Written evidence submitted by The Chartered Institution of Wastes Management (CIWM)(PW0046)

About CIWM

CIWM is the leading professional body for the resource and waste management sector with a purpose to move the world beyond waste. Representing over 5,600 individuals in the UK, Ireland and overseas, CIWM has a mission to unite, equip and mobilise its professional community to lead, influence and deliver the science, strategies, businesses, and policies for the sustainable management of resources and waste.

CIWM is recognised as the foremost professional body representing the complete spectrum of the waste and resources sector. This gives the Institution the widest possible view and, perhaps more pertinently, an objective rather than partial view, given that our goal is for improvement in the management of all wastes and resources.

Summary of CIWM response

The toughness and durability of plastics, which leads to them being the material of choice in so many applications, means they will persist in the environment for many hundreds of years if disposed of incorrectly. Continual growth in the quantity of plastics produced has outpaced society's ability to manage them effectively at their end-of-life. Plastic items have therefore become a ubiquitous and growing source of pollution.

This does not mean plastics use should be demonised. To do so can lead to unintended consequences such as material substitutions with potentially worse environmental impacts. The problem is often not the use of plastics per se, but their end-of-life management.

CIWM, therefore, supports well considered and planned measures to ultimately achieve zero avoidable plastic waste as part of a sustainable circular economy, where plastic waste is eliminated, products and materials kept in use, and natural resources regenerated.

CIWM notes numerous existing, and proposed, pieces of legislation / voluntary industry codes which ultimately support UK Government's aims to eliminate avoidable plastic waste by 2042, and for all plastics packaging placed on the market being recyclable / re-useable / compostable by 2025.

In response to Question 1, assuming proposed legislation is implemented, CIWM believes no further legislation is required to meet the dual government targets. However, CIWM believes scope and timescale issues need to be addressed, and additional measures included:

Proposed expansion of the bans on single-use plastic items

Where suitable alternatives exist, CIWM supports restrictions on the production and sale of single use plastic plates, cutlery, and balloon sticks. CIWM would like to see alignment with the European Union Single-use Plastic Directive to include other items such as expanded polystyrene (EPS) beverage and food containers, cups, & lids, products made from oxo-degradable plastic to ensure consistency with Northern Ireland. CIWM would also support any ban on non-essential packaging items made from polyvinyl chloride (PVC).

Plastics packaging tax - from April 2022

CIWM believes the setting of the 30% minimum recycled content threshold is too blunt an instrument, and the tax should be modulated with lower fees for higher recycled content levels. CIWM would also like to see the tax revenues raised being used to fund product and packaging design initiatives, recycling innovations, and to develop more reprocessing infrastructure in the UK. The application of the tax to include certain non-packaging applications would also be supported by CIWM to stimulate end market demand for recycled plastics in less technically onerous applications.

Extended Producer Responsibility (EPR) – from 2023

CIWM broadly supports the implementation of EPR. The concept of modularity, with higher payments for more difficult to recycle materials, would encourage the use of more sustainable materials and the most efficient use of resources. CIWM believes other plastic related waste streams should come under the auspice of an EPR regime, including chewing gum, cigarette butts, and fishing gear - all major contributors to UK land and marine litter.

Deposit Return Scheme (DRS) – from 2024 (Scotland from 2022)

CIWM is supportive of the principles of a DRS, and the inclusion of PET drinks bottles. However, due to the high costs involved, it might be appropriate for the Government to consider delaying these proposals until the EPR and consistency reforms have bedded in, and the full implications of the Scottish DRS and any digital DRS solutions are understood.

Consistency in household and Business Recycling in England – from 2023

As one of the largest untapped sources of recyclable plastic, CIWM would like to see plastic films and flexibles included as a mandatory collected material.

The UK plastics PACT – a roadmap to 2025

CIWM considers the adoption of the four key targets for 2025 has had a significant impact upon minimising UK plastic waste arisings. Where not already addressed, the inclusion of

these targets (together with the requirement to develop and adopt solutions for the fifteen identified potentially problematic products) within a regulatory regime would be a significant factor in delivering the government's dual targets.

Waste Prevention Programme for England

CIWM believes this was a lost opportunity for change. Targets could have been established for re-use (especially re-filling) and repair as a means of eliminating unnecessary waste.

In response to Question 2, CIWM refers to the Resourcing the Future Partnership report, *"Eliminating avoidable plastic waste by 2042: a use-based approach to decision and policy making"*. This reframes the debate around alternatives to plastics by placing products in one of five 'use-phase model' categories. Before considering alternatives, the most effective interventions to mitigate environmental impacts and achieve circularity should be assessed.

In response to Question 3, CIWM does not believe the 2042 target is ambitious enough considering the upcoming implementation of single-use plastic bans, plastic packaging tax, EPR, DRS, collection consistency, the Plastic Pact, and the need for urgent actions following the recent IPCC report on climate change.

In response to Question 4, CIWM does not believe that the shorter-term ambition can be met entirely for films and flexibles due to the amount of specialist multi-material laminated items on the market. Whilst sustainable alternatives and chemical recycling technologies are being developed, energy from waste (EfW) will continue to be the best-case disposal option.

In response to Question 5, CIWM suggests the question should be rephrased as "does the UK Government need to do more to ensure that plastic waste exported for recycling is managed sustainably". CIWM wants more UK plastics recycling but currently there is insufficient capacity. Export for recycling will still be required short-term, and on the proviso, it complies with existing legislative requirements, CIWM does not see why it shouldn't continue. To improve confidence waste exports are being conducted in accordance with regulations, CIWM have made four recommendations for additional control measures to be carried out by exporters / overseas reprocessors / regulators.

CIWM responses to the call for evidence questions:

Q1. What measures should the UK Government take to reduce the production and disposal of single-use plastics in England? Are the measures announced so far, including a ban on certain single-use plastics and a plastic packaging tax, sufficient?

Resource consumption for any "single-use" application is arguably an issue, irrespective of the material. The sole focus on plastics risks demonising a material that in most cases fulfils several important functions, including extending food shelf lives, improving food safety / hygiene, and light-weighting packaging thus reducing energy inputs and emissions.

An ongoing over-arching anti-plastic rhetoric will inevitably result in material substitution decision making without considering sound evidence in the well-intentioned pursuit to solve the problem. However, such substitutions may not necessarily be to the benefit of wider sustainability and could result in unintended consequences in terms of environmental, social, and economic impacts, and work against efforts to transition towards a circular economy.

By focussing on the removal of single-use plastics, regulators also run the risk of citizens believing the problem has been solved. It is therefore the whole concept of single-use, and the attitudes to it, that needs to be changed. At some point in the future the purchase of single-use items needs to become as socially unacceptable as smoking, dropping litter, or drink-driving, unless the sustainability of the item can be demonstrated.

Assuming that the proposed legislation is implemented, CIWM is of the view that no further legislative measures are necessary to reduce the production and disposal of single-use plastics in England. This is on the proviso that the concerns and comments made by CIWM in our responses to the relevant consultations relating to scope and timescale are addressed. These are highlighted in the following sections:

1.1 Single-use plastic bans

As a tool to encourage a shift away from hard to recycle and single-use products, reducing litter and plastic pollution, and conserving material resources, CIWM supported the introduction of the single-use plastic bans on straws, stirrers, and cotton buds.

Whilst the overall tonnages may not be great, the number of items generated is. They are unlikely to be separated for recycling by the user, and such items are often too small to consolidate and mechanically separate through formal waste/water management systems and contribute to terrestrial litter and marine pollution. The introduction of single-use plastic directives also raises awareness of the issue of single-use plastics and unchecked consumption, and hopefully contributes to a societal shift in attitudes towards such products.

CIWM is aware of the forthcoming consultation on whether the ban should be extended to include other single-use plastic items. It is our understanding that at present the proposals are to extend the ban to include disposable plate, disposable cutlery, and balloon sticks. Whilst agreeing in principle with a potential ban on the sale of these items, provided that such bans do not lead to unintended outcomes, CIWM does not believe it goes far enough.

CIWM would recommend the UK Government aligns with the requirements of the European Union Single-use Plastic Directive by extending the scope to include a ban on the following:

- Expanded polystyrene (EPS) beverage containers, including their covers and lids.
- Cups for beverages made of EPS, including their covers and lids.
- Food containers made of EPS.
- All products made from oxo-degradable plastic.

Such a move would also ensure more consistency across the UK. Under the Northern Ireland Protocol, Northern Ireland must transpose "certain articles" of the Single-Use Plastic (SUP) Directive relating to placing single-use plastic goods on the market.

CIWM would also support any ban on non-essential packaging items made from polyvinyl chloride (PVC).

1.2 Carrier bag tax

CIWM supported the recent increase in the charge for a single carrier bag from 5p to 10p for England. However, a charging regime does not necessarily correspond to an overall reduction in the weight of plastic used. CIWM is aware that the Co-op saw an increase in the sale of Bag for Life bags to compensate for the cost of single use bags, which increased the overall amount of plastic raw material used.

Since the introduction of the carrier bag charge the use of lightweight carrier bags declined from 2.1 billion in 2016/17 to 1.1 billion in 2018/19. However, the 10p 'Bag for Life' sales for 2020 were 1 billion, this 're-useable' bag is 4 times the weight of the 'lightweight' version, resulting in an increase in the amount (by weight) of plastics being placed on the UK market.

1.3 Plastics packaging tax

It is likely that the introduction of the tax will have an impact upon single use plastic with some material substitution likely.

As a means of driving behavioural change, CIWM broadly supports the introduction of the plastic packaging tax on UK manufactured and imported single-use packaging items containing less than 30% recycling content. We believe the setting of this threshold is too blunt an instrument, and we have called for the tax to be modulated, so that there are lower fees for higher levels of recycled content.

However, rather than the raised taxes going straight to the Treasury, CIWM believes the money could have been more productively spent on reducing waste arisings by being retained in the system and used to directly fund product and packaging design, recycling innovations, and to develop more reprocessing infrastructure in the UK.

The introduction of the tax will also stimulate end market demand for recycled plastics. However, because of the performance and hygiene demands of packaging applications, particularly food contact, not all recycled plastics will be suitable. CIWM would support the scope of the tax, with its 30% minimum recycled content requirement, being extended to certain non-packaging applications. In this way further end market demand would be created in applications with less strenuous specification requirements thus making them more suited to a wider range of recycled plastics.

1.4 Other legislation / initiatives

In addition to directives directly related to single-use plastics and the plastics packaging tax, there are other pieces of legislation which, to a greater or lesser extent, will also influence the amount of single-use plastics placed on the market. More importantly they will contribute to the overall aim of eliminating avoidable plastic waste, and ultimately ensure resources are used more effectively and efficiently, consistent with the principles of a circular economy.

1.4.1 Extended Producer Responsibility (EPR)

CIWM broadly supports the implementation of EPR. For plastic packaging items the concept of modularity, with higher payments for more difficult to recycle materials, should ultimately encourage the use of more sustainable materials and the most efficient use of resources.

However, given the lack of clarity on the potential final timetable for the roll-out of film/flexibles collection for households and businesses, and the approach that will be taken to business packaging waste under the new EPR scheme, CIWM does not believe it will be possible at the present time to set meaningful minimum targets for the recycling of packaging plastics, such as the 56% by 2030 proposed in the recent consultation.

CIWM also believes consideration of the need for any future 'closed loop' targets should be a matter for the Scheme Administrator once the impact of the Plastics Packaging Tax is clearer and the new EPR scheme is fully functional. Decisions about future targets can then be based on actual data, market understanding, and environmental benefit.

The proposed measures in the EPR proposals for the wider collection of plastic films and flexibles from local authorities and businesses will result in greater quantities of these waste steams being captured for recycling and hence ultimately avoiding them becoming waste.

However, there are unresolved issues at all points of the collection and recycling process for films and flexibles, including:

- Collection – better understanding is needed about the reconfiguration of collection systems to include films and flexibles, including for the separate collection of these

materials if sorting capability is limited or there is the risk of unacceptable contamination of rigid plastics. There is uncertainty over how many materials facilities are film-ready or easily adaptable.
- The proposed timescale will be more achievable for some local authorities than others, depending on contract variations for those who outsource services and where in the procurement / fleet replacement cycle those operating in-house services are.
- The rate at which appropriate sorting capability could be in place and the impact of having different dates for local authorities and businesses.
- Levels of contamination and reprocessing infrastructure. Chemical recycling technologies are still largely at the 'proof of concept' stage and in any case will not be a panacea for high levels of contamination.
- Suitable end markets for all the material being collected.

Whilst not included in the scope of the recent EPR proposals, CIWM believes that consideration should be given to the subject of other plastic related waste streams coming under the auspice of an EPR regime. Chewing gum, cigarette butts, and fishing gear are all essentially plastic waste, and are major contributors to the UK land and marine litter problem. Information from 'Keep Britain Tidy' suggests that 80% of litter relates to cigarette ends and chewing gum.

1.4.2 Deposit Return Scheme (DRS)

The inclusion of PET drinks bottles as a waste stream to be collected under the scope of DRS will inevitably increase the amount of this material available for recycling and thus a useful means of stopping avoidable plastic waste. Once captured, PET bottle grade is a readily recycled material, with UK reprocessing capacity and a healthy end market demand for the product.

However, whilst CIWM remains supportive of the principles of a DRS, we believe that it might be appropriate for the Government to consider delaying these proposals until the EPR and consistency reforms have bedded in, and the full implications of the Scottish DRS and any digital DRS solutions are understood.

1.4.3 Consistency in household and Business Recycling in England

As per the EPR proposals, the proposed measures for collection consistency will result in greater quantities of plastic bottles (including clear drinks containers, HDPE milk containers, detergent, shampoo, and cleaning product containers), and plastic pots, tubs, and trays being captured for recycling, hence ultimately avoiding them becoming waste.

CIWM would also like to see plastic films and flexibles included as a mandatory collected material. Consumer films for instance are one of the largest untapped sources of recyclable plastic. According to a review undertaken by WRAP, 1.1 million tonnes of plastic film are consumed in the UK each year. This is approximately 44% of all plastic packaging and

approximately 560,000 tonnes of this are consumer plastic films. Estimates suggest the current rate of recycling for consumer plastic films is as low as 6%.

1.4.4 The UK plastics PACT – a roadmap to 2025

Mention should be made of this initiative which has had a done much to encourage more sustainable material choices and paved the way for the implementation of other legislation and initiatives. Covering 85% of all the plastic packaging placed on the market in the UK across top retailers, brands, and other businesses, the initiative aims to stimulate innovative new business models to reduce the total amount of plastic packaging and help to build a stronger recycling system. The four targets for 2025 are:

1. Eliminate problematic or unnecessary single-use packaging through redesign, innovation or alternative (reuse) delivery models;
2. 100% of plastics packaging to be reusable, recyclable or compostable;
3. 70% of plastics packaging effectively recycled or composted;
4. 30% average recycled content across all plastic packaging.

The following eight plastic items were targeted as requiring elimination, some of which are included in the scope of the single use plastic ban:

- Disposable plastic cutlery
- All polystyrene packaging
- Cotton buds with plastic stems
- Plastic stirrers
- Plastic straws
- Oxo-degradables
- PVC packaging
- Disposable plastic plates & bowls

In addition, Pact members are required to develop and adopt solutions to address the issues posed by a further tranche of products through avoidance, replacement, reuse, redesign, recycling, labelling, messaging, or improvements to collection / recycling infrastructure:

- Plastic bags, inc. carrier bags and fresh produce bags
- Plastic film
- Multi-layer plastics, i.e., pouches
- Multi-pack rings
- Net bags
- Multipack outers
- PVC cling film
- Bottle tops / caps
- Single-use drinks bottles
- Difficult to sort "coloured" plastics
- Fruit & veg punnets
- Plastic tray inners, e.g., biscuits
- Disposable plastic cups
- Fruit & veg stickers
- Plastic beverage cup lids

1.4.5 Waste Prevention Programme for England

Mention is made here of the recent Waste Prevention Programme consultation more in terms of it being a lost opportunity to create change by establishing targets for re-use

(especially re-filling) and repair for plastic items, or any other material, as a means of eliminating unnecessary waste.

Q2. How should alternatives to plastic consumption be identified and supported, without resorting to more environmentally damaging options?

CIWM suggests the debate around alternatives to plastic consumption needs to be reframed. Before alternatives are considered (a process which requires the use of recognised robust life cycle analysis protocols), the interventions that will be the most effective at mitigating environmental impacts and developing a strong and stable circular economy, should be explored. In essence this means developing strategies to:

- Design and manufacture plastic products for longer use and better end-of-life treatment or disposal;
- Maximise environmental benefits during the use of plastic products; and
- Increase the quantity of plastics that are re-used, recycled, and recovered.

The Resourcing the Future Partnership, a collaboration of CIWM and its partners; Environmental Services Association (ESA), Resource Association (RA) and WRAP, have produced a report, "Eliminating avoidable plastic waste by 2042: a use-based approach to decision and policy making". This report proposes a novel 'use-phase model' which places plastic products into 5 different categories. Based on the different environmental impacts of each category, and the dominant lifecycle impacts of different materials, better informed decision and policy making can be made, allowing targeted actions to be defined. The 5 categories are:

i Very short use phase (<1 day), small format items

Examples: Cotton buds, coffee stirrers, straws, confectionery wrappers, medical, sanitary products, wet wipes, clothing tags, coffee pods.

End-of-life: Terrestrial litter and marine debris is increasingly recognised as being harmful but difficult to quantify and compare to other environmental factors such as global warming.

Actions: Eliminate or substitute use of plastics**;** Research potential for biodegradable alternatives**;** Education on 'non-flushable' products.

ii. Very short use phase (<1 day), medium format items

Examples: Disposable plastic cups, plates, takeaway containers, plastic bags, plastic cutlery.

Production / end-of-life. Production dominates the lifecycle from a carbon perspective as the use phase provides few functional benefits. As with cat. 1 contribute to terrestrial litter and marine debris.

Actions: Replace specific single use items with reuse alternatives**;** More research into compostable alternatives and how to manage within the existing system; Eco design standards

iii. Short use phase (>1 day <2 years)

Examples: Food and drink containers, cosmetics, agricultural film, bags for life.

Use: The use phase is usually most dominant as plastics are often used to protect goods which have far greater burdens from spoiling.

Actions: Eco design standards including recycled content**;** Increased sorting and separation technology**;** Deposit return schemes**;** Education to increase life of product being protected.

iv. Medium use phase (>2 <12 years)

Examples: Car parts, plastics in electronics, reusable distribution crates, toys.

Use: The functional benefits provided during use usually outweigh the impacts of production and end-of-life.

Action: Design for improved durability, compatibility & modularity**;** Improved data on current recycling rates**;** Extended producer responsibility schemes**;** Increased sorting and separation technology.

v. Long use phase (>12 years)

Examples: Window frames, electrical, plumbing, insulating board, wall panels, roof tiles, carpet, soffits

Use: The functional benefits provided by plastics usually outweigh the impacts of production and end-of-life with a few exceptions such as water piping in construction which is dominated by production.

Actions: Data on reuse and recycling rates required**;** Improved on site separation operations**;** Sorting and separation technology capacity**;** Design for improved durability, compatibility & modularity**;** Improved product information systems.

Q3. Is the UK Government's target of eliminating avoidable plastic waste by 2042 ambitious enough?

Our response to this question assumes that the term "avoidable plastic waste" is as defined in the Resources and Waste Strategy which states; "when the plastic could have been reused or recycled; when a reusable or recyclable alternative could have been used instead; or when it could have been composted or biodegraded in the open environment".

CIWM does not believe that the 2042 target is ambitious enough. With the implementation of single-use plastic bans, plastic packaging tax, EPR, DRS, collection consistency, and initiatives such as the Plastic Pact, the sector is well on its way to meeting this target. The recent IPCC report on climate change has also galvanised opinions and will drive change. CIWM believes the target should be reviewed, although we note the formal methodology for reporting against this commitment has not yet been agreed.

Q4. Will the UK Government be able to achieve its shorter-term ambition of working towards all plastic packaging placed on the market being recyclable, reusable, or compostable by 2025?

CIWM does not believe that this shorter-term ambition can be met across all plastic packaging types. For rigid plastic packaging it is possible but for films there is still a large quantity of specialist multi-material laminated items on the market for which sustainable alternatives that can provide the same properties will be difficult to find. Until chemical recycling becomes more established, energy from waste (EFW) will remain the least worst-case disposal option for these types of packaging. There is also a need to clearly define what is meant by compostable, is it home compostable or composable in industrial facilities.

Q5. Does the UK Government need to do more to ensure that plastic waste is not exported and then managed unsustainably? If so, what steps should it take?

This question should be rephrased as "does the UK Government need to do more to ensure that plastic waste exported for recycling is managed sustainably".

CIWM would like to see far more UK recycling of plastics. Every tonne that is exported is a lost opportunity in terms of job creation, generating value, and wider sustainability. However, the UK exports substantially more plastic waste than it reprocesses domestically, and we don't have the current recycling capacity to handle the existing tonnages of waste plastic being generated, let alone the increases due to EPR / DRS / collection consistency. These, together with the demand pull created by the 30% recycled content requirement of the plastic packaging tax, will provide some confidence to investors looking to ensure the

availability of stable, consistent, and quality feedstocks and end markets before committing to projects. However, it takes time to order, install, and commission new facilities.

The export market will therefore continue to be important in the short-term unless we are prepared to see more incineration or landfilling of plastic waste. Therefore, provided the export and recycling of packaging waste is done in an environmentally responsible way, CIWM does not see why it shouldn't continue.

The existing Waste Shipment Regulations (WSR) already ensure only materials suitable for recycling are exported and specifies a contract must be in place between the exporter and the receiving organisation for the supply of the waste.

Any exporter claiming packaging export recovery notes (PERN's) is also subject to the Packaging Waste Regulations, which requires materials to be sent to overseas recycling facilities operating to "broadly equivalent standards" to the UK. However, enforcement of the regulations by the Environment Agency is generally weak, with a very piecemeal and inconsistent approach. To improve confidence that waste exports were being conducted in a responsible manner, CIWM would recommend the implementation of the following additional control measures:

i. All exporters should report on the quality and quantity, of packaging waste received. This reporting should ideally be against the requirements of recognised industry / formal standards. The requirements should be no less stringent than those that exist in the UK, i.e., if a particular country permits a lower standard of quality, then the UK standard would apply. Any material not meeting the UK standard would not be permitted to be exported. Where the quality standards of the receiving country were higher than the UK then these higher standards would have to be attained.

ii. Recognised standards are generally not in place for plastics. Where no standards exist, CIWM believes that UK regulators should work with the industry to agree a set of quality requirements against which the exporters would be obligated to report against.

iii. Exporters should be required to provide robust evidence that exported waste has been received and processed by an overseas reprocessor. Although it is already a requirement of the WSR for the overseas reprocessor to complete and return a copy of an Annex VII form to indicate the waste has been reprocessed, this is rarely the case.

Going forward emerging technologies such as digital tracking, could be used to monitor the progress of exported material through to its end destination. Arrival at the end destination is no proof it has been reprocessed and so CIWM would expect the requirement for the completed Annex VII to be returned to be strengthened. This could be supported by the greater use of mass balance data reporting whereby the reprocessor reports their overall recycling levels on a minimal annual basis. Such data could be compared to the information obtained during the exporters' own quality checks of the material at the point of export.

iv. Regulators should undertake more inspections of overseas recycling sites (either directly or by using technically competent approved 3rd party inspection bodies) to ensure they are operating to the required broadly equivalent standards.

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