

Circular Economy AND THE WASTE PACKAGE

THE FIRST LEGISLATIVE PROCESS TO BE NEGOTIATED IN THE TRANSITION TOWARDS A CIRCULAR ECONOMY IS THE WASTE PACKAGE.

It is widely recognised that in order to recycle and re-use materials, there needs to be traceability as well as agreed limits on the substances that these materials may contain. If this is not achieved, downstream users cannot put these products on the market without risking both customer safety and their own reputations. With this piece of legislation, the Commission and MS have the opportunity to show that they are serious about creating material cycles that are free from Substances of Very High Concern. It is therefore surprising and disappointing to see the lack of proposals reflecting this in the Waste Package, which totally fails to incorporate the chemicals perspective. It is now up to MS to bring this into the negotiations in order to make it possible for reused and recycled products to become attractive alternatives to virgin materials.

THE WASTE PACKAGE SHOULD BE INSPIRED BY ONE OF THE CORNERSTONES OF REACH, ARTICLE 33, WHICH ESTABLISHES THE OBLIGATION TO DISCLOSE INFORMATION ON SVHCS.

In short, the level of ambition set out in the Circular Economy Action Plan must also be reflected in the Waste Package, and this still needs to be addressed.

WASTE PACKAGE:

- Substances that fulfil the criteria for classification as SVHCs are not suitable for reuse and recycling.
- Allow for the chemicals perspective to enter the text of the waste regulations.
- Ensure traceability of substances in waste that meet the criteria for classification as SVHCs by adding information that follows the product through its life cycle. Inspiration for this should be drawn from Article 33 in REACH.
- Do not accept pollution by dilution.
- Establish end-of-waste criteria for more categories, with reference to SVHC criteria.

IT IS NOT ALWAYS EASY TO ESTABLISH EXACTLY WHEN A MATERIAL IS NO LONGER TO BE CONSIDERED AS WASTE.

So far, end-of-waste criteria have only been adopted for two waste streams (certain scrap metals and glass cullet). Proposing and reaching agreements for many more categories becomes increasingly important as we move towards a circular economy, and the criteria should state that recycled material is not allowed to have hazardous properties, preferably with reference to the criteria for SVHCs. One priority category that must be addressed is plastics.

WASTE IS A RESOURCE.

To maintain the value of this resource, its quality must be kept as high as possible. If hazardous substances in waste are allowed to be mixed in with purer material with the excuse that they will be diluted into lower concentrations, this diminishes the value and attractiveness of the final product. Furthermore, companies do not want to risk incorporating hazardous substances such as heavy metals and POPs into their products, as this would endanger their reputation.