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A Consultation on the proposed Zero Waste (Scotland) Regulations 2011.

WWF Scotland response

February 2011

Summary

- **WWF Scotland support proposals to deliver a Zero Waste Scotland. A step change in our approach to resource use is required to reduce our ecological footprint and tackle climate change in line with the commitments established in the Climate Change (Scotland) Act.**
- **As well as those waste streams proposed for separation at source timber waste should also be identified and sorted separately.**
- **Greater segregation at source will reduce residual waste and maximise the value of the recyclate, collection systems which enable e.g. paper, plastics, glass and textiles to be separated at source should be the longer term goal rather than systems based on co-mingling.**
- **Additional measures to support increased recycling, reuse and waste prevention should be introduced including variable waste charging for non-residual household waste, Fixed Penalty Notices to ensure correct use of recycling bins and a nationwide deposit return system.**
- **The proposals to prevent over provision of residual EfW are insufficient as set out. Government must have a strategic role in ensuring that residual capacity across Scotland is consistent with delivering total recycling rates well in excess of 70% by 2025 against a backdrop of significant reductions in total waste volumes and significant increases in reuse e.g. as a result of deposit return systems.**
- **We suggest that the requirement to source segregate waste should be introduced by 2012 and a landfill ban for source segregated recyclables and organic waste introduced by 2013.**



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Q1. Are there any other materials or waste streams which should be included in these requirements to sort and separately collect?

In addition timber and other construction waste should also be sorted separately. UK wide it is estimated that each year up to 420,000 tonnes of waste wood is produced by households, or deposited at civic amenity sites. Packaging (pallets and crates) produce a further 670,000 tonnes, and construction and demolition a further 750,000 tonnes of waste wood.¹

Q2. Food waste is required to be presented in a dedicated container. Are there any other recyclable materials which should be sorted and presented separately for collection in a dedicated container?

We agree that food waste is a priority for collection in a dedicated container. We recognise the need to balance the complexity of a system with an approach that supports widespread participation however greater source separation minimises contamination and maximises the quality, and value, of the collected materials and supports higher grade recycling. We therefore support a move towards greater separation at source of recyclable materials. As examples we note the following:

Paper: The paper industry has noted that the development of co-mingled systems is having a negative impact on the quality of the recovered paper and separation by MRFs alone does not deliver the input quality required.²

Glass: The glass industry highlight that glass collected after an MRF crushing process is only suitable for low grade use e.g. replacing road aggregate material and as such offers relatively little environmental benefit. Colour separation and broken, rather than crushed, glass can be used to produce glass again and offers greater environmental benefits.³

Textiles: A report to Defra on textile recycling has noted that 'growth of co-mingled household collections (where recyclates are collected in a single box and sorted at a later point) is a threat to greater recycling and reuse of textiles. This is because textiles are often seen as unattractive to MRF operators and collection by this method often results in poor condition of the textiles.'⁴

Q3. Do consultees have any comments on the new draft Duty of Care Code of Practice?

Q4. Do consultees consider that Government should mandate more specifically what actions waste collection authorities must take to improve recycling of waste from households? If so, what are they?

Introducing 'pay as you throw' or 'variable charging' for residual non-recycled or composted waste should accompany the further roll out of recycling provisions to stimulate maximum recycling and waste reduction. Research elsewhere has shown that pay as you throw schemes can help significantly increasing recycling levels. Numerous examples highlight the scale of the impact such schemes can have. In Landkreis Schweinfurt, Germany a 43% reduction in residual waste reduction followed the introduction of variable charging, with recycling increasing from 64% to 76%. In the Treviso District of Italy a 27% reduction in waste volume followed the introduction of variable waste charging.^{5 6}

Q5. What additional measures, if any, should Government consider in order to oblige householders to recycle?

¹ <http://www.wasteonline.org.uk/resources/information sheets/wood.htm>

² http://www.paperchain-recycling.org.uk/current_issues/position.html

³ <http://www.realrecycling.org.uk/rr/glass.php>

⁴ http://randd.defra.gov.uk/Document.aspx?Document=EV0421_8745_FRP.pdf

⁵ <http://www.defra.gov.uk/environment/waste/strategy/incentives/documents/wasteincentives-research-0507.pdf>

⁶ - <http://www.ippr.org/publicationsandreports/publication.asp?id=503>

The introduction of Fixed Penalty Notices should be considered to encourage people to use recycling bins correctly. Highland Council have already highlighted support for the introduction of this measure. ⁷

Q6. Do consultees agree that banning the listed materials accompanied by a “requirement to sort” will be effective in achieving high recycling rates? If not, what additional or alternative measures could be adopted?

The measures proposed will help create a framework that will contribute towards high recycling rates. We also believe that the following would contribute to this goal:

- Residual waste charging (see Q4 response above)
- Nationwide deposit return schemes ^{8 9}
- Fixed Penalty Notices for failure to sort and recycle waste (see Q5 response above)
- Investing in education, awareness and behaviour change programmes.

Nationwide deposit return schemes: The Climate Change (Scotland) Act containers powers to introduce deposit return schemes, and elsewhere these systems are very common and result in very high take up and thus reuse, avoid packaging waste and result in reductions in litter. Examples of where such systems have been introduced include New York State, South Australia, Germany, Sweden and Denmark. The introduction of a deposit return system in Germany resulted in 98.5% of refillable bottles being returned by consumers and Sweden's container deposit system has achieved recovery rates of 86% for cans and 77% for PET bottles.

Q7. Do consultees consider that banning the listed materials accompanied by a requirement to sort will help support investment in the infrastructure required to achieve high recycling rates?

We agree that these measures may help support appropriate investment, however additional measures will also be required. Measures outlined in our response to Q6 above would further support this goal and also need to be supported by a strategic Government approach to avoid overprovision of EfW which would inhibit this goal.

Q8. What pre-treatment do consultees consider is necessary in order to ensure that only residual waste is managed in EfW facilities?

Emphasis must be placed on upfront source separation and recycling of materials to minimise any unsorted waste materials. Any unsorted residual waste should be subject to pre-treatment, however we note that this is unlikely to deliver high quality recyclate overall and so this must be used as a last resort, rather than excuse, for mixed waste to enter into an EfW process. In addition the quality of pre-treatment approaches vary considerably and it will be important to avoid low quality approaches being deployed.

Q9. Do consultees agree that this is an appropriate measure to prevent overprovision of residual waste management infrastructure?

We are concerned that these measures alone will be insufficient to prevent overprovision of residual waste management infrastructure for the following reasons:

- The commitment that ‘all reasonably practicable efforts to extract recyclable material prior to incineration or co-incineration’ is open to wide interpretation and application. For example it is possible that a waste company could apply a poor quality MRF system to extract only a small fraction of recyclate and then the majority of the waste stream be subject to EfW.
- The consultation states that unsorted waste that has undergone pre-treatment can be accepted at EfW. However, as the consultation also notes, levels of source segregation are currently low and lots of recyclable materials remain in unsorted waste. Given that

⁷ <http://www.highland.gov.uk/yourcouncil/news/newsreleases/2011/February/2011-02-15-01.htm>

⁸ <http://www.cpre.org.uk/news/view/702>

⁹ http://www.zerowaste.sa.gov.au/upload/facts-sheets/container_deposit_legislation_4.pdf

pre-treatment processes can be rudimentary it is likely that not only significant recyclable materials will still end up in EfW, but also that the quality of some of the recycle collected will be low.

- The commitment that 'all reasonably practicable efforts to extract recyclable material prior to incineration or co-incineration' is a very weak interpretation of the commitment in the Government Zero Waste Plan which states '*The Scottish Government will introduce regulatory measures to support the delivery of landfill bans, by ensuring energy from waste treatment is only used to recover value from resources that cannot offer greater environmental and economic benefits through reuse or recycling.*'¹⁰

Going forward the capacity for any residual waste management infrastructure needs to be managed in the context of:

- Delivering high levels of recycling. Scotland has established a target to recycle 70% of all waste by 2025, this is welcome however examples exist elsewhere e.g. Canberra and San Francisco where recycling rates already exceed this, this should therefore be seen as a minimum.^{11 12}
- Cutting waste volumes. Scotland is at an early stage of developing waste prevention/minimisation programmes. The European Waste Framework Directive requires mandatory waste prevention plans and experience from elsewhere shows that waste volumes can be cut significantly.¹³
- Increasing reuse. As noted above much greater levels of reuse are achievable and would be supported through nationwide deposit return schemes, source segregation etc.

It is critical therefore to ensure that the capacity for any residual waste management infrastructure is considered in the context of delivering:

- 1) total recycling levels well in excess of 70% by 2025.
- 2) reductions in waste volumes by 50% by 2025
- 3) significant increases in reuse e.g. plastic, glass

The Scottish Government must have strategic role in ensuring that residual waste treatment proposals in Scotland are strategic and coherent and overall capacity in Scotland is compatible with the criteria above.

Q10. What single stream waste, such as contaminated wood, do consultees consider are appropriate for EfW?

Q11. Scottish Government intends that the EfW restrictions will apply immediately to any new installation. What transitional period should be allowed for existing EfW installations to comply with the regulations?

We support proposals that the EfW restrictions should apply immediately to any new installation. All existing EfW installations should be expected to comply within one year of the regulations being approved.

Q12. Do consultees consider that the lead-in times for the landfill bans are reasonable?

We believe these lead-in times should be reduced. We suggest that the requirement to source segregate should be introduced by 2012 and landfill ban for source segregated recyclables and organic waste in place by 2013.

Q13. What test method do consultees consider should be used to assess the level of biological activity?

Q14. Do consultees have any other comments?

¹⁰ <http://www.scotland.gov.uk/Resource/Doc/314168/0099749.pdf>

¹¹ http://www.sfenvironment.org/our_sfenvironment/press_releases.html?topic=details&ni=482

¹² <http://www.green-alliance.org.uk/uploadedFiles/Publications/AZeroWasteUK.pdf>

¹³ <http://www.ippr.org/publicationsandreports/publication.asp?id=503>