

## Better Regulation



Waste Legislation

### Action 1 - Help make waste legislation support the circular economy in cities

In order to keep products and materials in the economic cycle and prevent them from going to waste, the use of secondary resources needs to be supported by a regulatory framework for waste around a consistent material hierarchy.

#### Barriers

Two main barriers have been identified by the Partnership:

1. The regulatory framework for waste is very much risk oriented which makes it very difficult to divert products and materials away from the waste stream and back into the economic cycle. Once a product or material is labelled as waste, it is very complicated to relabel it as a secondary resource.
2. Current regulatory frameworks for product design and producer responsibility do not provide the proper incentives for eco-design and innovation aimed at for example prolonging the life span of products or making it easier to disassemble products for refurbishment, reuse and recycling.

#### Drivers

If we want to build a regulatory framework that is consistent with the goals of the circular economy, then we need to complement the current risk-based approach to waste management with a value-based approach. It is however important to stress that this action on waste legislation will not remove the obstacles and barriers on its own. This action has to be placed within the context of a broader set of measures that drive waste prevention, resource efficiency and the use of secondary resources from waste streams, such as those regarding financial incentives, product design standards, planned obsolescence, procurement, etc.

#### Scope and working method

The recent revision of the Waste Framework Directive and associated regulations (2018) primarily aim at improving existing policies and regulations. A logical first step for this particular action of the Partnership was to conduct a more in-depth assessment of the (revised) legal and policy frameworks in order to gather more precise and comprehensive information on the regulatory obstacles and drivers for boosting the use of secondary raw materials from waste streams.

Furthermore, an extensive survey was conducted to collect input from urban practice in terms of obstacles and barriers as well as drivers and opportunities.

This has resulted in a position paper with a set of recommendations on how to proceed on this topic in the near future.

#### Product

Position paper with a set of recommendations on how to make waste legislation support the circular economy.

#### Potential impact

- Creation of new value chains based on secondary resources, circular business opportunities in cities, and reduction of costs of waste collection and treatment.;
- Reduction of carbon foot print and increased resource efficiency by reducing use of virgin materials, and promoting the use of secondary resources.



### The necessary next steps

This Partnership action on waste legislation has produced a position paper with a set of recommendations for future action. An important next step would be to support these recommendations with proof of concept which will have to be developed from practical experience. For example, one line of thought touches upon the current waste definitions and the 'end of waste' procedures by developing a hands-on toolkit for setting standards (including those for public health and environment) to divert end-of-life products and materials away from the waste stream, and keep them in the economic cycle as secondary resources for re-use and recycling. In the recent past the Dutch institute for public health and environment has already experimented with this in their 'safe loops' project.

### Recommendation from the Partnership to the EU Commission

Complement the current risk-based approach to waste management with a consistent value-based approach to foster the uptake of waste as secondary resources.

Develop practical proof of concept of these complementary approaches by test-driving/prototyping a hands-on toolkit for setting standards for the reuse and recycling of end-of-life products and materials.

Put in place a strong legislative framework for eco-design that is in line with the circular economy and sets minimum standards for reparability and disassembly for refurbishment, reuse and recycling.

Look at possibilities to make EPR schemes more effective drivers for innovation in product design.

### How will this help the new Circular Economy working program of the European Commission?

*"In a circular economy the value of products, materials and resources is maintained for as long as possible, and the generation of waste minimised".* (the EU action plan for the Circular economy – Action Plan from 2015)

Waste prevention and resource efficiency are key objectives in a circular economy. Cities, as urban waste managers, play a central role in contributing in realising these objectives. Recognizing that a risk-based approach and a value-based approach are basically two sides of the same coin, will help cities maximise the value of products and materials and minimise waste. This shift from waste management to resource management is at the heart of the resource efficiency goals that the Commission has set.

### Where to find more information:

PM

### Connection to the SDGs and contributions to better governance



**Better Governance:** Implementing the recommendations of this action will encourage and enable cities and businesses to innovate and develop resource efficient business opportunities in the transition towards a circular economy.

