

## 9 PACKAGING WASTE

### 9.1 INTRODUCTION

Packaging is defined in the Waste Management Act, 1996, as “any material, container or wrapping, used for or in connection with the containment, transport, handling, protection, promotion, marketing or sale of any product or substance, including such packaging as may be prescribed”. This includes a very broad amount of waste ranging from food wrapping and shopping bags to the containers and boxes used in industry. The European Commission considers packaging waste a priority waste.

### 9.2 LEGISLATIVE ENVIRONMENT

#### 9.2.1 European Packaging Waste Directive

The EU Directive on Packaging and Packaging Waste (94/62/EEC) is based on the Polluter Pays Principle, the fundamental principle of which is that producers take responsibility for the waste they create. The Directive as amended in February 2004 sets out targets for the recovery of packaging waste. Ireland (together with Greece and Portugal) received a derogation resulting in less stringent targets than those imposed on other member states. This derogation recognises Ireland’s situation, with respect to demographics, geography and lack of infrastructure (approximately 80% of packaged goods are imported), therefore Ireland’s targets are as follows:

#### 30<sup>th</sup> June 2001

- 25% recovery of packaging waste by weight (achieved)

#### 31<sup>st</sup> December 2005

- 50% to 65% recovery of packaging waste by weight
- 25% recycling of packaging waste by weight
- 15% recycling for each packaging material

#### 31<sup>st</sup> December 2011

- 60% recovery of packaging waste by weight
- 55% recycling of packaging waste by weight
- 60% recycling by weight for glass
- 60% recycling by weight for paper and board
- 50% recycling by weight for metals
- 22.5% recycling by weight for plastics (applies exclusively for material that is recycled back into plastics)
- 15% recycling by weight for wood

The Directive also emphasises prevention and reuse of packaging in Articles 4 and 5 respectively. Article 13 of the Directive states that measures must be taken within two years of June 30<sup>th</sup> 2001 (in the case of Ireland) to ensure that users of packaging, including, in particular, consumers are provided with information on:

- The return, collection and recovery systems available to them
- Their role in contributing to reuse, recovery and recycling of packaging and packaging waste
- An explanation of marking on packaging existing on the market
- The appropriate elements of the management plans for packaging and packaging waste to be incorporated into Waste Management Plans (i.e. Articles 4 & 5)

#### 9.2.2 Waste Management (Packaging) Regulations, 1997 - 2003

The Waste Management (Packaging) Regulations 2003, are focussed on ensuring that, 50% of packaging waste is recovered by the end of 2005.

The Regulations place an onus on producers/suppliers of packaging or packaged products to take back packaging waste from customers. Producers with a company turnover in excess of €1M *and* who place 25 tonnes or more of packaging onto the Irish Market each year are considered to be a “Major Producer” and are bound by the requirements of the Regulations.

Specified categories according to the Regulations include glass, aluminium, steel, paper and fibreboard, plastics, wood and textiles or such other categories as may be specified by the Minister. A further Amendment to the Packaging Regulations was issued by the Minister for the Environment in late 2004. The main changes were to increase the registration fees payable by self-complying major producers to Local Authorities, and to advertise the take back facilities operated by self-complying major producers. Local Authorities are responsible for enforcing the Regulations, the implementation of which is now overseen by the EPA.

### 9.3 REPAK

REPAK is the only approved packaging compliance scheme in the country. It was established by a voluntary agreement between industry and the Department of the Environment and Local Government in response to the EU Directive on packaging and packaging waste (94/62/EC).

REPAK's role is to fulfil the recycling and recovery obligations for packaging waste on behalf of industry. One of the ways this is achieved is by funding recycling by means of a subsidy to individual waste recovery operators for each tonne of commercial packaging waste that they demonstrate they have sent for recovery and/or recycling. The level of subsidy is based on the material type, recovery activity for that material, the market value of the material and the tonnage that REPAK is committed to achieving within the current year. This subsidy is paid on six specified packaging materials: glass, paper, plastic, steel, aluminium and wood.

In recent years, most progress has been achieved in packaging waste from the commercial sector, however the subsidy for these materials has gradually reduced. In the future, subsidies will be concentrated on the household sector.

## 9.4 ESTIMATE OF PACKAGING WASTE IN THE REGION

The quantity of packaging waste arising in the Limerick/Clare/Kerry Region can be estimated from AERs and landfill weighbridge records.

Details on household packaging waste quantities are not well documented. For commercial waste, quantities are reported for dry recyclables including paper and cardboard, glass, plastic, aluminium cans, other metals, wood, textiles and composite packaging.

No composition studies have been undertaken in the Region to date on recovered commercial/industrial waste, and in the absence of this data, the remaining waste types, with the exception of other metals, are assumed to be all packaging.

**Table 9.1 Estimated Recovery of Packaging Waste in the Region 2004**

Packaging Waste	Tonnes
Total Quantity of Waste Collected <sup>1</sup>	368,010*
Estimated Quantity of Packaging Collected <sup>2</sup>	135,347
Estimated Quantity of Packaging Recovered <sup>3</sup>	64,774
<b>Percentage Recovered</b>	<b>48%</b>

Notes:

1 Includes household waste collected (private /public); commercial waste and street sweepings.

2 Calculated by applying percentages for packaging to each waste stream

3 Calculated by applying percentages for packaging to separately collected waste (kerbside, bring bank, etc.)

\* (Includes collected and estimate of uncollected household waste; commercial waste and street sweepings)

## 9.5 ESTIMATE OF PACKAGING WASTE LANDFILLED

The EPA National Waste Database Report 2001 estimates that packaging waste forms approximately 29% of household waste, and approximately 40% of commercial and industrial waste landfilled in the Region.

The quantity of municipal waste landfilled in the Limerick/Clare/Kerry Region in 2004

totalled 135,181 tonnes. Specific data regarding the quantity of packaging waste disposed of to landfill is not available. However, by applying factors for the quantity of packaging in each waste stream (*EPA National Waste Database, 2004*) it is estimated that 54,800 tonnes was sent to landfill.

## 9.6 PROGRESS AGAINST TARGETS

The 2001 Limerick/Clare/Kerry Waste Management Plan adopted the targets set down under the EU Packaging Directive (94/62/EC). Under a voluntary agreement between industry and the DEHLG, REPAK undertook to achieve these targets. The initial target of 25% recovery of packaging waste by December 2001 has been achieved, and with an estimated 48% recovery achieved in the Limerick/Clare/Kerry Region by the end of 2004, the Region is well on its way to meeting the December 2005 national target of 50% recovery. The Local Authorities will strive to meet the National Targets for Packaging Waste.

Public awareness campaigns run by the DEHLG, Local Authorities and REPAK have contributed to the achievement of the Directive targets. The increasing number of Bring Banks (215), Recycling Centres (13) and the expansion of the kerbside dry recyclables collection have contributed significantly to the recovery of packaging waste in the Region.

With respect to prevention and minimisation of packaging waste, the introduction of the plastic bag levy in March 2002 has resulted in a significant decrease in the quantity of plastic generated. According to the DEHLG approximately 1.2 billion plastic bags were used each year. After the Plastic Bag Levy was imposed in March 2002 this has dropped by around 90 percent to approximately 120 million plastic bags per annum. In return, the Department has received approximately €13.5 million that has been used to support various environmental activities (such as the provision of recycling facilities by Local Authorities, enforcement of environmental legislation and support for the strengthening of recycling and waste management infrastructure). (Source: Avril Doyle MEP, Repak Conference Proceedings).

## 9.7 FUTURE DIRECTION

### 9.7.1 Prevention

Public consultation reveals a sense of frustration among Limerick/Clare/Kerry households and business that industry should be more responsible for reducing packaging waste at source - once a product is bought the consumer has the problem (and cost) of managing the associated packaging. This supports the objectives of this Plan to prevent waste as a priority, particularly packaging waste.

The new National Waste Prevention Programme and the establishment of a Core Prevention Team within the EPA will contribute to providing additional support to Local Authorities in the Region in areas of prevention and minimisation, particularly in relation to packaging waste. Dissemination of experience and information will allow a continual improvement in this field.

Continued education and awareness in terms of location of facilities and the importance of source segregation of waste will be required. The Local Authority Environmental Awareness Officers and the Regional Industrial Waste Minimisation Officer will therefore play a major role in the dissemination of information to producers of packaging waste.

The plastic bag levy is seen as one of the most successful initiatives in the field of waste prevention to date, and it is considered that further national initiatives will benefit the Limerick/Clare/Kerry Region. Chief amongst these is the introduction of more *producer responsibility initiatives*, particularly to minimise packaging and regulate it to ensure that only recyclable materials are used.

### 9.7.2 Recycling and Recovery

REPAK currently supports public campaigns such as National Recycling Week, National Spring Clean, Tidy Towns, Green Christmas and Cash for Cans (in schools), and also runs award schemes that include promotion of products that reduce packaging. Greater co-ordination of REPAK initiatives with those of

the Government and Local Authorities will help to maximise effectiveness.

Standardisation of packaging is required within industry to facilitate the development of markets for recycling/recovery of all packaging. The local authorities will continue to support initiatives on the recycling of plastics such as polystyrene. This should be supplemented with the provision of recovery infrastructure such as thermal treatment.

Measures are required to address the recovery of packaging waste from small businesses that are producers of packaging waste. Affordable alternatives need to be put in place by the collection companies to encourage small businesses to meet their obligations. Limerick City Council has highlighted the potential negative effect that the lack of a competitor to Repak may have on further increasing packaging waste recovery rates.

In order to maintain progress and to meet or exceed the Directive targets the current infrastructure of bring banks and Recycling Centres will need to be expanded to serve a wider area, particularly with an allocation of bring banks to rural areas, which, in the past may not have been adequately served.



Newcastle West Recycling Centre

### 9.7.3 Enforcement

The Limerick/Clare/Kerry Local Authorities are responsible for the enforcement of the Packaging Regulations.

The recent establishment of waste enforcement units at a national level, and at Local Authority level, will be a significant advantage in ensuring that the Packaging Regulations are consistently policed and enforced.

Byelaws for source segregation of packaging waste have been introduced to facilitate separate storage and collection of recyclable waste from commerce and industry. All Local Authorities have planned an awareness campaign during 2005, for the waste presentation byelaws in its functional area.

The Local Authorities have to date:

- Implemented byelaws with regard to the segregation of packaging waste
- Required Waste Collection permit holders (through Permit conditions) to only collect segregated specified materials

However, additional staff are urgently required to facilitate auditing of both major and minor producers, permitted waste collection contractors, and to carryout follow-up enforcement action "on-the-ground".

To enable better regulation of the private waste collection industry enforcement of the Regulations needs to be extended to focus greater attention on 'Major Producers' who are not members of Repak or registered 'self-compliers'. Inspections of non-major producers with regard to "back-door" segregation of packaging waste also need to be increased.

Many businesses that are not *producers* of packaging do generate packaging waste on their premises e.g. offices. Currently, non-producers of packaging are not obliged to recover their packaging waste and measures are therefore required to capture this portion of packaging waste stream. Again an effective Commercial Waste Bye-Law can be used as a tool to increase recovery of packaging material.

The performance of self-compliant **Major Producers**, with regard to meeting the requirements of the Packaging Regulations would be enhanced by instigating the following measures:

- Increasing the frequency of site audits/inspections
- Improving communication between the Local Authorities and Major Producers
- Better education from IBEC and Unions

- Imposition of a penalty/fine system for failure to fully comply with the Regulations.

The performance of self-compliant **Minor Producers** (i.e., other than Major Producers) could be enhanced by the imposition of the following measures:

- Develop a partnership approach between organisations including IBEC, SFA, ISME, Chambers of Commerce, Universities and all other interested parties to raise awareness among Minor Producers, of their obligations under the Packaging Regulations
- Provision of additional resources to undertake an advertising campaign to raise awareness amongst Minor Producers of their obligations and recommend measures to improve compliance with the Packaging Regulations
- Provision of additional resources to facilitate increased rate of inspections, particularly focused on Waste Collection Permit Holders, to ensure compliance with conditions to only collect segregated specified materials as per the Packaging Regulations
- Provision of additional resources to undertake audits/inspections of Minor Producers (currently enforcement action is generally targeted/prioritised at Major Producers who are not members of Repak or registered self-compliers).