

REPORT TO THE SOUTH TYNE AND WEAR WASTE MANAGEMENT PARTNERSHIP JOINT EXECUTIVE COMMITTEE

24 June 2016

REPORT OF - Tony Alder, Project Director, South Tyne and Wear Waste Management Partnership

SUBJECT: Energy from Waste Facility - Incinerator Bottom Ash

1. PURPOSE OF REPORT

- 1.1 To update the Joint Executive Committee on the latest position with regard to the reprocessing of materials produced as Incinerator Bottom Ash (IBA) at the Partnership's Energy from Waste facility (EfW), and the potential impact of its reclassification within the waste hierarchy and data reporting requirements from 'material recovery' to 'material recycling'.

2. BACKGROUND

- 2.1 South Tyne and Wear Waste Management Partnership's Joint Municipal Waste Management Strategy aims to achieve a 50% recycling/ composting target for household waste by 2020.
- 2.2 IBA is the by-product from the incineration of waste through the EfW process. It contains materials, such as metals, which are extracted and sent for reprocessing, and the remaining IBA aggregate is used by the construction sector as a direct replacement for quarried stone.
- 2.3 However, within the waste hierarchy and WasteDataFlow reporting requirements, the treatment of materials produced through IBA is classified as 'material recovery' and not 'material recycling'.
- 2.4 Furthermore, there is some ambiguity within the European Union (EU) regarding the classification of IBA, as some countries appear to include it in calculating recycling performance.
- 2.5 Reclassifying IBA in the UK could, therefore, help the Partnership to close the gap in achieving the European 50% recycling/composting target set for 2020 increasing the overall recycling/composting rate by an average of 11.1%.

2.6 In January 2016, the Joint Executive Committee wrote to Defra to support the issues raised by Hampshire County Council's 'Project Integra' regarding IBA classification and its potential impact on recycling performance.

3. UPDATE

3.1 The Joint Executive Committee received a response from Defra, in which, Rory Stewart, the Parliamentary Under Secretary of State for Environment and Rural Affairs, welcomed the Partnership's efforts to divert waste from landfill and improve recycling performance. He acknowledged the issues that the Partnership raised regarding the calculation of recycling performance in the UK, and highlighted that Defra is aware of the approach in some other EU Member States.

3.2 The correspondence noted that materials retrieved from the recovery process, such as IBA, cannot be recycled in a 'closed-loop' fashion (i.e. where materials are recycled into new products made from the same material), which was a key element of the EU's new circular economy package.

3.3 However, in conclusion, Mr. Stewart noted that Defra will "continue to keep under consideration the way in which we estimate recycling rates and to make sure that we accurately capture the full range of materials included" and that "If there were any proposals to make significant changes to the position of IBA, we would engage Local Authorities and industry on these". The full response can be found at Appendix A.

4. PROJECT INTEGRA

4.1 In June 2016, the interim Chair of Project Integra wrote to 30 local authorities (see Appendix B) who are successfully recycling at least 10,000 tonnes of IBA per annum (including Gateshead and Sunderland). The letter asked Portfolio Holders to pledge their support in presenting the following point of view to the relevant Government Ministers:

- i. The UK should be including all forms of IBA recycling in its calculation of the national recycling rate to ensure our performance is based on the same practice as other EU Member States.
- ii. There should be one standardised measure of recycling rate that is reported by the UK, individual countries of the UK, and individual local authorities, to allow for fair comparisons to be made.
- iii. The UK should support the case for IBA recycling to be included in relevant calculations as part of a drive to simplify definitions and standardise waste and recycling performance measures across the EU as part of the recently announced legislative proposals known as the Circular Economy Package.

- 4.2 Consequently, the Chair of the Joint Executive Committee has written to Project Integra to support of the issues highlighted above. A copy of the letter can be found at Appendix C.
- 4.3 Project Integra have also enlisted support from Basingstoke MP, Maria Miller, who has written to a number of MPs that have EfW facilities within their constituency with the aim of securing a Parliamentary debate on the IBA issue. Included in the list is Alex Cunningham, the MP for Stockton North, which is the constituency in which the Partnership's EfW is located.
- 4.4 Project Integra hope that continued pressure from MPs, local authorities, the Local Authority Recycling Advisory Committee (LARAC), and the Department for Communities and Local Government, will encourage Defra to change its stance on the classification of IBA, and ask the European Commission for a ruling.

5. RECOMMENDATION

- 5.1 The Joint Executive Committee is requested to:
- i) Note the contents of this report; and
 - ii) Agree to receive further updates regarding the reclassification of IBA, as appropriate.

Contacts:

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Gary Smith, Contract Manager (Ancillary), STWWMP Tel: 433 7477
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Department
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12 FEB 2016

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Councillor Linda Green
Chair – South Tyne and Wear Waste Management
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CABINET OFFICE
12 FEB 2016
LG

Our ref: PO396070/MP

8 February 2016

From Rory Stewart OBE MP
Parliamentary Under Secretary of State for Environment and Rural Affairs

Dear Councillor Green,

Thank you for your letter of 20 January about incinerator bottom ash (**IBA**), recycling performance indicators and meeting the 2020 EU recycling target.

While, due to current diary commitments, I will unfortunately be unable to accept your kind invitation to a site visit, can I begin by saying that we are committed to recycling 50 per cent of household waste by 2020. The significant progress made towards this reflects a great deal of hard work by Local Authorities and a desire from householders to recycle more. I welcome the efforts that the South Tyne and Wear Waste Management Partnership is making to both reduce waste diverted to landfill while also pushing to recycle as much as possible. I continue to support Local Authorities' efforts to promote recycling and we are working with the Waste and Resources Action Programme to see what more can be done and what further measures may be needed to achieve this.

I understand the concerns you raise on how the UK recycling rate is calculated and in particular how certain materials (such as IBA) have been historically excluded from this. We are aware that IBA and metals recovered from IBA are two materials other Member States might treat as having been recycled.

You have also touched upon recent proposals from the EU for

the new Circular Economy package and we certainly need to take account of these discussions in Europe, which will include the way in which Member States approach calculation of their recycling rates. We would want to be sure that the approach we take in the UK is consistent with the EU legislative framework. Equally, we want to ensure our recycling rate accurately reflects the range of materials that can be considered as having been recycled and that, where sensible, there is consistency across the UK and with other Member States.

An important consideration is what the consequences might be on other parts of the waste hierarchy. For example, where materials are retrieved as the result of a recovery process such as IBA, they cannot be recycled in a closed-loop fashion, for example, paper-to-paper or plastics-to-plastics, rather they are recycled into different materials and the opportunity to use closed-loop recycling is lost. If we choose to include IBA in the UK recycling rate calculation, we would need to consider the potential impact on direct recyclable material towards closed-loop recycling in favour of incineration (with or without energy recovery), which may not represent the best treatment option for these materials.

Having said that, I can assure you that we continue to keep under consideration the way in which we estimate recycling rates and to make sure that we accurately capture the full range of materials included. If there were any proposals to make significant changes to the position of IBA, we would engage Local Authorities and industry on these.

Ref: WH
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RORY STEWART

APPENDIX B



*Economy, Transport and Environment Department
Elizabeth II Court West, The Castle
Winchester, Hampshire SO23 8UD*

Tel: 0845 603 5634 (Recycling Waste & Planning)
Textphone 0845 603 5625
Fax 01962 847055

www.hants.gov.uk

<i>Enquiries to</i>	Chris Noble	<i>My reference</i>	PI/2016/IBA/FP
<i>Direct Line</i>	01962 832302	<i>Your reference</i>	
<i>Date</i>	27 May 2016	<i>Email</i>	Chris.noble@hants.gov.uk

Dear Councillor

Incinerator Bottom Ash and Recycling Rates

In my position as the interim Chair of Hampshire's waste partnership, Project Integra, I am writing to update you on an issue which I feel may be of interest to you, and which has the potential to increase the recognised level of recycling in our authorities, in England and in the UK.

For many years, Project Integra has been recovering energy and value from residual waste which cannot be sent for traditional recycling. I am writing in particular to Councils which, like Hampshire, have developed Energy Recovery Facilities (ERFs) as a vital alternative to landfill, and made a valuable contribution to the nation's energy supply.

You may be aware that these facilities produce a by-product, known as Incinerator Bottom Ash (IBA), the constituent parts of which are recyclable – metals can be extracted and sent for reprocessing, and the remaining material can be used as a building aggregate. For example in Hampshire, this aggregate reduces the need for local quarrying and it has been used in local construction and maintenance projects.

Whilst individual local authorities in the UK do not have statutory recycling targets, the UK (like all EU Member States) has a target to recycle, reuse or compost 50% of waste from households by 2020. Recent stalling of the

recycling rate in England means that this target is going to be extremely challenging, and may not be met. The size of the challenge is exacerbated by the current exclusion of recycled IBA from the UK's performance figures – the rationale given for this is that waste sent for treatment at an ERF is treated as a recovery operation rather than a recycling one. However, others have recognised the valuable contribution of IBA recycling. For example:

- The Welsh Government allows Welsh LAs to include IBA recycling in their recycling performance figures
- A report commissioned by the Chartered Institution of Wastes Management in 2015 evidenced that other EU Member States, including Germany, France and Sweden, are allowing IBA recycling to be included in their recycling figures

In 2014-15, around 1.2m tonnes of IBA was recycled in England, some of which came from your authority. If IBA were included in recycling rate calculations, it would increase Hampshire's recycling rate by 11%, and England's official recycling rate by approximately 5 percentage points. This would dramatically improve the chances of meeting the EU target and would put us on a level playing field with the other Member States already mentioned.

I am seeking your support in presenting the following point of view to the relevant Government Ministers:

- The UK should be including all forms of IBA recycling in its calculation of the national recycling rate to ensure our performance is based on the same practice as other EU member States.
- There should be one standardised measure of recycling rate that is reported by the UK, individual countries of the UK, and individual local authorities, to allow for fair comparisons to be made.
- The UK should support the case for IBA recycling to be included in relevant calculations as part of a drive to simplify definitions and standardise waste and recycling performance measures across the EU as part of the recently announced legislative proposals known as the Circular Economy Package.

As part of our efforts to influence central Government, we are also working with a Hampshire MP, with the aim of securing a Parliamentary debate on this issue.

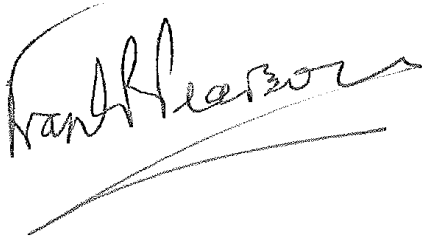
If your authority were able to express your support, in writing, for the three statements above, this will add further weight to our argument and show that there is a unified voice among Councils in England.

Please direct correspondence to:

Chris Noble Head of Project Integra
Hampshire County Council
E11 Court West, 1st Floor
Sussex Street
Winchester
Hampshire
SO23 8UD

I look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Frank Pearson', with a long, sweeping underline stroke extending to the right.

Councillor Frank Pearson
Interim Chairman of Project Integra & Winchester City Council Environment,
Health & Wellbeing Portfolio Holder



Mr Chris Noble
Head of Project Integra
Hampshire County Council
EII Court West, 1st Floor
Sussex Street
Winchester
Hampshire
SO23 8UD

Dear Mr Noble,

Following receipt of correspondence from Councillor Frank Pearson, Interim Chairman of Project Integra & Winchester City Council Environment, Health & Wellbeing Portfolio Holder, I am writing in my capacity as Chair of the South Tyne and Wear Waste Management Partnership Joint Executive Committee in support of the points raised by you regarding the reclassification of Incinerator Bottom Ash (IBA).

The South Tyne and Wear Waste Management Partnership (STWWMP) comprises of the three Unitary Local Authorities of Gateshead, South Tyneside and Sunderland who are working together to manage waste as a resource, effectively and sustainably within the realms of the waste hierarchy. Through our collaborative approach we have developed a raft of recycling contracts which are supported by our PFI residual waste treatment contract.

Our Joint Executive Committee has written to Rory Stewart directly on this matter previously and I enclose a copy of the exchange of correspondence for your records. In addition Officers of the STWWMP have raised the matter with the Waste Infrastructure Delivery Programme (WIDP) in the presence of representatives from the Department for Environment Food & Rural Affairs (DEFRA); the Local Authority Recycling Advisory Committee (LARAC), the Chartered Institute of Waste Managers (CIWM) and the National Association of Waste Disposal Officers (NAWDO).

It seems logical that the IBA produced as a by-product of our facilities should be categorised as recycling as it ultimately ends up within the recycling tier of the waste hierarchy. In some cases this material is reprocessed at the same facilities as the material collected through kerbside recycling schemes, i.e. metals. A change in categorisation

would impact positively upon the recycling and composting rates for our Partner Authorities increasing rates by an average of 11%.

It therefore seems logical for us to pledge our support of your three statements and the presentation of your views to the relevant Government Ministers:

- The UK should be including all forms of IBA recycling in its calculation of the national recycling rate to ensure our performance is based on the same practice as other EU member States.
- There should be one standardised measure of recycling rate that is reported by the UK, individual countries of the UK, and individual local authorities, to allow for fair comparisons to be made.
- The UK should support the case for IBA recycling to be included in relevant calculations as part of a drive to simplify definitions and standardise waste and recycling performance measures across the EU as part of the recently announced legislative proposals known as the Circular Economy Package.

The waste industry looks towards the Government to provide the legislation and framework to underpin the services we provide. Hopefully they will support us in our plight to get them to recognise all of our efforts to manage our waste sustainably and effectively to make a contribution towards EU recycling targets.

We wish you every success with your lobbying activities and would ask you keep us informed of your progress and any feedback received.

Yours sincerely

A handwritten signature in black ink that reads "L Green". The letter "L" is large and stylized, followed by the word "Green" in a cursive script.

Councillor Linda Green
Chair – South Tyne and Wear Waste Management Partnership