An Taisce
The National Trust for Ireland

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Household Waste Consultation,
Waste Policy & Resource Efficiency Section,
Department of Environment, Community and Local Government,
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31.01.14

Re: Consultation on the Regulation of Household Waste Collection

Sir/Madam,

An Taisce welcomes this consultation period on the Regulation of Household Waste Collection in Ireland and the opportunity to make a submission with regard to same.

We would greatly appreciate acknowledgment of receipt of this submission and of any forthcoming consultations in relation to the above report.

We would also welcome the opportunity to meet with you to discuss the proposals outlined in the enclosed.

Yours sincerely,

James Nix
Director of Policy
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Consultation on the Regulation of Household Waste Collection



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1.0 Introduction

The main thrust of this submission primarily draws upon three documents: *A Resource Opportunity: Waste Management Policy in Ireland* (2012); *Roadmap to a Resource Efficient Europe* (2011); and *Environmental Attitudes and Behaviour: Values, Actions and Waste Management* (Davies et al., 2005). The more concrete suggestions we make in what follows stem from core points and understandings of attitudes to waste management, almost all of which are outlined in these documents, and allowing the following core objectives to be identified:

- Communication between householders and service operators must be improved. This communication includes improved transparency and a pro-active effort to illustrate to householders where their waste is going;
- Provision of incentives to make it worthwhile to recycle more. The Davies et al. (2005) report shows that people benchmark their waste disposal/recycling/segregation performance against the level of service that is provided. This suggests that it is down to policy-makers and service operators to provide incentives for change.
- These incentives need to be coupled with efforts to change social and cultural norms around waste. This will involve pilot schemes, media campaigns, as well as financial incentives.

Within this context provision must be made for low-income homes; a tariff structure that retains incentives needs to be formulated, albeit that the tariffs will be of an order less than higher-income households.

2.0 Waste Hierarchy

Questions

(1) What are your views on the level of awareness, information and education that needs to be provided to householders to assist them in waste prevention and source segregation techniques? How best can the representatives of the producer responsibility sector, local authorities, waste collection companies, the public sector and the business community work in partnership to promote awareness?

(2) What are your views on the operation of the current commingled collection service for dry recyclables? Are there ways that the performance of commingled collections could be improved to increase the quality of household material being collected for recycling / recovery? (e.g. by lowering contamination rates, or by prohibiting the collection of glass containers in commingled dry recyclable collections).

Standardised Incentives

There is a need for a more standardised approach to incentives if Ireland's key waste policy targets are to be achieved. One of the main areas in which problems arise is the lack of incentives to separate waste in the home. This is recognised in the document *A Resource Opportunity: Waste management policy in Ireland* (p. 6). At the household stage, before the discarded materials are mixed, there is the potential to re-use or recycle materials. This reduces the need for reprocessing, diverts materials from landfill, and could contribute to the economy by providing used materials at a lower cost to various enterprises and industries. An Taisce believes that this is a vital service and that householders who engage in providing such a service should be adequately compensated.

There are a number of examples from Europe and North America. In Germany a 'pfand' is charged for beer

bottles (in addition to the beer) which is given back to householders when they return such bottles to supermarkets[1]. Additionally, in many states in the USA, a fee is paid when individuals return aluminium cans to recycling centres[2].

More Jobs

A study conducted on a beverage container recycling programme in Texas found increases in jobs, economic activity, and revenue on foot of the programme[3]. This suggests that not only can we divert materials from landfills and reduce the overall need for new materials, but we can simultaneously create jobs and increase economic activity too. We point towards models operating in other European countries, such as Germany[4] and Finland[5], whereby five or more different bins are provided for different types of material. This will radically reduce the need to subsequently separate materials. This would require certain changes in the service provided as well as awareness-building. Before advancing to a more progressive system, Ireland's three-bin system must be reformed to work better.

Incentives need to be matched by disincentives. We recommend a high charge for co-mingled waste destined for land-fill, as well as a penalty for contaminated materials. Elsewhere, these types of levies have incentivised and increased recovery of materials[6].

In order to achieve our targets, these measures need to be coupled with increased awareness and education at a household level around waste disposal. We advocate a number of pilot schemes on increased waste segregation similar to those in place in Germany[7], as well community composting[8] and compensation for the return of useful material to specified facilities[9].

If the philosophy underpinning *A Resource Opportunity* is promoted, householders will come to see their discarded materials as a resource that, handled properly, can reduce living costs and improve our communities. Relevant schemes and infrastructure need to be developed in tandem with the necessary promotion, education and support. By involving communities in designing local materials collection schemes, awareness raising and action can take place all at once.

(3) Should local authorities, at a local or regional level, be given the flexibility to introduce more stringent requirements regarding the segregation of household waste?

Local authorities should be given the flexibility to introduce more stringent requirements. However, these stringent requirements should be designed in such a way that they facilitate discarded materials being treated as a resource and an asset for the community - rather than as a burden. This can be achieved by providing adequate compensation for householders who carry out valuable material segregation activities.

(4) What are your views on the requirement that all household waste collection firms <u>without exception</u> provide, at a minimum, a residual waste collection, a recyclates collection, and, in the specific circumstances [as set out in the European Union (Household Food Waste and Bio-waste) Regulations 2013,] an organic bin collection. Non-compliance with the above minimum requirement would result in action being taken against a household waste collector seeking to

[1] http://anker-andersen.com/deposit-laws/germany.aspx
[2] http://www.bottlebill.org/about/whatis.htm
[3] http://www.tlcv.org/wordpress/wp-content/uploads/2013/02/TLCV-Recycling-Study-Final-2.19.13.pdf
[4] http://www3.mpifr-bonn.mpg.de/old_mpifr/imprs/downloads/downloads/Waste%20disposal.pdf
[5] http://www.iswa.org/uploads/tx_iswaknowledgebase/Overview_of_Household_.pdf
[6] http://scp.eionet.europa.eu/facts/factsheets_waste/2011_edition/factsheet?country=FI
[7] http://www3.mpifr-bonn.mpg.de/old_mpifr/imprs/downloads/downloads/Waste%20disposal.pdf
[8] http://erc.epa.ie/safer/iso19115/displayISO19115.jsp?isoID=132
[9] http://anker-andersen.com/deposit-laws/germany.aspx

have their permit revoked. Would it be preferable for the above requirements to be included as 'binding obligations' in national legislation as opposed to being attached as conditions in particular functional areas?

This should be a binding obligation in national legislation. The absolute minimum requirement for waste collection companies should ensure a best practice approach. Additional measures should be adequately rewarded. As it has been shown (in Davies et al., 2005), householders benchmark their own activities in relation to the services that are provided, service providers have a large role to play in setting a precedent for a specific approach to waste management in Ireland. These types of activities can, in the long term, add value and jobs to the economy[10].

There are several waste collection service providers who do not currently adhere to best practice. These charge a flat rate for the collection of mixed waste, organic materials, and recyclable materials. This provides no incentive to separate waste and works contrary to achieving the goals of government policy. Such operators should be given a chance to align their practices with government policy. Refusal should result in the revocation of operating licences.

(5) Do you think legislation should also provide the possibility that action can be taken against a non-compliant operator to seek to have their permit suspended (in addition to the possibility of seeking to have a permit revoked) for non-compliance with the legislation?

Yes, there should be a transparent, standardised and consistent system in place through which an operator understands the rules, regulations, and consequences of non-compliance. We recommend a points system whereby offences are judged on a scale of gravity. As such, minor infringements by a previously compliant operator should not put that operator out of business. Accordingly, serious infringements and continual breaches of regulations should come with serious consequences such as suspending or revoking licences.

(6) In what limited circumstances are pay-to-use compactors (PTUs) appropriate for waste collection purposes?

In areas of low population density and fluctuating seasonal population, it may not make sense to have a door-to-door collection service. As such, in areas of low population density a community pay-to-use compactor may be provided. These should still operate on a pay/weight basis. In holiday towns it may be appropriate to provide a door-to-door service at certain times of the year. This should be analysed on a case-by-case basis.

(7) Should a condition be included in waste collection permits to require a waste collector to demonstrate how they are monitoring the potential contamination of waste streams being collected, including ensuring that other waste streams (such as PRI waste with other dedicated collection systems) are not being disposed of through the household waste collection service?

Yes. This will be a difficult measure to implement. However, as asserted by Davies et al. (2005), achieving a working model would be extremely worthwhile in terms of transparency, fostering confidence in the system, and ensuring that operators are providing a service that deals with material appropriately. In addition to this, measures should be implemented requiring retailers and producers to communicate what they are doing to minimise the amount of discarded materials associated with their products.

This measure could be implemented as part of a best (and worst) operator evaluation scheme. In the current system this would at least provide an incentive for private operators to adhere to best practice and to implement additional measures to divert materials from landfill.

[10] http://www.tlcv.org/wordpress/wp-content/uploads/2013/02/TLCV-Recycling-Study-Final-2.19.13.pdf

(8) Given that 53% of (managed) household waste was disposed to landfill in 2011 and that the policy aims to virtually eliminate landfill by 2020, what are your thoughts on the potential following measures:

a) the application of landfill bans on particular waste materials at this time or in the future?

We support this measure provided the alternatives area in place. The infrastructure must allow people to return useful discarded materials in a way that is not overly inconvenient. A ban on specified materials to landfill will only be successful if coupled with the provision of such alternatives.

b) further increases in the rate of the landfill levy?

Yes, provided the money goes to the EPA. The levy on incineration should be similarly increased so that an incentive to incinerate is not provided.

c) removing the exemption from the landfill levy for further waste materials?

d) providing appropriate legislative support for enforcement activities of the EPA in relation to landfill gate fees and financial guarantees for licensed facilities?

Yes. The EPA needs to implement European legislation, such as the Industrial Emissions Directive and the Waste Framework Directive, more stringently. The staggeringly high figure of 53% needs to be swiftly reduced.

(9) Are there economic or other instruments you think could be explored or introduced to further encourage the development of recycling and recovery infrastructure within the State for managing household waste in accordance with Article 16 of the Waste Framework Directive? For instance, should measures to confine the export of household waste to encourage the development of indigenous recovery infrastructure be considered?

Yes: In Ireland there is an over-reliance on the export of waste either for incineration or recycling[11]. Indeed, we have a relatively small population and Ireland is sparsely populated. However, Finland has a similar population size and density but has all of the necessary infrastructure for dealing with waste. Ireland should avoid exporting waste as this is costly and entails a poor use of materials that could add value to the economy. As noted above, separating waste and establishing facilities for recycling and redistributing used materials could be a source of job creation.

In the past the export of waste has also been shown to lead to health risks – principally in other countries rather than Ireland. When waste is exported to less regulated economies, people may be exposed to toxins and other chemicals when trying to recover or recycle materials[12]. Therefore, in order to support just treatment of human beings and the environment, Ireland should, first and foremost, reduce the amount of waste it produces and, secondly, deal with as much of its own waste as possible under the guidance of European Directives.=

In addition to the development of appropriate infrastructure, incentives should be provided to reduce waste generated at a household level. This will involve two initiatives. First there should be an incentive in supermarkets to purchase items with less packaging. We therefore propose a packaging tax. However, the burden of this tax should be carried by the producer, i.e. structured so as to benefit producers who are

[11] http://www.epa.ie/irelandsenvironment/waste/#.Utk-Ohw4m3U
[12] http://www.eea.europa.eu/highlights/eu-exporting-more-waste-including

producing in a more sustainable way. In other words, the packaging levy will raise the price of products with more packaging and lower the prices of those with less, thereby providing an incentive for customers to avoid over-packaged items. Indeed, the Programme for Government states that the Government "will drive a waste reduction programme through an extension of producer responsibility initiatives and a levy on packaging after appropriate consultation" (Department of the Taoiseach, 2011, p. 61).

Opposition to the introduction of a packaging levy has often relied on claims that the REPAK system provides adequate waste prevention incentives at a retailer level. We challenge this claim on the basis that REPAK is designed to increase the amount of materials recycled. This does not necessarily lead to a reduction in the amount of materials discarded[13]. Therefore, a complementary policy instrument is needed to reduce the overall amount of packaging. We advocate a producer-level packaging levy to achieve this goal.

The second measure is a pay-per-weight system of waste collection. While customers should be rewarded for separating their waste in ways that makes materials easily reusable and recyclable, the mixed materials that are rendered waste material should be charged for on a per weight basis. A flat rate for collection should be absolutely out of the question. It must be noted too that a pay-per-lift tariff structure is not good practice: first and foremost, it encourages people cram more into the bin - rather than to waste less material. A per weight charge is a direct incentive to produce less waste at a household level.

(10) In addition to measures already introduced or proposed, including the landfill levy, the roll out of the brown bin and the potential introduction of pricing structures which incentivise householders to manage their waste in accordance with the hierarchy, are there further measures (e.g. the provision of information on the various waste types that can be deposited in the dry recyclables bin) you deem necessary to give effect to the waste hierarchy in the context of household waste collection?

In addition to these measures, there is a need to raise awareness around issues related to waste as well as the possible local solutions to waste reduction and management. Further, more social science research is needed into the attitude/behaviour gap in people's behaviour, knowledge and understanding of waste disposal. The Horizon 2020 programme, which replaces the FP7 programme, represents a potential funding source to facilitate this important research. Of the €80bn that will be available for research through this programme over the next 7 years, 60% should be used in relation to research on sustainable development[14]. This presents a serious opportunity for Ireland to expand upon some of the few, but high quality, studies that have been undertaken to date (for example, through the EPA's strive programme) to develop a better understanding of these issues in the process.

3.0 Deliver Mandated Service Levels

(11) Do you think it necessary for the introduction of further mandatory segregation at source of household waste (e.g. paper, metal, glass, plastic and glass) at this time?

Yes. The infrastructure for this should be provided and piloted. A best practice example in this instance is Germany where waste is separated into 5 different categories at a household level: non-recyclables, organic, paper, light packaging, and glass[15]. This system should be piloted in Ireland and gradually rolled out

[13] http://www.ctc-cork.ie/File/epa_waste_prevention_framework_ertdi22_synthesis.pdf
[14] http://ec.europa.eu/programmes/horizon2020/en/what-horizon-2020
[15] http://www3.mpifr-bonn.mpg.de/old_mpifr/imprs/downloads/downloads/Waste%20disposal.pdf; there are significant advantages in separating glass at the household level, as distinct from removing it from a stream of mixed dry recyclables: in the former the bottles themselves can be reused, whereas in the latter the glass is typically crushed

if successful. The materials involved are rendered easily reusable providing more value to the economy in the form of materials. Additionally, more materials are diverted from landfill with less pollution and associated greenhouse gases as a result.

(12) What are your views on the following collection frequencies being mandated in national legislation (i.e. non-compliance with the below minimum requirements will result in action being taken against a household waste collector seeking to have their permit revoked) :

a. household waste collectors provide a mixed dry recyclates collection at least every fortnight;

b. an organic bin collection is provided at least every fortnight, in accordance with the European Union (Household Food Waste and Bio-waste) Regulations 2013; and,

If Ireland is to use a centralised collection system, then organic waste needs to be collected at least once a week (to combat odour and the risk of attracting vermin). However, a centralised system is not ideal in this instance. We advocate localised composting systems in gardens when that space is available[16]. In urban areas we advocate a community employment scheme around the collection of waste whereby a job can be created for a resident of the locality to collect, manage, compost, and use that compost for the community. Dealing with compost is relatively low-tech in comparison to, for example, recycling. Such a scheme could be coupled with the development of a community garden project or the compost could be sold to other gardeners, farmers, or for use in city council projects. This money may be enough to fund the employment of the individual and any surplus could be returned to the running of the local system, additional education and training for members of the community.

c. a residual waste collection is provided no more frequently than the collection of the organic bin, however, a collector may have a more frequent residual waste collection service in circumstances where there is an acceptable pricing structure to ensure that a financial disincentive exists for using the residual bin.

(13) Are there any other issues you wish to raise in relation to mandated service levels?

4.0 Pricing Structures

(14) Should the practice of household waste collection companies charging a single flat rate fee (annual or other periodic fee) be expressly prohibited in legislation given that the practice appears to run contrary to the ideals of the polluter pays principle and the waste hierarchy?

Flat rate tariffs should be absolutely prohibited. They provide no incentive to separate materials or divert them from landfill.

(15) Given the overwhelming arguments in favour of the per kilogram weight form of Pay-by-use, on what basis should it be introduced and what are the appropriate transitional arrangements?

(16) In order to incentivise source segregation of organic waste by householders in the brown bin, how can the charging system be designed and structured so as to avoid wilful consignment of non-organic material to the brown bin? What is the appropriate balance between the rate per kg for organic waste deposited in the brown bin and the rate per kg for residual waste deposited in the black bin?

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and used as aggregate. See http://www.acrplus.org/index.php/es/2013-06-11-10-57-57/noticias-de-acr/archive/2-content/289-glass-recycling-and-separate-waste-collection-key-drivers-towards-a-circular-economy.

[16] http://erc.epa.ie/safer/iso19115/displayISO19115.jsp?isoID=132

(17) Should a 'pay per weight (per kg)' charging system be mandatory for household waste collection, how can the balance between the variable cost 'pay per weight (per kg)') element of the charge and the fixed cost (standing charge) element of the charge be best achieved?

The pay per weight system should be mandatory. The basic financial viability of such a system would be ensured by a tax on product packaging both at a retail and importation level. This would provide a disincentive to consumers to purchase items with excessive packaging while also providing revenue to ensure a basic level of service.

(18) Traditionally in many instances the dry recyclate bin has been provided 'free of charge' by waste collection operators. Do you consider it appropriate that the green bin for dry recyclables should continue to be collected free of specific charge?

The main issue here is to provide an incentive to recycle and separate discarded materials. If there is a development of the level of separation that takes place (5 bins instead of 3), and it is possible to re-use the materials then this service should have a low cost associated with it. The primary incentive should be provided for returning materials in forms whereby they do not need to be recycled but can be reused (glass bottles for example).

Therefore, if a citizen is provided with the infrastructure to perform this task, no cost should be incurred and the possibility of even compensating the individual should be considered. However, if materials cannot be reused then a low-cost recycling service should be offered (as a disincentive for purchasing goods with excessive packaging).

(19) What do you think of the proposal that where a standing charge is being applied, that it should be uniform, i.e. an operator would be obliged to impose the same standing charge for the provision of 3 bins or 2 bins (where the householder is disposing brown bin waste in accordance with the European Union (Household Food Waste and Bio-waste) Regulations 2013?

(20) What are your views on a regulatory approach whereby non-compliance with any new pricing structure requirements would result in action being taken against a household waste collector seeking to have their permit revoked?

Non-compliance should entail a penalty. However, a point system may work, best i.e. a scale of penalties corresponding with the seriousness of the shortcoming or offence. There should also be a chance to appeal these decisions. In terms of providing incentives to comply, an award for green waste collection may be appropriate.

(21) Do you consider it appropriate that any new pricing structure requirements which may be introduced should apply universally and be included as binding obligations in legislation as opposed to being attached to individual permits as conditions in particular functional areas?

(22) Are there any other issues you wish to highlight in terms of pricing structures?

In terms of operators, waste collection should not become a source of vast profits for private companies. Ireland's supposed waste is indeed a resource, but we must ask the question 'a resource for whom?' There is an opportunity here through which community approaches to reusing materials can provide employment and deal with discarded materials in a way that is transparent and has tangible benefits. The potential for clear benefits to communities is in itself an incentive to divert from landfill.

The privatised structure under which waste collection currently operates fails to seize the potential benefits, especially the community benefits, outlined above. Additionally, privatisation is currently

producing a duplication of effort by various operators. This is inefficient, bad for traffic congestion, increases GHG emissions, and is ever more expensive. Such services should be viewed as infrastructural and the focus should be placed on making the running of such infrastructure efficient. An option for the immediate rectification of the current situation would be to award tenders on a regional basis, whereby the most suited operator becomes the sole operator for an area. This is the level at which competition should take place rather than at a household level.

5.0 "Fit and Proper" Person

(23) Current legislation permits a local authority to regard a person as 'fit and proper', if it considers it proper to do so, even if the person has been convicted of a specified offence. Should a local authority still retain this flexibility or how should the circumstances whereby a person is considered as 'fit and proper' (notwithstanding the fact they have been convicted of a specified offence) be defined?

We have seen instances in the past whereby operators with bad, and even felonious, records winning contracts and tenders. These records should be taken into account. A certain time period should elapse before a person convicted of an offence under waste management legislation can be awarded a contract, or a further contract. See further below; probity and legal compliance should always form part of the scoring process prior to the award of a contract.

(24) Would you consider it reasonable that a household waste collection company/operator would have their waste collection permit revoked if they amassed a designated number of specified offences or administrative fines in a specified rolling period (e.g. mixing source segregated waste such as organic and residual waste in a collection vehicle)?

Yes – a point system could be implemented; in fact, probity and legal compliance should always form part of the scoring process prior to the award of a contract. Tender parties would have to achieve a certain minimum level of marks under the probity / legal compliance for their tender to remain valid.

(25) Should authorities be given additional powers to require collectors to furnish evidence that a person is 'fit and proper' in terms of qualifications, experience, financial provisions in relation to the company's ability to meet the financial commitments or liabilities that the EPA reasonably considers will be incurred in carrying on the activity?

Yes, track records should be taken into account, and An Taisce's suggestion regarding the allocation of marks for probity / legal compliance should assist in this regard. Financially viability should also be assessed. This should be done under a separate head and is normally examined by requesting the company's accounts for the past two years. It would be possible to sub-divide probity / legal compliance, e.g. allocating 60% of the marks for adhering to environmental legislation with the other 40% for compliance for health & safety regulations, fire standards and labour law.

(26) Is it necessary to have a specified level of both motor and public liability insurance to be considered a 'fit and proper' person?

Yes

(27) Do you agree that the technical competence of an applicant should include skills such as computer literacy for submission of annual returns? Do you think it appropriate that authorities could require a waste collector to undertake an accredited training course(s) to ensure they possess the

required level of technical competence, particularly in the IT, corporate governance and record keeping fields?

Yes. However, in the case of community waste disposal, composting, recycling, or reuse schemes, grants should be available to train a member of the community to oversee such programmes.

(28) Should there be an onus on operators to demonstrate that they are 'fit and proper' on an annual basis, such as a declaration that the operator has not been convicted of any specified offences? Operators could be required to obtain a Certificate of Compliance from the National Waste Collection Permit Office on an annual basis based on such a declaration, which could also include, for instance, that the waste collector has submitted their annual data return under Regulation 20(2) (f) of the Waste Management Collection Permit Regulations. Are there other provisions which ought to be included in such a proposal (e.g. confirmation that a Customer Charter is in place, an appropriate pricing mechanism is in place etc.)?

Yes, a good solution is to place a legal duty on applicant operators to declare all breaches within the previous 7 years. Failure to disclose would itself be a criminal offence. The issue of pre-clearance, or 'floor requirements', is a matter relevant to the scale of work that is being tendered for. The proposed Certificate of Compliance system, reviewed annually, may be appropriate for large firms bidding at the regional scale. On the other hand, a "Track Record Declaration", updated every two years, may be more appropriate for actors at the local level where annual turnover falls under a specified amount.

(29) Are there any other issues you wish to raise in terms of only 'fit and proper' individuals/companies are allowed to hold waste collection permits?

6.0 Waste Management Collection Permit Fees

(30) The waste collection permitting regime in general could be reformed in terms of introducing different classes of waste collection permit (based on EWC codes) and associated suitable permit fees. Permits could be granted on a national basis rather than on a regional basis. Each class of permit would have its own standard conditions. In terms of reforming the permit fee structures generally for waste collection, including household waste collection,

(a) What are your views on the following classes of waste collection permit being established?

(b) Are there other ways of restructuring permits which you would see as more beneficial / practical?

(c) Do you think it reasonable that a cap would be set for the fees for waste collection firms who would require more than one permit?

Class	Description	Fee
Class 1	Collection of waste for preparation for re-use (registration only)	A
Class 2	Haulage of bulked waste from authorised waste facilities (non-hazardous)	B
Class 3	Haulage of bulked waste from authorised waste facilities (including hazardous)	C
Class 4	Single code /waste type, (non-hazardous) collection e.g. scrap metal, septic tank sludge, C&D	D
Class 5	Single code / waste type, (including hazardous) collection e.g. oil interceptor, ELV's	E
Class 6	Multiple waste type collector (non-hazardous waste)	F

Class 7	Multiple waste type collector (including hazardous waste)	G
Class 8	Household kerbside waste collector	H

There are two avenues of concern that we wish to address here.

First of all, it is important that the licensing process does not exclude community groups from setting up their own, local means of dealing with waste. Primarily, it needs to be viable for local groups to set up their own composting service. A decentralised mode of dealing with something as easily re-usable as household compost will be far cheaper and more effective than a centralised system once adequate education is provided[17]. In addition, this system would allow residents to engage more fully with the processes required to reuse supposed waste materials, while also providing employment - as well as a tangible product from which the community can benefit by using it in their household and shared gardens. Where possible, An Taisce favours the view that waste and discarded materials be viewed as a community resource.

The second issue is that of hazardous waste. Efforts must be made to minimise the amounts of hazardous products used at a household level and to ensure that those products are disposed of appropriately. For this purpose An Taisce proposes a reduced VAT rate for non-hazardous alternatives to products that have traditionally included hazardous materials, for example, non-toxic paint. It will, in current circumstances, be necessary to dispose of hazardous waste materials. An Taisce advocates the development of national facilities to deal with such materials that minimize risks to human and environmental health.

(31) Taking into account the need for the cost of a household waste collection permit to reflect the economic value of collecting the waste; the risk associated with undertaking the activity; and the cost of enforcing the permit, at what level do you think the household waste collection permit fee should be set? Should the fees be different for the various classes of Collection Permit as proposed in previous question?

(32) Is there merit in structuring the fee in such a way that there is a fixed element and a variable element to the fee, so as to reflect the risk associated with larger volumes of waste being collected? For instance, what are your views on the fee comprising a fixed charge price plus a variable charge (based for example on the number of waste collection vehicles used by an operator)?

(33) Is there merit in structuring the permit fee do that the enforcement cost element is clearly distinguishable?

(34) Should waste collection permits be issued only at a national level or is there still a need for regional permits?

The majority of permits should be issued regionally, with the intention of dealing with discarded material / waste collected within that region. A situation should not arise whereby household waste is collected at one end of the country and disposed of at the other. An exception to this rule would be specific hazardous materials for which a select few specialised licences should exist (for operators who can illustrate their competence to undertake this type of waste management). The export of such materials should be discouraged. These materials should be minimized in the economy in general, and for instances where they do appear as waste, it is important that Ireland has the infrastructure to deal with such waste domestically.

(35) Are there any other issues you wish to raise in terms of waste management collection permit fees?

[17] http://erc.epa.ie/safer/iso19115/displayISO19115.jsp?isoID=132

7.0 Customer Charters

(36) See question 28 in relation to an operator being requested to confirm annually that they have a customer charter which meets specified requirements.

(37) Are there further conditions, additional to those listed above, which should be included in a customer charter, such as the provision of better or more information to customers on preventing and segregating waste?

(38) Do you think it reasonable that an operator would be required to make a copy of their waste collection permit available on their website?

Yes, if people are to pay for something that is infrastructural then the credentials of that operator should be publicly available. A lack of transparency will reduce the amount of public scrutiny under which an operator can be put, meaning that those willing to work at cheaper prices, with perhaps less laudable practices, can undercut operators maintaining a high level of service to customers and regarding the environment.

(39) What measures could be introduced to ensure that the commitments contained in customer charters are delivered? For example, should household waste collectors be obliged to publish statistics on the commitments made in their customer charters (e.g. publication of performance indicators such as the number / percentage of collections are made on-time etc.)?

Yes, these obligations would be useful. As stated above, they will promote greater transparency. This will help foster confidence among consumers in the services provided. Additionally, it will add to the public regulation of the service providers. A common set of indicators to benchmark performance should be designed for the sake of homogeneity across different operators.

(40) Are there any other issues you wish to raise in terms of customer charters?

8.0 Managing Nuisance and Health & Safety

(41) Do you think it appropriate that measures be introduced at a national, regional or local level in terms of better managing the nuisance, emissions and health and safety risks of overlapping household waste collection networks?

Yes. Ideally the provision of waste collection services would move away from a model of competition-on-the-street, or completion within the community / locality. It is this competition that creates a duplication of services, ultimately costing more money, bringing more trucks on to the roads, all using more fuel in the process. Waste management is an infrastructural issue. It is of little use to implement a market-based approach for the sake of the efficiency of an operator when those efficiencies are lost due to duplication of effort. Efficiencies should be achieved, yes, but this should come from a well-run system that does not have overlapping service providers. Competition for the market, e.g. seeking tenders to operate services for a given geographic area for 5 years, is much better than competition within the market (the existing model that is causing difficulties).

(42) Should times be specified when waste collection is prohibited? Should this be established at a local, regional or national level?

Parameters could be set – but will need to be set before tender processes commence. For example, an operator working under the constraint of no collections between 11pm and 6:30am would be disadvantaged if, say, midway into his concession contract, this was changed to prohibit collections between 10:30pm and 7am.

(43) Bearing in mind the potential costs associated with upgrading waste collection fleets and the potential knock-on costs for consumers, what are your views on requiring waste collection fleets to:

a. operate under a certain decibel level?;

Yes

b. introduce compartmentalised refuse collection vehicles so that different streams of waste can be collected by the same vehicle, reducing the number of waste collection journeys?

Yes, compartmentalisation should be introduced. Private companies are unlikely to welcome this but it should be a mandatory part of waste management infrastructure. Transparency will be crucial here in terms of documenting where the materials go. This would represent a commitment to the customer charter and although short-term investment may be required, long-term benefits would accrue.

(44) Are there any other issues you wish to raise in terms of managing the nuisance, emissions and health and safety risks of overlapping household waste collection networks?

9.0 Householder Obligations and Awareness and Education Measures

(45) Do you consider the introduction of fixed payment notices (otherwise known as on the spot fines) as a suitable penalty for householders who are not availing of an authorised household waste collector and who cannot demonstrate they are managing their waste in an environmentally sustainable and acceptable manner? If not, what other sanctions would you deem appropriate?

We are reluctant to advocate on the spot fines. Initially it will be important to develop a relationship of trust between householders and all actors in the waste disposal sector. As such, a transitional period in which major education and public awareness needs to take place as well as pilot schemes on additional material segregation schemes. When a good level (to be debated at a later date) of support for the scheme has been reached and all appropriate infrastructure has been put in place, we can begin to think about why there is (and there is always some level) of non-compliance and how that should be addressed. A fine system will be difficult to judge fairly and there would be significant room for incorrect accusations. As such, any system of fining would need a piloting process and evaluation.

(46) What are your views on waste collection companies being required to maintain a register of household waste customers as a permit condition whereby a local authority can request the collector to verify whether a specific householder is availing of a service being provided by that operator?

This presents a serious surveillance problem in terms of data protection and privacy of householders.

(47) Are there any other issues you wish to raise in this section?

10.0 Reducing Administrative Burden

(48) Do you have specific proposals in terms of reducing the administrative burden for those complying with Waste Management (Collection Permit) Regulations 2007? For example, what are your opinions on:

Reductions in administrative burden should not be prioritised over the provision of a transparent, environmentally and publicly beneficial service. Certain levels of administration are necessary in order to obtain this.

a) introducing 'binding obligations' that apply nationally in the legislation to the greatest extent possible to simplify the permitting process across local authority and regional boundaries;

b) allowing operators to submit data on an on-going basis rather than making an annual return;

Yes

c) **publishing notices required under Regulation 6 of the Waste Management (Collection Permit) Regulations 2007 on the National Waste Collection Permit Office website rather than in national or local newspapers;**

d) introducing greater scope for interactions with the regulatory authorities to be carried out 'on-line';

Yes

e) making an application available 'on-line' on the National Waste Collection Permit Office rather than available for inspection at local authority offices;

Yes, absolutely.

f) introducing general binding rules for applying standard conditions to a particular class of waste collector permits, any additional requirements could be region specific rather set than at a local authority level;

g) allowing permit conditions to be carried on each vehicle without the appendices, as these are readily available on the National Waste Collection Permit Office website;

The permit holder name and number should be carried on each vehicle.

h) allowing a permit holder name or permit number to be displayed on the vehicle – this would reduce the need to reprint new permit numbers on all vehicles in the case where a new permit number is issued;

i) making the process of application and renewal (prior to expiry) for a waste collection permit the same procedure, introduce a separate process for reviewing a permit (e.g. whether instigated by an enforcement authority on suspicion of non-compliance or the waste collector in order to surrender or transfer, or amend significantly a waste collection permit) and allow minor technical amendments to be made without the requirement of a full review;

j) streamlining/better clarifying the timelines set out in the Waste Management (Collection Permit) Regulations 2007 in terms of applying for a permit, review, submitting annual return data, submissions from third parties in relation to an application for a waste collection permit, etc.

(49) Are there any other provisions in the Waste Management (Collection Permit) Regulations 2007 which could be improved / streamlined to reduce the administrative burden of complying with waste collection legislation?

A balance needs to be struck in the trade-off between incentives for householders, administrative burden, and facilitating community run waste management initiatives. It should be recognised that some administration is necessary in order to ensure services are run properly. These should not always be seen as a 'burden' but a mode of facilitating the operations. There needs to be a proper assessment of the necessary level of administration.

Additionally, Ireland should be looking to best practice community approaches whereby the society and economy gains value through reusing discarded materials. Studies have been carried out in an Irish context highlighting the potential benefits of such schemes both environmentally and socially for urban areas[18].

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