more resource-efficient, both to reduce the amount of packaging and to make packaging more suitable for recycling. Member states should be able to incentivise multi-use packaging, such as reusable bottles.

City authorities collect packaging waste in different ways. Where needed and possible, city authorities can work on improving collection systems to make it easier for citizens to separate and deliver packaging waste for collection and recycling. Waste sorting technology, which has made significant progress in recent years, can also play an important role. The EU should support the development and sharing of best practice on waste management and technologies for collecting and sorting packaging waste.

4. On a new method for calculating waste prepared for reuse and recycling

The methods currently used for calculating the amount of waste prepared for reuse and recycling differ greatly. As allowed by the Commission until now, city authorities report the weight of different waste streams collected. In principle, we support the Commission's proposal to streamline the calculation methodology and report the amount of raw material replaced by recycled material (the output-based methodology), as it is in line with the goal of transforming as much waste as possible into useful resources. It can also help avoid down-cycling of municipal waste into less valuable resources. However, the proposed new calculation method could result in lower recycling rates being reported and it is still complicated to apply correctly. The EU should analyse how the new

[6] http://ec.europa.eu/enterprise/sectors/chemicals/reach/index_en.htm

calculation method could affect the ability of city authorities to achieve the proposed recycling targets, and ensure, together with member states, that sufficient knowledge, skills and methods are developed on the national and local level to apply the new method correctly.

Some local authorities are exploring new methods of calculating compliance with recycling targets alongside weight, for example 'life-cycle carbon-based metrics', where decisions on how waste materials are treated are based on their carbon impact. Pending further evaluation and testing, they could support efforts to achieve a more circular economy in the future.

5. On Extended Producer Responsibility

For the Waste Framework Directive (2008/98/EC), the Commission proposes further specifying the definition of EPR as "the producer's operational and/or financial responsibility for a product extended to the post-consumer state of a product's life cycle". Member states would have to take measures to encourage ecodesign and durable products that are suitable for multiple use, reuse and recycling. By making manufacturers responsible for the take-back, recycling and final disposal of their products, Extended Producer Responsibility (EPR) can provide important economic incentives for more sustainable product design. This makes EPR a useful tool for achieving the goals of the waste targets review.

Effective EPR schemes should concentrate on waste streams that require financial support for separate collection and recycling, including:

- a clear definition of the roles and responsibilities of the actors involved in the implementation of EPR, as well as local authorities;
- information for the waste holders covered by EPR about available collection systems;
- financial contributions to EPR schemes by producers or importers of products, which cover the entire cost of waste management including separate collection and treatment, litter prevention and clean-up activities, adequate information to waste holders, data gathering and reporting;
    - financing litter prevention and clean-up activities should also be seen as an important part of fighting marine littering;
- transparency, control and potential sanctions;
- waste prevention by producers or financial contributions by producers to public waste prevention schemes and awareness raising.

6. On data and transparency

Traceability, transparency and record-keeping are vital in order to achieve the ambitious goals set in the waste targets review. New Commission guidelines on reporting, data collection and yearly data collection would be helpful for this. We welcome the proposal

to establish uniform conditions for the verification of compliance with the waste targets and on minimum conditions for third party verification.

7. On the definition of municipal waste:

The definition of municipal waste in the annex is problematic and unclear. In particular, it fails to specify clearly which types of waste must be collected by the municipality and which types can be collected by private waste collection companies. Municipal waste should be defined by its composition rather than by its collection. Furthermore it is unclear if the proposed list is comprehensive or if it is only examples. The EU should instead apply the existing definition of "municipal waste" taken from the European Waste Catalogue.

8. On separate collection of bio-waste

Bio-waste must not be defined as a contaminant of municipal waste. It is an important raw material for producing high quality compost and therefore a valuable resource. We fully agree that the separate collection of bio-waste must be promoted, but the reason should not be because the bio-waste fraction 'contaminates' other waste and needs to be 'removed'.