



# End-of-waste and By-products – Guidance Development and General Updates

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# INTRODUCTION



- EPA guidance development
- End-of-waste – updates
  - Decisions made
  - Applications on hand
- By-products – updates
  - Updates since soil and stone guidance (June 2019)
  - Addressing the backlog

# EPA GUIDANCE DEVELOPMENT



Late 2019 – Technical assistance procured:

1. Guidance on end-of-waste
  - Part 1 – Introducing End-of-Waste
  - Part 2 – Preparing and End-of-Waste application
2. End-of-waste standard application form
3. Guidance (general) on by-products

May 2020 – Draft guidance approved by EPA Board, for consultation

9 June 2020 – Draft guidance issued for consultation

# CONSULTATION SUBMISSIONS



23 June 2020 – Consultation closed

Total 37 submissions received from 26 organisations

22 submissions on draft end-of-waste guidance

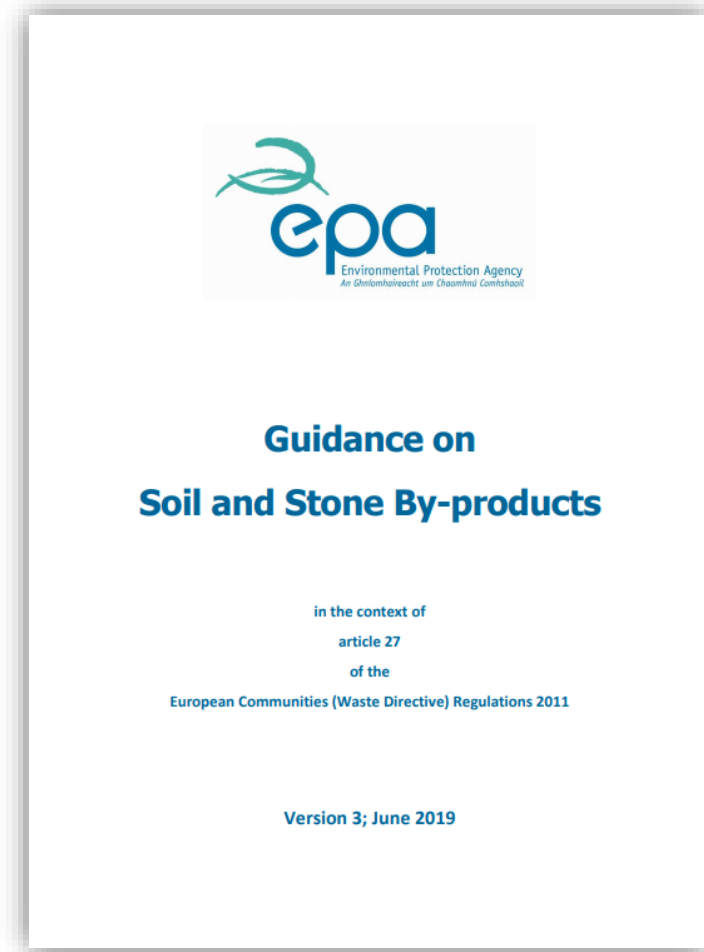
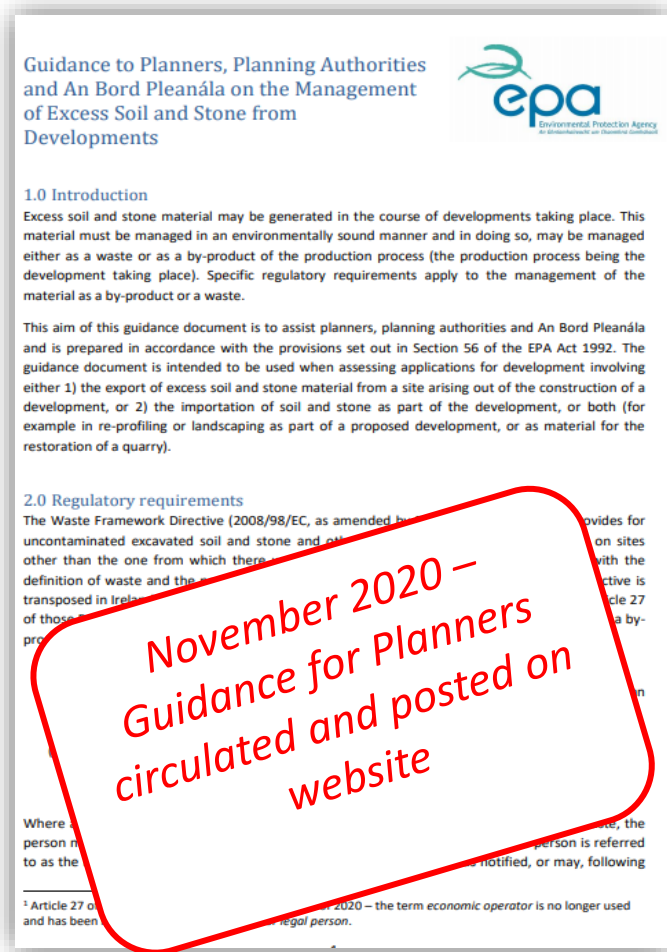
15 submissions on draft by-product guidance

# SUBMISSIONS ON DRAFT GUIDANCE



- Broadly welcoming of the draft guidance and the clarity it brings
- Some submission points reflected in new waste policy e.g. fees and streamlining of application/notification and assessment process
- Some suggestions made can only be addressed via legislative change
- Seeking more focus on national-level decision making
- Comments relating to waste-derived versus virgin products
- Comments relating to language and terms used
- Comments around the timing of by-product notifications (before moving material) and challenges for enforcement
- Calls for clarity around timeframes for assessment of by-product notifications

# EPA GUIDANCE AVAILABLE



# UPDATE ON END-OF-WASTE APPLICATIONS



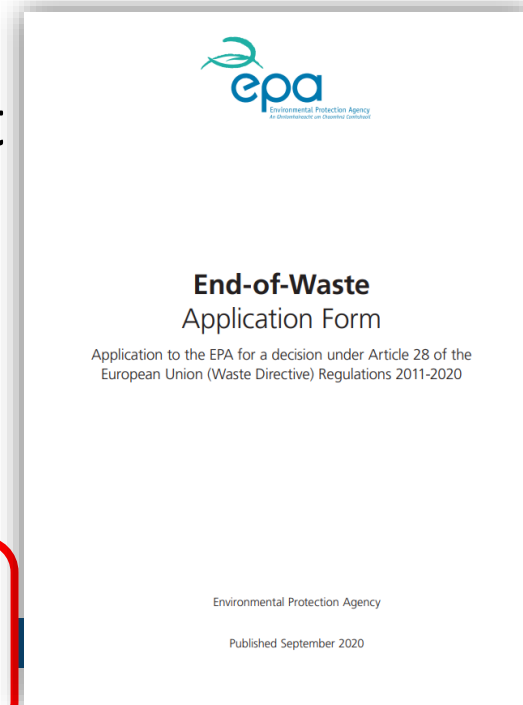
- 7 end-of-waste decisions issued to date
  - 2018 – Irish Packaging Recycling..... LDPE plastic film
  - 2019 – IMS..... Recycled aggregates
  - 2019 – ESB Moneypoint..... Ash
  - 2019 – Starrus Eco Holdings..... Recycled aggregates
  - 2019 – Shabra Plastics..... PET flake
  - 2020 – Enva Ireland..... Ammonium sulphate
  - 2020 – ADN Plastics..... PE and PP pellets
- 35 applications on hand, of which 4 are under assessment
  - 9 applications received in 2020 to date
  - 16 applications received in 2019

# END-OF-WASTE – COMMON MISTAKES



- Clarification of exact waste inputs and waste acceptance criteria
- Clarification of proposed use scenarios for output material
- Demonstration of no overall adverse environmental or human health impacts
- Confirmation of applicability of and compliance with relevant standards and legislation
- Description of quality control procedures and protocols
- Clarification of testing regime proposed

**!! Standard end-of-waste application form now available to accompany the end-of-waste guidance**





# UPDATES ON BY-PRODUCT NOTIFICATIONS



- By-product notifications received continue to be high
- >50% notifications accounted for by soil and stone
- Approx. 150 soil and stone notifications received in 2020 to date  
Notifications range from 100 tonnes to >500,000 tonnes

*Majority of notifications require consultation to clarify matters*

# BY-PRODUCT – COMMON CONSULTATION QUESTIONS



- Request for declarations when not provided with notification
- Confirmation of source site owner and destination site owner
- Confirmation of soil quality for brownfield sources
- Interpretation of soil quality results
- Map showing exact location of source material extraction
- Confirmation that notified quantity is required at use location
- Evidence of appropriate planning in place or declaration of exempted development at destination site
- Confirmation from end-user that the material is needed for the stated use

**!! Article 27 online notification form needs improvement – plan in place  
for further development and improvement**

# ADDRESSING THE ART 27 BACKLOG



- Approx. 900 notifications in the backlog (2013-2019)
- Of which
  - 48% soil and stone
  - 35% road planings
  - 6% crushed concrete and other demolition materials
  - 11% various other materials (e.g. sludges, wood, plastic, ash etc.)
- EPA Board approved a proposal to address the backlog
  - Phase 1 and Phase 2

# BACKLOG – PHASE 1



- Screening notifications using criteria and indicators such as:
  - Age of notification
  - Quantity/scale of material notified
  - Greenfield or brownfield designation at source site
  - Submissions received from local authority/ies and other parties
  - Evidence of contamination in source material
  - Use within scope of planning at use location
  - Environmental/human health risk potential
- 3 possible outcomes from screening:
  1. No further action
  2. Consultation needed as per Article 27(3)(a)
  3. Need further examination before deciding 1 or 2

# BACKLOG – PHASE 2



- Formally close out notification files in batches according to outcome from Phase 1 and material type and year of notification.
- Conduct Art 27(3)(a) consultation where necessary and move to formally close out the files.
- Update status on Article 27 Register
  
- Timeframe
  - 2020-2021
  
- Progress to date
  - Backlog has been reduced by 44% to date
    - Almost 400 notifications relating to soil and stone and road planings eliminated from backlog
    - Examination of crushed concrete/demolition notifications is underway

# CONCLUSIONS AND NEXT STEPS



- Process submissions on draft guidance and prepare final guidance for publication
- Continue to address the Article 27 backlog in accordance with the approach agreed by the EPA Board
- Continue to process end-of-waste applications
- Progress development and improvement of Article 27 online notification form
- Engage with the implementation of the new waste policy as it relates to circular economy regulation

# THANK YOU



	By-products	End-of-waste
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