

Submission from Highland Council

The Highland Council welcomes the opportunity to comment on the Zero Waste Policy Statement and wishes the Committee well in its endeavours.

The Council supports the policy and looks forward to playing its part in the transformation of Scotland's relationship with waste.

The policy statement was in general terms welcome as it incorporated this Council's (and others) views to a greater extent than in any other waste related consultation. However there are some issues which remain to be dealt with and which will in the Council's view enhance the implementation of the regulations and the wider sustainable waste management regime in Scotland.

This submission draws on the Council's response to the original consultation of January 2011 and includes issues which are not specifically dealt with by the regulations but are nevertheless important – particularly if the public sector as a whole is to galvanise its resources to maximise the beneficial use of waste in Scotland for the public good.

General Issues

Successive administrations have been keen for the public sector (as opposed to service) in general to work more closely to deliver efficient and effective services. The treatment and disposal of waste offers this potential in two discrete areas, both of which merit serious investigation:

Firstly, Scottish Water (SW) has a sizable capital budget (over five year cycles) which could be specifically used to provide targeted biological treatment for Scotland's councils (and the private sector where it wished to take advantage of the plant). This would carry the prospect of speed and efficiency particularly where councils and SW could make perhaps without tendering and where gate fees simply covered the costs of treatment. It would also obviate the need for expensive contracts with guaranteed minimum tonnage clauses which may be hard for local authorities in future to provide given the increasing costs of food;

Secondly, NHS hospitals require a substantial year round heat supply – a near unique situation - and heat networks. Many also possess high chimneys and significant land. These are near perfect circumstances for the efficient use of solid recovered fuel from residual waste as a primary heat source. Again the Council would urge the Scottish Government to investigate the possibility of using waste to heat its hospitals, which would reduce costs, increase heat use (all year round heat sink) and reduce the energy costs. Again such nation-wide arrangements would in all probability obviate the need for expensive tendering and contracting costs to the public purse.

Both of the above issues (particularly the latter) would also dovetail with the Government's climate change aspirations.

However there is a bigger question : what is the role for Energy from Waste (EfW) in terms of carbon currency and the prospects for district heating networks to be delivered within the current procurement models and timescales; and allied to this does Scotland wish to see the development of solely Mechanical heat treatment (MHT) with biofuel production; or will it simply be left to the vagaries of the market, procurement and planning system to determine?

Collection of materials is the front of pipe. Scotland lacks end of pipe solutions to provide truly “closed loop” recycling. The Government could explore the possibility of close working with groups of local authorities and perhaps the third sector to provide local (where the type of material and costs permit) processing and re-manufacturing opportunities, thereby closing the loop, reducing carbon and providing investment in local jobs.

The Council would like to see (with the regulations) parallel strengthening of the producer responsibility regime aimed at the front of pipe and also to facilitate the creation of infrastructure in Scotland to deal with items such as carpets, MDF, and mattresses, and other difficult to recycle materials which would all generate jobs.

The Council views improvements to the labelling of recyclable materials as important as some packaging either possesses no label or a label that is so small and discrete that it’s virtually impossible to comprehend.

Finally, the regulatory changes posed are perhaps the most significant for a generation. The Council remains of the view that the government should review all waste management law at this time to ensure that the regulations are complemented by the greater body of law.

Specific Issues

Enforcement Powers and Behavioural Change

At the end of the day its behavioural change and the “normalisation” of “recycling” which will deliver high recycling rates. The measures in the draft regulations are only structural in nature and serve to provide a framework within which behavioural change may become a reality. This is the reason that Highland Council commits a significant resource to education and awareness.

However we also think that there should be additional powers given to authorities to support education and as such existing legislation should be amended to enable fixed penalty notices to be applied in the same way as currently applied in England. It would also be useful if any revenues accrued could be kept in highland.

The government could also give discretionary powers to local authorities to introduce direct variable charging.

Pre-treatment Requirements

The original consultation and the imputation of the regulations could have been written by the proponents of Mechanical Heat Treatment (MHT). Mechanical Biological Treatment (MBT) processes produce “recyclate” of a very poor quality and it is doubtful if there will ever be a significant market for this material without considerable effort made to clean it up. MHT processes produce gleaming ferrous and non ferrous cans and agglomerations of mixed plastics. Whilst there is likely to be a healthy market for the former; it is less certain that any market for the latter will be more productive in environmental terms than simply committing the material to EfW.

This Council had (or still has) a plan to put a very small thermal treatment process in Skye together with a district heating scheme. However it was put on-hold because of the requirement to remove by mechanical means “recyclables” from “residual” waste. This project would have led Scotland in community size EfW. The scheme was approved through the BPEO process by SEPA.

The government must recognise the limitations of these processes to produce marketable recyclate (ie cans, plastics etc) as their primary objective has never been to produce these materials but rather condition the bulk of the “residual waste-stream” for thermal treatment.

Furthermore, the regulations as currently anticipated do not allow for a situation where the recyclate market is in such a state that there is no realistic market for some material – although this did actually happen in the late 1990s.

Recyclate and Recycling

Glass recycling points in certain qualifying circumstances will fulfil the terms of the regulations. They are cost effective, and a valued and accepted part of the recycling landscape in Scotland. This together with a ban on glass entering the residual waste stream would therefore be the most appropriate way of dealing with this material in a cost effective and practicable way. It would be unfortunate if the anticipated qualification to the regulation drove councils to introduce mixed glass collections.

Textiles will not be required to be collected, as a mature market already exists. However it perhaps erroneously tops the carbon metric league table. This may drive councils to collect it with detriment to the 3rd sector. Textiles should be removed from the table until its “factor” from being recycled can be objectively determined or more properly a new table for “re-use” is compiled.

Compost and PAS100

Whilst there is a need to ensure that all compost produced from municipal wastes is “fit-for-purpose” and poses no risk to human health or the environment, the proposal for all material to meet the PAS 100 quality standard in its entirety appears excessive. In particular, the revised standard for stone content appears unnecessarily strict where the material is destined for agricultural use.