G.E.I.R.

The 'Recycling Coalition's' reaction to the Commission proposal for a directive on Waste (COM (2005)667 final)

The need for a clear recycling definition in the Waste Directive

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The Recycling Coalition represents a broad group of stakeholders covering several material streams and environmental interests (see below), principally concerned with the promotion of recycling activities.

Within the context of the European Commission's Thematic Strategy on the prevention and recycling of Waste and the proposed revision of the Directive on Waste (COM (2005) 667 final) the Recycling Coalition has come together to provide analysis and commentary on the Commission's proposals and contribute to the debate around future EU waste policy with particular emphasis on those aspects that are critical for an appropriate recycling legislative framework.

The Recycling Coalition welcomes the Waste Strategy's commitment that "***The long term goal is for the EU to become a recycling society, organised around the maximum recovery of materials where this makes environmental and economic sense***".

However the Coalition is deeply concerned about the apparent contradiction between the aforementioned objective and the detail of the Commission's proposals. More specifically it believes that fundamental elements supporting a move towards a recycling society are absent, in particular:
- a clear definition of recycling.
- a waste hierarchy promoting material recycling over energy recovery
- a clearer vision of what is 'a recycling society'
- waste stream recycling legislation and EU harmonised recycling targets as a central policy tool of EU waste policy

This paper focuses on the need to amend the recycling definition in Article 3 (g) of the Commission proposed Directive on Waste.

The need for a clear recycling definition in the Waste Framework Directive

The Recycling Coalition strongly believes the definition for "recycling" proposed by the European Commission should be amended as follows:

Text proposed by the Commission	Amendment proposed by the Recycling Coalition
Amendment	
Article 3 (g)	
"recycling" means the recovery of waste into products, materials or substances whether for the original or other purposes. It does not include energy recovery;	"Recycling" means the recovery of waste *back into a material cycle by processing waste* into products, materials or substances whether for the original or other purposes**.** It does not include, *interalia*, energy recovery*, processes for transformation into fuel, combustion or use as a source of energy, including chemical energy, for processes involving combustion;*

Our proposal has been developed in order to further clarify the meaning and scope of recycling and is based on the following logic:

- **The need for a harmonised and enforceable approach**

Divergent waste stream specific definitions, lack of definition in other waste legislation or divergence in Member State interpretations lead to a difference in the way recycling targets are measured and in the acceptance of technologies and processes (or chains of processes) as recycling activities.

A clearer and more precise definition of "recycling" in the Waste Directive is therefore needed to bring about harmonisation, facilitate coherent enforcement across the EU and provide greater legal certainty.

- **Preserving the waste hierarchy**

It is important to keep recycling distinct from energy recovery and disposal (as is established in the 1996 Waste Strategy REF). The Waste hierarchy should serve as the basic steering framework of waste policy. The existence of a clear priority of reuse and recycling over the use of waste as an energy source and other means of giving waste a useful purpose which is not reuse or recycling is essential to this steering function. The priority given to reuse and recycling is itself based on the life cycle perspective. Reuse avoids the production of new products and in this way avoids the use of energy and materials. Recycling avoids the use of energy and new materials and their associated ecological rucksack.

To achieve this, the recycling definition should be/make:

- **A material cycling based definition**

We believe a recycling definition should be material based so that a material remains available to undertake a new cycle giving birth to a new material, product or substance. Recyclability is the intrinsic property of a material to remain available for a "new" material cycle for producing products; this means that the input material is transferred either into the same or another material, maintaining a maximum of structural integrity. It should include the transformation of organic matter to compost and digestate and exclude operations that use the material for a fuel or transformation into a fuel. Similarly operations such as filling voids (eg mining voids) or preparing other wastes or materials to be subsequently incinerated (eg shredded ELV fibres to prepare sewage sludge for incineration) should not be called recycling.

- **A clear distinction from chemical and thermal energy transfer processes**

As technologies develop that could potentially blur the line between material recycling and other uses of the material, it is necessary to adapt to these realities and differentiate between the processes. This is especially important in the context of the continued existence of recycling targets as steering tools and producer responsibility for these targets. Thus a recycling definition needs to be very precise and exclude specifically the use of the waste material being put into the process as a source of energy, including chemical energy[1], as is the case in so called 'feedstock recovery' through thermal reductive processes (for example rubbers or plastics in blast furnaces).

Finally, in order to constructively frame discussions on recycling targets and efficiencies of different processes we would like to add that **Recycling should be assessed on the output not the input of a process.** Divergent interpretations of whether it is the quantity of input or output to/from a recycling process that should count for recycling targets lead to lack of comparability between claims made about targets reached or the efficiencies of different recycling processes. Within the logic of recycling serving a useful purpose and the reality of different efficiencies achieved by different processes it makes sense that the output be specified as the common reference point.

[1] Chemical energy is defined (scientifically) as *a form of potential energy related to the breaking (and forming) of chemical bonds*. In the case of plastics or rubbers in blast furnaces the reduction of (removal of oxygen from) steel materials (iron oxide) by the Carbon in plastic or rubber to produce CO_2, for example, is using the plastic or rubber as a chemical energy source. This should not be classified as recycling.

The 'recycling coalition' consists, so far, of the following organisations:

Confederation of European Paper Industries (CEPI);
European Compost Network (ECN);
European Environmental Bureau (EEB);
European Tyre Recycling Association (ETRA);
Groupement Européen de l'Industrie de la Régénération (GEIR).

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