



EUROCITIES STATEMENT ON EXTENDED PRODUCER RESPONSIBILITY

EUROCITIES supports the goal of more sustainable waste management. By making manufacturers responsible for the take-back, recycling and final disposal of their products, Extended Producer Responsibility (EPR) can provide important economic incentives for more sustainable product design. This makes EPR a useful tool for fulfilling the ambitious goals set out in the Roadmap to a Resource Efficient Europe [COM(2011) 571], the Waste Framework Directive [2008/98/EC] and the Packaging Directive [2004/12/EC]. Our cities support the use of EPR for certain types of waste and welcome the initiative from the Commission to develop and extend the use of EPR.

We strongly recommend that the Commission take into account the crucial role that city authorities play in improving waste management and transforming waste into raw materials for European industry. This includes cooperation between cities and EPR schemes.

We strongly recommend limiting the EPR regulation at European level to principles and guidelines, so that member states retain the necessary flexibility to adapt EPR schemes to their national situations.

An effective EPR scheme should include clear provisions on the responsibilities of the relevant actors, in particular producers and local authorities.

Added value at EU level, flexibility for member states

European guidelines on EPR should set basic principles to facilitate cooperation between municipalities and industry and to improve communication with citizens. These basic principles should include that:

- municipalities are responsible for handling waste from households, including waste covered by an EPR
- EPRs must cover in full the costs of waste management, including those incurred by municipalities for household collection
- member states must ensure transparency as well as communication to citizens and between partners involved in the EPR schemes

Without these common basic principles, it could become very complicated for city authorities to organise waste handling under the various EPR schemes that may be in place at any one time. Excessive variation between the functioning of different EPR schemes will also make them opaque for citizens. Well-designed guidelines should help ensure that EPR schemes are effective and efficient.

Member states should be free to put into place binding legislation on EPR so that they can adapt EU guidelines to their national situation, respecting the overall organisation and level of development of waste management in their country.

Tasks and responsibilities

Member states should be responsible for achieving the goals of EPR schemes.

Municipalities should continue to be responsible for collecting household waste, since:

- this is a service of general interest
- given their understanding of the local context, local authorities are best placed to organise efficient collection systems, such as integrating them into overall traffic management
- as the level of government closest to citizens, municipalities can best communicate issues such as waste separation

Municipalities can then deliver the waste to the Producer Responsibility Organisations (PROs)⁷. If every PRO were to establish its own household waste collection system, citizens would have to separate waste in several bins according to the different PROs, even for the same type of waste. A single collection system organised by the municipality not only avoids confusion amongst citizens over various different systems, but also makes planning and organisation much more cost-efficient.

EPR schemes should be responsible for:

- taking on the waste that local authorities collect
- setting up sorting facilities
- ensuring the recycling and recovery of the waste collected

EPR schemes should also finance the established systems for household collection. EPR schemes should include the development and implementation of new technologies for destroying, sorting and preparing relevant types of waste, such as different sorts of plastic, metals, waste electrical and electronic equipment (WEEE) and vehicles, as a raw material for industrial use. Producers should cooperate more closely with waste managers to understand the impacts of product design on recycling.

EPRs should cover all waste within the relevant waste stream

EPR schemes should concentrate on those waste streams that require financial support for separate collection and recycling. In these cases, EPR schemes should cover the treatment of all waste within that waste stream, including household waste collected by municipalities and industrial waste. For instance, an EPR for plastics would cover all plastic waste, including from households and from industry. Waste should be recycled into raw materials as far as possible, regardless of its origin.

Efficient EPR schemes require well-organised cooperation between different stakeholders, especially producers, municipalities and the waste treatment sector. EU guidelines on EPR stakeholder dialogues could be helpful to provide good examples of cooperation, participant suggestions, and example tasks and agendas for the dialogues, but member states should be responsible for organising the dialogues and adapting them to their national context.

⁷ Producer Responsibility Organisations are paid by producers for used product management, such as reuse or recycling.

True cost principle and cost coverage

EPR schemes should cover in full the costs related to the products covered by the scheme, including for:

- ensuring recyclability
- litter management
- communications and awareness-raising campaigns, including for waste prevention and separation
- household waste and industry waste collection, including the costs of municipal collection
- recycling, incineration and landfilling

The principle of covering these costs should be established in EU regulation, while member states should define how exactly this is implemented.

Ensuring efficiency

Competition between companies for delivering services such as sorting or recycling can help improve cost efficiency.

However, having several EPR schemes per waste stream and member state is likely to increase the complexity and administrative burden while reducing economies of scale. Member states should aim to only have one PRO in place per waste stream. In the case of several competing PROs, a single contact point should be provided for municipalities, for instance a clearinghouse.

PROs should be non-profit organisations, just as municipalities do not make a profit from delivering waste management and other services to citizens. The objective of EPR schemes should be the efficient and sustainable treatment of household waste. In order to ensure a clear allocation of tasks and responsibilities, the producers should be the organisers and owners of PROs. Municipalities, collection and treatment operators should not be allowed to act as PROs.

Transparency and control

Transparency and control of EPR schemes and PROs are essential to ensure that stakeholders, citizens, producers and governments trust the schemes. Clear EU guidelines, combined with the effective enforcement of EPR legislation by member states should ensure transparency.

It would be easier to compare the performance of different EPR schemes, PROs and member states if:

- definitions in waste legislation and EPR guidelines were harmonised at EU level where necessary; this should include the definitions of the responsibilities of municipalities and guidelines for calculating the costs that should be covered by an EPR
- all waste within a waste stream covered by an EPR were treated through the same scheme
- sufficient transparency and control were ensured

The EU should revise definitions in the Waste Framework, Packaging and Landfill Directives accordingly.

In addition to member states enforcing national EPR legislation, the Commission should regularly report on the state of EPR legislation and implementation in the EU.