

CARLOW COUNTY COUNCIL

AN INTRODUCTION TO THE WASTE MANAGEMENT (PACKAGING) REGULATIONS 2007, AND HOW THEY APPLY TO YOU.

Under the Waste Management (Packaging) Regulations 2007, all producers have important obligations for the recovery of packaging waste. The Regulations provide for the implementation in Ireland of EU Directive 94/62/EC on packaging and packaging waste (the Packaging Directive), as amended by Directive 2004/12/EC. They are also intended to facilitate the achievement of Ireland's prescribed end 2011 targets for the recovery and recycling of packaging waste.

INTERPRETATION

'Packaging' means any material, container or wrapping, used for the containment, transport, handling, protection, promotion, marketing or sales of products (e.g. bottles, cans, boxes, shrink wrap, strapping, pallets, liners, fillers and raw materials such as polystyrene).

'Producers' of packaging are people who, in the course of business, sell or otherwise supply to others packaging material, packaging or packaged products (e.g. shops, supermarkets, retailers, pubs, manufacturers, importers, fast food outlets etc.).

'Major Producers' of packaging are producers who:

- supply an aggregate weight of packaging material, packaging or packaged goods in excess of 10 tonnes in a calendar year (excluding packaging destined for re-use and packaging for direct export) .

and

- have an annual turnover of more than €1,000,000 (including turnover related to goods and services for export).

PRODUCER OBLIGATIONS

All producers placing packaging waste on the Irish market are required to segregate specified packaging waste arising on their premises into specified waste streams and have it collected by authorised operators for recycling i.e. glass, steel, aluminium, paper, fibreboard, wood and plastic sheeting. They are also required to provide data on the weight of packaging supplied to other producers (where so requested) and ensure that only authorised recovery operators are used for the collection and environmentally sound management of waste arising on their premises.

COMPLIANCE OPTIONS

All major producers must choose one of the following options in order to meet their main obligations:

- Participate in a recovery scheme operated by an approved body. Currently, Repak Ltd. is the sole approved body for the purpose of the regulations.
- Opt for the 'Individual Compliance' route. Producers who do not choose to join Repak must register with their local authority and implement their own steps to fulfil their obligations, which may relate both to packaging waste arising on a premises as well as packaging supplied to others.

PACKAGING PLACED ON THE IRISH MARKET

These additional responsibilities apply only to major producers opting for individual-compliance:

- Display a notice at each entrance to a supplying premises stating that packaging waste of the type placed on the market by the producer, will be accepted free of charge for the purpose of recovery.
- Provide adequate facilities at each supplying premises for the acceptance, segregation and storage of packaging waste. These facilities will be advertised to customers. Up to ten producers may act collectively as long as the group facilities are no more than 250 metres away from any of the participants.
- Accept or collect from any person (free of charge), at each supplying premises, packaging waste of the type or brand supplied by the producer.
- A major producer who is an importer of packaged goods or a packer/filler must accept or collect not less than 55% by weight of the packaging imported/pack-filled by that producer in the previous quarter.
- Ensure packaging waste accepted/collected is either transferred to a producer of packaging or is made available for recovery.
- Prepare a plan specifying the steps to be taken to comply with the regulations. Apply to Carlow County Council for registration and renew such registration not later than the 31st January each following year. Applications for registration/renewal of registration are required for each premises separately. (Application forms are available on request and a fee of €15.00 per tonne or a minimum fee of €500.00 and maximum of €15,000.00 per application will apply).
- Compile and submit quarterly reports to Carlow County Council on the weight of packaging and packaging waste received, supplied, accepted, recovered and disposed of. Such information is to be retained for 3 years.
- Advertise twice yearly in a local newspaper your take back obligations.

PACKAGING REPORTS

- All producers (major and non-major) must submit a packaging report, compiled by an approved person, to Carlow County Council within a stated time frame, once served with a notice. (Article 25)

Producers who are certified members of Repak are exempt from the above responsibilities.

LOCAL AUTHORITY FUNCTIONS

- To enforce the regulations.
- To require submission of information within a stated time frame e.g. a packaging report, information on the use of packaging, the steps taken to comply with the regulations and evidence of turnover.
- Make the relevant entries in the register maintained under Section 19 of the Waste Management Act, 1996, as amended.
- Make any information submitted by producers of packaging waste, available to the public for inspection during office hours.

MANUFACTURER'S RESPONSIBILITIES

- Design and produce packaging to permit its reuse, recovery, recycling and to minimise its impact on the environment upon disposal.
- The physical properties and characteristics of the packaging must enable a number of trips in normally predictable conditions of use.

- The weight and volume of the packaging should be limited to the minimum required to maintain the necessary level of safety, hygiene and acceptance for the packaged product and the consumer.
- Manufacture packaging to minimise the presence of noxious and hazardous substances in emissions, ash or leachate when the packaging residues are incinerated or landfilled.
- Manufacture packaging to enable the recycling of a certain percentage by weight of the materials used.
- Packaging waste processed for energy recovery shall have a minimum inferior calorific value to allow optimisation of energy recovery.
- Packaging waste processed for composting shall be of such a biodegradable nature that it does not hinder the composting process into which it is introduced.
- Biodegradable packaging waste shall be capable of decomposing into carbon dioxide, biomass and water.