

Department of Communications, Climate Action
and Environment,
Newton Road,
Wexford
Y35 AP90

Via email only to: Wastecomments@DCCAIE.gov.ie

21 February 2020

Re: Public Consultation: Waste Action Plan for a Circular Economy

Dear Sir/Madam

We are very pleased to provide this response to the Public Consultation for the Waste Action Plan for a Circular Economy. The consultation document is a welcome document which covers many areas of waste and circular economy very comprehensively. The high quality of the document will hopefully stimulate extensive stakeholder engagement leading to a robust final plan.

Integrated Materials Solutions (IMS) specialises in the management of construction and demolition wastes and materials as well as other residual wastes. We aim to improve recycling and circular economy principals in the sector. We have invested extensively in research and development in the area of secondary aggregates and we plan on continuing to do this as long as market conditions, regulatory landscape and economics are favourable.

We have focused our response primarily on our areas of expertise and welcome the opportunity to engage with the DCCAIE further on the matter.

Yours sincerely,



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Managing Director

On behalf of Integrated Materials Solutions Limited Partnership

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2.0 INSTITUTIONAL ARRANGEMENTS

How are the current institutional waste prevention and management arrangements working and how could they be improved in your opinion?

The current institutional waste prevention and management arrangements are working however we feel there are currently a lot of different bodies involved which sometimes leads to confusion and lack of consistency across geographical areas, waste types and activities. Some examples; Waste Facility Permits, Construction Management Plans, Waste Enforcement Priorities are implemented differently from county to county. Standardised documents and guidance will assist in having consistency across the country.

We believe the resources and expertise developed in some of the current bodies could be put to better use across the whole sector. For example the data collected by the NWCPO would be bolstered with construction waste management plans submitted to local authorities at planning stage. When combined with returns from waste hauliers, waste facility sites, waste licenced sites and Art 27 data a complete waste statistics and tracking system could be available to aid with compliance, prevent pollution and aid in developing circular markets.

We feel there is a lack of support for businesses who are trying to make the transition to circular economy. There is a lack of technical or economy support for companies looking to exploring new products or processes in the End of Waste space. The EPA are understandably not in a position to assist businesses given their Regulatory remit so we believe a body could be established which engages with businesses and assists them to look at feasibilities for recycling in a compliant manner.

Have you any other comments or suggestions on how you would like to see Ireland transition to a more resource efficient and circular economy by improving our waste management practices?

We feel more support is required for companies looking to make the transition to circular economy practices.

We feel there should be one body responsible for administration of waste permits (EPA type and WFP type).

3.0 MUNICIPAL (HOUSEHOLD & COMMERCIAL) WASTE

Have you any other comments or suggestions on how you would like to see Ireland transition to a more resource efficient and circular economy by improving our waste management practices?

Further consideration should be given to biogas production (inc FIT) at a regional level to aid in the sustainable management of this material. Park and garden waste is easily segregated and could be captured for energy production if the right plant and incentives are in place.

4.0 FOOD WASTE

What are the underlying causes of food waste in Ireland?

There appear to be many causes and the consultation document addresses many of them. Lack of awareness, consumerism, wasteful practices, economics all play a role.

4.1 Should Ireland introduce a national prevention target in advance of a possible EU target?

Yes this should be considered.

4.2 How can Ireland become a 'farm to fork' global leader in food waste reduction?

More public awareness, education and stakeholder engagement should aid this and will boost national agri industry.

4.3 Have you any other comments or suggestions on how you would like to see Ireland transition to a more resource efficient and circular economy by improving our waste management practices?

No further comments.

7.0 CIRCULAR ECONOMY

What are the areas with greatest potential for transformation in Ireland under the Circular Economy?

The areas for greatest potential for transformation are the areas which are most active in the economy currently. These include construction/materials supply, agriculture, and manufacturing/data centres. The potential for circular transformation in these areas is also very well understood globally (e.g. recycled aggregates, biogas generation and district heating). We can learn from the experience in other countries and leap-frog to a smoother and quicker transformation which makes environmental and economic sense.

9.0 CONSTRUCTION & DEMOLITION WASTE

What other measures need to be put in place to encourage all players to prevent and recycle waste from construction?

The measures outlined in the consultation document are welcomed and supported. The 70% C&D waste target should be assessed with caution as a lot of material marked as recovery is not going for true recovery as it is used for backfill. There are also some backfill operations using higher contaminant potential material (e.g. mixed C&D waste, bitumen, non-hazardous soils) in rural sites which may not be suitable for pollutant loading. Additionally some material which goes into a MRF facility is counted as recovered even though the end outlet may be disposal.

To prevent waste in the first place it must be looked at during project planning phase. The update of the C&D WMP guidance is welcomed and consideration should be given to requiring pre-demolition audits. These will aid in the identification of waste reduction measures as well as identifying deconstruction techniques which make the potential waste materials available for reuse or recycling. Consideration should be given to changing the scope of WMP to Waste and Materials management plans. Opportunities for by-product declaration can then be made at an early stage also.

What existing measures are in place that could be improved?

The documentation and tracking of construction waste/materials needs to be greatly improved. This could be done via construction waste/materials management plans in conjunction with planning compliance. Plans submitted at planning stage should be exemplified by local authority personnel with appropriate training and experience in the area. Plans should evolve through the construction project with any changes being approved by the LA.

Consideration should be given to requiring all projects of a certain size to have a designated Waste Manager on the project.

What changes could be made to environmental and/or planning legislation to facilitate more recycling of construction waste?

Planning permission for projects should always require waste/materials management plans to be agreed with the local authority in advance of commencement of development.

The Article 27 Guidance need to be given legal footing with waiting times for moving materials, response times from applicants etc becoming mandatory.

We recommend that legislation should be introduced to require minimum recycled content to be used in building materials, such as aggregate and other materials.

What incentives could be introduced to increase the use of recycled materials?

The Fédération Internationale du Recyclage have produced a number of useful papers on this matter¹. They summarise it well below:

High recycling rates have already been achieved by a number of EU States. For example, in Belgium, The Netherlands and Austria almost all mineral C&DW is recycled into high quality recycled aggregates. This has been achieved by development of several tools needed to guide recycling in the right direction. The tracking and tracing of C&DW is well regulated, each tonne of waste is accounted for. The good quality of products is ruled by a Quality Assurance scheme which leads to certified products. Certification includes environmental testing based on leaching tests. Certified recycled aggregates can be safely used. The main drivers for recycling came however from policies which prevent certain types of material from going to landfill or waste backfilling operations.

We suggest their 10 Step Plan is considered as it contains some useful insights and potential tools to stimulate recycling in this area.

Should levies be applied to the use of virgin material where a recycled material is available as an alternative?

Yes, and the money ring-fenced to assist recycling and to assist the development of secondary raw materials, including product specifications and standards.

As an alternative to imposing levies on virgin materials, consideration should also be given to the requirement of a mandatory percentage of recycled content in materials used in construction.

¹ <http://webdog.brbs.nl/files/Developing-recycling-of-CDW-A-10-step-approach.pdf>

How can site managers be encouraged to ensure more on-site segregation? What financial incentives / penalties could be introduced to encourage better waste management practices?

As aforementioned projects over a certain threshold should be required to designate a suitably qualified and experienced Waste Manager. They should be responsible for adopting and implementing the project waste/materials management, waste reporting, chain of custody and compliance.

Producers, site owners and contractors should all be made aware of the Polluter Pays Principle and further enforcement and visible action needs to be taken in this area by the Regulator.

What are the best approaches to raising awareness and education?

A funded awareness and education campaign in targeted construction media/organisations should be considered. We recommend training for site managers in C&D waste management and that could be included as a planning condition for C&D projects (eg. Such as is the case with Safepass).

What are the barriers/enablers to these measures?

A lack of consistency on the regulator side is a barrier but this can be overcome with a more centralised approach to dealing with waste enforcement, guidance publication and planning conditions. Adequate resourcing is an obvious enabler.

Have you any other comments or suggestions on how you would like to see Ireland transition to a more resource efficient and circular economy by improving our waste management practices?

The 70% target and our achieving of it needs to be looked at in detail as it may not be as secure as it appears.

12.0 BY-PRODUCTS

How do you think the By-product process could be improved?

The EPA Guidance on Soil and Stone needs to be given statutory footing. The Agency are regularly blamed for the issues in the by-product mechanism however it is regularly the industry who do not comply with the guidance or spirit of the regulations. The by-product system is used by some contractors for economic gain but with little or no regard to environmental or planning regulation compliance.

More responsibility has to be put on the waste/material producer to provide satisfactory information to allow the regulator to make a determination on the declarations. If sufficient information is not provided within a set timeframe (say 4 weeks from consultation) then the material should be determined as a waste. Enforcement action needs to follow on in circumstances where the process is not followed correctly.

Consideration should be given to establishing a national register of potential donor and receiver sites² (as in the UK) to try and establish connections for by-product opportunities. This could potentially save the state a lot of money in infrastructure projects.

² <https://www.clare.co.uk/rom-receiver-site>

Do you support the introduction of fees to assess by-product notifications?

Yes we would support a fee being applied.

Have you any other comments or suggestions on how you would like to see Ireland transition to a more resource efficient and circular economy by improving our waste management practices?

We recommend that a review of the historic article 27 declarations is completed as a matter of urgency to assess if there are any environmental risks arising from undecided declarations.

13.0 END OF WASTE

Should the Government seek to establish a group to apply for national End of Waste decisions for appropriate products e.g. Aggregates, Incinerator Bottom Ash?

Yes we would welcome the State seeking national 'end of waste' decisions for appropriate materials.

If yes:

- **what expertise would be necessary for such a team,**

A group of experts with a combined understanding of waste legislation, environmental science and product standards/specifications.

- **who should be represented,**

A steering group could comprise the DCCAE, EPA, Local Authority personnel, NSAI, Transport Infrastructure Ireland (TII) and industry. A dedicated team of experts, such as consultants and/or academics is also likely going to be required.

- **are there other materials which you believe are suitable for national end of waste decisions?**

Yes other stoney types of waste (e.g. soil and stone, rubble, DTM material etc) should be considered.

Have you any other comments or suggestions on how you would like to see Ireland transition to a more resource efficient and circular economy by improving our waste management practices?

'End of waste' decisions are important and we suggest reviewing the merit of decisions in terms of their contribution to circular economy principles. Some decisions do not result in recycling and are essentially still landfilling but under a different name.

As aforementioned greater support should be offered to industry whom are looking to transition into this area.

14.0 EXEMPTIONS

Are there particular waste streams which you think might be suitable to the 'exemption' approach described above, for example, the on-site controlled incineration or deep burial of Invasive Alien Plant Species? Which other waste streams could or should be considered in the context of an 'exemption' approach?

Exemptions for invasive species needs to be considered very carefully and in conjunction with NPWS and other ecological bodies. The mishandling of invasive species without any oversight has led to excessive spreading of these plants throughout the country.

In your opinion, what are the dangers/risks or advantages associated with an 'exemption' approach?
There are significant dangers in managing invasive species without any regulation.