



Rialtas na hÉireann  
Government of Ireland

# Forthcoming waste legislation – 01 July 2023

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# Incentivised waste collection charging in commercial sector



- European Union waste legislation contains a number of binding targets for the recycling of Municipal Solid Waste (MSW), which comprises both household and commercial waste.
- Meeting these targets, 55% by 2025, 60% by 2030 and 65% by 2035 will be extremely challenging and will require the adoption of several new measures to drive progress in this area.

# Incentivised waste collection charging in commercial sector



- The MSW recycling rate has remained stubbornly static in recent years with the recycling rate of 41% reported by the Environmental Protection Agency (EPA) in 2020 being unchanged from that reported for 2016.
- Waste characterisation studies conducted by the EPA indicate that 20% of the material in household recycling bins should not be there, while 70% of the material in general waste bins from the commercial sector should be in either recycling or biowaste bins.
- This is despite the fact that many commercial premises have been subject to the waste segregation requirements of regulations such as the European Union (Packaging) Regulations and the Waste Management (Food Waste) Regulations for a number of years.
- It is worth stressing that that this represents a massive loss of resource value, an unnecessary high cost to businesses whose waste charges could be lowered through proper segregation, and significantly, it undermines investment in indigenous treatment capacity.

# Statutory Instrument No. 104 of 2023



- Minister Ryan signed the Waste Management (Collection Permit) (Amendment) (No. 2) Regulations (SI No. 104/2023) on 7<sup>th</sup> March 2023.
- This measure is intended to drive waste minimisation and improve waste segregation practices in the commercial sector.
- These Regulations introduce incentivised waste collection charging from 1 July 2023, along with a requirement for all commercial premises to be provided with a mixed dry recycling bin, a biowaste bin and a residual waste bin.
- This will broadly mirror the regime in the household sector where incentivised charging has been in effect since mid-2017.

# Statutory Instrument No. 104 of 2023



- The Regulations require waste collection companies to apply pricing plans to their commercial customers that encourage the segregation of recyclables and bio-waste from residual waste and will apply to all commercial premises.
- The National Waste Collection Permit Office (NWCPO) are currently in the process of reviewing all existing commercial waste collection permits to ensure that all permits reflect the new requirements from 01 July onwards.
- <https://www.rte.ie/news/2023/0316/1363696-waste-recycling/>

# Enforcement of waste segregation requirements



- The National Waste Enforcement Steering Committee (NWESC), which consists of representatives of a wide range of regulatory and enforcement bodies including DECC, the EPA, the local authority sector and An Garda Síochána, have identified improved segregation in the household and commercial sectors as one of the National Waste Enforcement Priorities for 2022-2024.
- This will be one of the priority areas for local authority waste enforcement officers for 2023 and 2024.

# Enforcement of waste segregation requirements



<b>National Priority</b>  <b>Objective for 2022 – 2024</b>	<b>Outcomes to be Achieved 2022 – 2024</b>
<b>Household and Commercial Waste</b>  Maximise segregation, and recycling of municipal waste	<ul style="list-style-type: none"><li>• 3 bin systems are in place and being utilised i.e. separation of dry recyclables and organic materials at all commercial sites</li><li>• Accurate waste classification and quantification of waste data in AERs from WCP and WFP operators of municipal waste</li><li>• High level of compliance amongst households availing of a door-to-door waste collection service or a suitable alternative</li></ul>
	<b>Activities for Focus in 2023</b>
	<ul style="list-style-type: none"><li>• Inspection of WCP operators for provision of 3 bin system</li><li>• Surveys of retail, hospitality and industrial sectors to ensure proper use of 3 bin system, segregation and use of authorised collectors</li><li>• Sampling/analysis of treated waste outputs</li><li>• AER Validations on WCP and WFP priority lists</li><li>• Maintenance of register of households with/without a waste collection service and targeted inspections in areas with low compliance.</li><li>• Focused monitoring of the resources and systems available for gathering and reporting waste data to be carried out as part of site audits at waste facilities/waste collectors</li><li>• Monitoring of waste acceptance criteria at authorised sites e.g. WFP, Waste Transfer Sites, Landfills and Waste to Energy Plant</li></ul>

# Waste Recovery Levy



- Minister Smyth announced at the Irish Waste Management Conference 2023 (9<sup>th</sup> March) announced that a Waste Recovery Levy of €10 per tonne will be introduced this year, with a corresponding increase of €10 per tonne also being applied to existing Landfill Levy at the same time.
- **Target date for introduction of this policy measure is 01 July 2023.**



# Waste Recovery Levy



- This will deliver on the commitment contained in the Waste Action Plan for a Circular Economy to introduce a recovery levy to *“apply to recovery operations at Municipal Solid Waste (MSW) Landfills, Waste-to-Energy Plants and Co-Incineration Plants and the Export of MSW”*.
- This measure is intended to encourage higher value waste management practices by moving material management up the waste hierarchy away from waste disposal and recovery to more recycling and re-use and to encourage greater efforts to segregate waste at source.
- Amounts raised from this Recovery Levy will be lodged to the Circular Economy Fund where they will be used to promote and support more sustainable waste management practices and the wider Circular Economy.

# Waste Recovery Levy



- Important to note that this proposed Recovery Levy will only apply to MSW recovery operations at MSW landfills, waste-to-energy plants, co-incineration plants on to the export of waste.
- It will not apply to recovery of construction and demolition (C&D) material. This is in line with commitment given by the Government in the Housing for All Strategy which states that *“DECC will ensure that C&D material currently going to facilities as recovery/ landfill engineering is also exempt from the recovery levy when introduced .....so that there will be no cost impact on the construction sector arising from the introduction of / increase in levies”*.
- In addition the Recovery Levy will not apply to the composting and/or anaerobic digestion of the biodegradable fraction of municipal waste as these waste treatment practices are generally classified as recycling rather than recovery .

# Waste Recovery Levy



- In parallel with the introduction of the Recovery Levy DECC have committed to examining the current exemptions to the Waste Management (Landfill Regulations) 2015 and whether they should be retained.
- A comparative study is currently underway looking at the application, use and success of environmental levies in effecting behavioural change in waste management practices in Ireland and comparable EU member states.
- DECC are also in the process of commissioning research to critically examine the existing Landfill Levy exemptions including an assessment of the potential impacts of their removal . The results of this research will provide DECC with an evidence base to support any decision to remove/retain the various exemptions.

# Waste Recovery Levy



- 745,000 tonnes of MSW was accepted for disposal in the 3 remaining MSW landfills in 2022, of this 621,000 tonnes was classified as Landfill Levy exempt, including approximately 200,000 tonnes of bio-stabilised waste
- In 2022 just over 1,000,000 tonnes of MSW was recovered at waste-to energy plants and at co-incineration plants.
- A further 290,000 tonnes of MSW was exported for recovery abroad.

# Waste Recovery Levy



- DECC are currently in process of drafting required legislation to allow for introduction of the Recovery Levy on 01 July 2023.
- A decision will be taken on the future of the existing Landfill Levy exemptions as soon as the results/recommendations of both research studies mentioned earlier have been fully examined by DECC.

# Waste Recovery Levy



- Over time the intention behind this measure is to drive behavioural change. As such, the introduction of the Waste Recovery Levy, and concurrent increase in the Landfill Levy, will obviously have an impact on the costs associated with the collection and treatment of waste in Ireland.
- However, the level at which the levy is pitched will mean that the additional costs arising for end users will be very modest. For example, the EPA, in their Household Waste Statistics report for 2020, noted that the quantity of household waste managed in Ireland in 2020 equates to 372kg per person. Therefore, for the average household (2.75 persons per CSO), the introduction of the levy and increase in the landfill levy would not be expected to lead to an increase in end-user costs of more than approximately €10 per annum.
- DECC will continue to monitor the market to ensure that any increases in costs to consumers/businesses are reflective of the actual impact of the levies on waste treatment costs.

# Thank you for listening



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