

20140128-DOE-TYRES

Waste Policy & Resource Efficiency Section,
Department of Environment, Community and Local Government,
Newtown Road,
Wexford,
Co. Wexford

prireview@environ.ie

28.01.14

Re: Consultation on the report on Tyres & Waste Tyres as part of the review of the Producer Responsibility Initiative

Sir/Madam,

An Taisce welcomes this consultation period on the Tyres & Waste Tyres as part of the review of the Producer Responsibility Initiative and the opportunity to make a submission with regard to same.

Please acknowledge receipt of this submission and advise us further of any forthcoming consultations in relation to the above report.

Yours sincerely,



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Consultation on the report on Tyres & Waste Tyres as part of the review of the Producer Responsibility Initiative



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1.0 Introduction

An Taisce appreciates that existing Producer Responsibility Initiatives have transformed waste management in Ireland, most notably in waste types such as farm plastics and electrical equipment. One of the key issues addressed in the Government's most recent waste management policy document, *A Resource Opportunity – Waste Management Policy in Ireland* (July 2012), is waste management planning; the policy reasserts that waste management planning has been a statutory function of local authorities since 1996. Most waste management plans are lacking in any real incentives to eliminate waste, to reduce waste, or to encourage repair, re-use and re-cycling. To date, a situation has arisen where almost all of Ireland's recyclable materials are exported, with very little re-processing. The requirement for local authorities to understand Producer Responsibility Initiatives and incorporate them into their waste management planning is crucial. Nevertheless, the benefit of existing Producer Responsibility Initiatives in Ireland, however limited, has brought about an improvement in how waste is managed. As a result of European Union Directives and a strengthening of the Environmental Protection Agency's role in waste prevention and management, it is considered tyres and waste tyres can be successful tailored into a Producer Responsibility Initiatives mechanism.

The Minister for the Environment is responsible for compliance with regulations of tyres. When An Taisce contacted Minister Hogan's office in July 2012 asking for an update on strengthening the enforcement process, the reply was as follows:

The position is that, under the Waste Management (Tyres and Waste Tyres) Regulations 2007, responsibility for enforcement of the Regulations lies with the Local Authorities. This Department is at present undertaking a root and branch review of the Producer Responsibility Initiatives. The overall purpose of this review is to assess the nature and level of the challenges which are currently facing the existing Producer Responsibility Agreements as well as the forthcoming challenges that are expected to arise in the management of various waste streams. It is anticipated that the findings and recommendations from the review will form the basis for the development of robust producer responsibility initiatives that will enable Ireland to operate successfully in meeting our domestic and EU environmental obligations in the medium to long term.

The PRI bodies approved by this Department for waste tyres have an objective to ensure the proper management of all waste tyres by tracking tyre and waste tyre flows. The structural and environmental effectiveness of all aspects of the current system will be reviewed to assess whether this system is ensuring the appropriate environmental management of waste tyres

(Email correspondence from Minister of Environment's Office, 2012).

An Taisce commends to Minister and his officials for progressing with this initiative.

2.0 Zero Waste

The approach of An Taisce to waste management is that it must not rely on landfills, incineration, so-called "waste-to-energy" solutions, or any other "end-of-pipe" approaches. Future waste management must recognise that:

- While landfilling may have to remain an acceptable means of dealing in the short term with locally generated residual quantities of non-recyclable and non-compostable municipal solid wastes, the only long-term sustainable solution is to completely eliminate the production of materials which cannot be re-used, recycled or naturally biodegraded;
- Instead of organising systems that efficiently dispose of or recycle our wastes, we can and must learn from nature to design systems of production and consumption that have little or no waste to

begin with - this will result not only in a saving of scarce resources, but will re-adjust our relationship to the earth's material assets from a linear to a cyclical one, enhancing our ability to live comfortably while reducing environmental damage;

- The only long-term sustainable solution to municipal, industrial and agricultural waste management is to eliminate the production of materials which are toxic and which cannot be naturally biodegraded, re-used, recycled or re-processed as secondary raw materials for other productive industrial or commercial uses;

Zero Waste is an integrated realistic whole-system approach to addressing the problem of society's unsustainable resource flows – it includes waste elimination at source through product design and producer responsibility, together with waste reduction strategies further down the supply chain such as cleaner production, product dismantling, recycling, re-use and composting. Countries and communities faced with discarded materials and objects they cannot reuse, recycle or compost have to demand that industry stops producing them; total recycling is not approachable without industry's help.

In reality, waste tyres are 100% recyclable. However, any Producer Responsibility Initiative should contain policy for the producer in clean industrial production, waste elimination, successful recycling and “zero waste” practices. Achieving this goal does not require complex or advanced technology solutions, only the realisation and full understanding will result in ethical practice and a sustainable economic product, both for local communities and for local and national businesses. Zero waste will, on the one hand, create local jobs and small scale enterprises, which collect and process secondary materials into new products, and on the other hand, it offers major companies a way of increasing their efficiency, thereby reducing their demands on virgin materials as well as their waste disposal costs.

Appropriate fiscal (taxation), economic and social incentives are the key to the creation of the necessary structural and behavioural changes, and they should be introduced without delay. Such incentives have been recommended to the Irish Government by the European Commission, the Organisation for Economic Cooperation and Development (OECD) and by the Economic and Social Research Institute (ESRI) – yet they have not been implemented, and the reasons for this failure of approach must be examined, and the barriers to implementation removed.

3.0 Regulating and Removing Stockpiles

With support for the producer in achieving more sustainable industrial practices such as eliminating toxics and re-designing packaging and products for the environmental and ecological demands, the outstanding question arises, as to whether the user will disposed of waste tyres appropriately and legally? Communities cannot resolve the waste problem alone and should not be forced to clean up after irresponsible industries and producers.

According to the 2003 Landfill Directive, tyres can no longer be burned or buried. They must be recycled and disposed of adequately. In 2008, then Minister for the Environment, John Gormley introduced the Waste Tyre Regulations. These regulations levied a recycling charge between €2-6 for every tyre that was collected and recycled by a listed, licensed and registered waste collector. The waste collector must recycle the tyre or pay for its disposal. However, since the introduction of the Waste Tyre Regulations four years ago, illegal tyre stockpiling has increased substantially. This unlawful storage was the subject of a Prime Time documentary broadcast in May 2010.

The Landfill Directive 2003 indicates tyres can no longer be burned or buried. They must be recycled and disposed of adequately as stockpiled tyres can pose a very serious risk of fire. In 2008, then Minister for the Environment, John Gormley introduced the Waste Tyre Regulations. These regulations levied a recycling charge between €2-6 for every tyre that was collected and recycled by a listed, licensed and registered waste collector. The waste collector must recycle the tyre or pay for its disposal. However, since the introduction of the Waste Tyre Regulations four years ago, illegal tyre stockpiling has increased. This

unlawful storage was the subject of a Prime Time documentary broadcast in May 2010. An Taisce has provided photographic evidence of stockpiling, which is still cause for concern for local communities. The requirement to capture sites like these within the statutory instrument that the Producer Responsibility initiative furnishes.

There are enormous dangers associated with the highly toxic dioxens, sulphurs and heavy metals that are connected to tyre fires. Chemicals emitted from burning tyres have been proven to be extremely detrimental to human health. The pernicious effect on the wider environment is perhaps less apparent yet should not be understated as it is very difficult to eradicate, especially in the long run; take groundwater contamination for one such example.

The most alarming substances are toxics and carcinogens (cancer causing) such as polycyclic aromatic hydrocarbons, dioxins and furans, but carbon monoxide, oxides of nitrogen and particulates are also released. The sulfur oxides (Sox) emitted can react with other compounds in the atmosphere to form small particles. These tiny particles can then penetrate deeply into sensitive parts of the lungs and can cause or exacerbate respiratory disease, such as emphysema, asthma and bronchitis, and can also *“aggravate existing heart disease, leading to increased hospital admissions and premature death”*¹.

Vyvyan Howard, a senior lecturer in toxicopathology at Liverpool University, advances the position further. *“The toxicity is even stronger if this contains metals such as nickel and tin, which you get when you throw the whole tyre into the furnace. If the metal content of the particles goes up, then there is going to be an increasing impact on health”*².

The Compliance Scheme was established to essentially monitor the number of tyres coming into the country and where they go when they reach end of life. It was to ensure that tyres are recycled and not dumped. However, the dumping of waste tyres increased with the introduction of the Waste Regulations, and led to the stockpiling of tyres to the extent that there are tyre dumps strewn in some of the most remote and rural places in the country.

In 2010, two such compliance schemes were present;

- TRACS – Tyre Recovery Activity Compliance Scheme
- TWM – Tyre Waste Management.

Both of these schemes were run by the tyre industry. In short, the Government let the tyre industry regulate itself. This of course proved to be an outright failure with RTE noting (in May 2010) that the vast majority of tyre companies were ‘blatantly ignoring the law’. To add to that less than one quarter of companies involved with tyres actually comply with the legislation that is currently in place.

One of the schemes, Tyre Waste Management (TWM), stated in 2010 that ‘we have no powers at all [on enforcement]’, something which led RTE’s Paul Maguire to conclude that the regulatory framework involving TRACS and TWM was a ‘toothless tiger’. In fact, as detailed within this report, companies that have unauthorised stockpiles have held powerful connections with TRACS.

Any Producer Responsibility Initiative will have to be independently monitored and not allowed to be manipulated by the tyre industry. The Producer Responsibility Initiative should include regulation to de-incentivise stock piling of tyres and not allow it to fall through the net, as happened in 2008. Subsequent to capturing future possibility of stockpiling, there is also a requirement the deal with the legacy of the 2008 regulations.

¹ EPA (2012) Six Common Pollutants Sulfur Dioxide, Available at: <http://www.epa.gov/air/sulfurdioxide/>

² Rowe, M. (2002) Dumped on. Available at: <http://www.guardian.co.uk/society/2002/may/15/environment.waste>

4.0 Case Studies

Trevor Ruane Waste Balla, Co. Mayo



Delvin Tyres, Main St. Delvin, Co. Westmeath



New Inn Storage Depot New Inn, Co. Galway



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5.0 Supporting Sustainable Re-Use

Any Producer Responsibility Initiative should support local sustainable re-use of tyres and waste tyres. For example, suitable alternatives to exporting our waste tyres in Ireland would be a tyre collection company established to take tyres out of the waste circuit, recycle them and then turn them into a new, broad range of rubber related products. A desktop search would suggested Crumb Rubber Ireland Limited is the only company in Ireland that fully recycles tyres in their facility in Dundalk, Co. Louth. Crumb Rubber offer to collect tyres all over Ireland, the cost is inexpensive for the benefits that are gained in the long run – only €1 for car, van and jeep tyres. The cost rises minimally for truck and tractor tyres. An Taisce contacted Crumb Rubber where it learned that after the Primetime Documentary, the company did not receive any increase in the intact of tyres. The situation at Crumb Rubber is remarkable, the company is starved of tyres.