

Circular Economy

Roles and Responsibilities for involved stakeholders

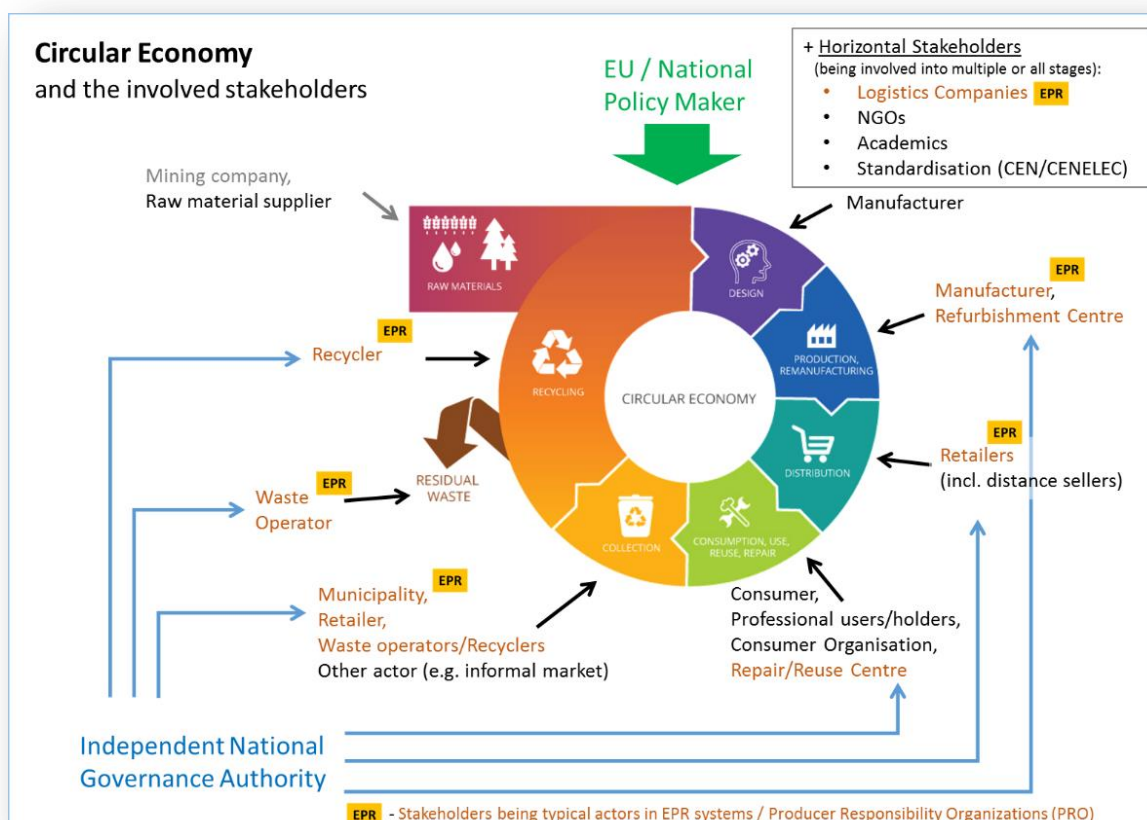
An initial proposal

from the point of view of a Producer Responsibility Organization (PRO / EPR)

Following the call of many stakeholders, the European Commission has included in its proposal for a waste directive (COM(2015) 595) requirements for extended producer responsibility (EPR) schemes. National EPR schemes shall define in a clear way the roles and responsibilities of all stakeholders involved (Art. 8a). The purpose is to boost performance of EPR schemes in all Member States.

The European Recycling Platform (ERP), a company of the Landbell Group strongly welcomes the approach and hereby presents a proposal for the distribution of roles and responsibilities that aims at preventing individual interests overriding EU environmental principles. When designing new requirements for EPR schemes, clear operating conditions and responsibilities in a competitive and dynamic but also reasonably governed market environment are the key for a well-functioning Circular Economy.

Which stakeholders do we see in a circular economy?



Which basic individual roles and responsibilities have the stakeholders?

1. EU Policy Makers (EU Institutions)

- a. Set EU wide policies/rules/targets addressing all life stages such as
 - i. Product design: legal minimum standards and incentives being valid for the EU harmonized market – considering globally harmonized requirements for globally traded products,
 - ii. Life-cycle process: production, distribution, collection, EPR, Reuse/repair, waste transport, waste treatment & recycling in a dynamic and competitive market environment
- b. Monitor national transpositions being aligned with EU law and EU wide/national enforcement system + take countermeasures as being required,
- c. Publish a related common and harmonised set of rules defining the roles and responsibilities of each stakeholder (especially for the National Governance Authority),
- d. Publish harmonized and auditable minimum requirements for Producer Responsibility Organizations (implementing the EPR),
- e. Harmonize reporting towards a straightforward and EU standardised reporting system
- f. Facilitate exchange of best practice and cross-border cooperation,
- g. Promote R&D into new recycling technics by facilitating stable market conditions which make it worth for waste operators to invest into new machines and ideas – reaching the EU target.

2. National Policy Makers

- a. Transpose EU policies into national law tailoring it to the national context
 - i. respecting the EU harmonized market (e.g. for product design aspects),
 - ii. assuring a dynamic, efficient and innovative recycling and Producer Responsibility Organization (PRO) market by assuring fair competition,
 - iii. accepting free movement of waste (within each member state but also transboundary to other EU member states).
- b. Effective enforcement of national laws setting up an independent National Governance Authority ensuring it
 - i. is free from any conflict of interests,
 - ii. combats free-riding through suitable sanctions,
 - iii. combats illegal exports,
 - iv. controls of PROs and other actors collecting (including “informal sector”) vs. performance and compliance with minimum requirements for PROs,
 - v. Maintains a list of compliance controlled Refurbish / Repair / Reuse Centre and Recyclers,
 - vi. assure transparency, efficiency, competition and “good governance” of EPR systems (via audits and competition authorities).
- c. Take responsibility for national targets and count volumes for waste collected (by all actors, not only manufacturers/PROs) towards those – e.g. at the level of recyclers,
- d. Promote R&D into new recycling technics by creating stable market conditions which make it worth for waste operators to invest into new machines and ideas – reaching the national target.

3. Independent National Governance Authorities

- a. Register and monitor all actors (producer, Refurbish/Repair Centres, Logistics or Treatment waste operators, incl. PROs) in a transparent way (national register or through reference to PROs lists if available),
- b. Ensure a level playing field among all actors (collecting/waste treating parties incl. PROs) such as
 - i. transparent permission process,
 - ii. fair access to waste,
 - iii. transparent, non-discriminatory and competitive tenders (for services such as collection, sorting and treatment),
 - iv. clearing of over-/undercollection (clearinghouse).
- c. Directly manage non-compliances or if not possible report monitored non-compliances to National Enforcement bodies,
- d. Monitor all actor's performance (collecting/waste treating parties incl. PROs),
- e. Audit PROs regularly through a transparency and efficiency assessment,
- f. Audit collecting/waste treating parties or in coordination with National Enforcement bodies,
- g. Facilitate exchange of best practice among all actors (collecting/waste treating parties incl. PROs),
- h. Clarify products in scope of an EPR stream.

4. Manufacturers

- a. Design and manufacture products that follow the requirements set by the policy makers (material composition, design and labelling) and aiming for products that:
 - i. are long-lasting,
 - ii. are energy efficient,
 - iii. are easy to repair,
 - iv. are easy to dismantle and recycle, also allowing the reuse of components,
 - v. use recycled materials.
- b. Register in the Producer Register or if required designate a national authorised representative (to be registered instead),
- c. Ensure and finance a proper and legal management of specified waste streams within the scope incl. ensure the recovery and recycling of assigned volumes,
- d. Join a collective PRO or setup an individual system following same requirements as being applicable for PROs,
- e. Fulfil information obligation in relation to end-users at least according to legal requirements incl. information/instruction to consumers on "How to dispose?",
- f. Provide information about the quantity of specified products placed on the market and the necessary details (such as weight of products/materials) as being specified by the PRO (if having decided for a collective management) or by the Independent National Governance Authority,
- g. Keep and retain records and reports,
- h. Finance repair operations for products inside the warranty period,
- i. Support policy making in a stakeholder consultation,

5. Retailers incl. distance sellers

- a. Fulfil all manufacturer requirements if acting as "producer" by putting product onto the market (e.g. importer),
- b. Collection of end-of life products,

6. Consumers

- a. Separate disposal of end-of life products / waste according to provided bins and collection points and related instructions on “How to dispose?”,
- b. Finance repair operations for products outside the warranty period.

7. Professional users/holders

- a. Select the proper PRO, waste operator, or logistic company to manage its waste abiding the rules set by the National Policy Maker and/or following the recommendation of the Independent National Governance Authority,
- b. Cooperation with the Refurbish / Repair Centres enlisted by the Independent National Governance Authority.

8. Refurbish / Repair Centres

- a. Create, operate and maintain a functional system of to check and refurbish/repair products (e.g. almost new as returned in online sales or also used ones) so that they can be (continuously) used,
- b. Preferably use secondary parts (reuse),
- c. Enlist with the Independent National Governance Authority as an approved Refurbish/Repair Centre,
- d. Collection of end-of life products,
- e. Hand-over the non-refurbished/repared end-of-life products to an enlisted Recycler/Waste manager.

9. Reuse Centres

- a. Create, operate and maintain a functional system of to check and clean end-of life products or components of products so that they can be reused without any other pre-processing,
- b. Enlist with the Independent National Governance Authority as an approved Reuse Centre,
- c. Collection of end-of life products,
- d. Hand-over the non-reused end-of-life products to an enlisted Recycler/Waste manager.

Note: There is a significant loophole in terms of reuse statistics. Private second hand market e.g. within-family reuse, private sales via auctions or other resell channels) will remain being non-transparent and non-measurable = will naturally not contribute to the achievement of the EU reuse targets.

10. Producer Responsibility Organizations (PRO / EPR)

- a. Create, finance, operate and maintain a functional system of collective management of a specified waste stream,
- b. Enter into, under non-discriminatory conditions, contracts with related producers,
- c. Manage one or several specified waste stream(s) on behalf of the represented producers to an extent corresponding to the aggregate volume of the obligations of each individual represented producer transferred to the responsible producing organisation,
- d. Support or carry out audits checking quality and compliance of their first tier suppliers in accordance to harmonized standards + take appropriate corrective actions in case of non-conformities,
- e. Incentivize producers following the harmonized principles “incentives for better designed products” set by the policy makers,

- f. Fulfil on behalf of all represented producers their documentation obligations such as:
 - i. registration and reporting obligations,
 - ii. keep reporting records separately for each represented producer,
 - iii. regularly submit summary reports to the Independent National Governance Authority on behalf of all represented producers and retain the reported data:
 - (1) information about the quantity of the specified waste stream for which they provided collection, transport, preparation for reuse, recovery, recycling, processing and disposal
 - (2) information about the quantity of specified products placed on the market by the producers that they represent
- g. If not managed by the Independent National Governance Authority, regularly verify the accuracy of the data provided by the represented producers,
- h. Report under-/overcollection quantities to the Independent National Governance authority and contribute to a fair sharing and financial compensation,
- i. Support or carry out nationwide promotional and educational activities focusing on end-users concerning separate collection and waste prevention,
- j. Finance R&D projects to improve collection, recycling rates, reuse,
- k. Support of EPR policy making in a stakeholder's consultation.

11. Municipalities

- a. Support policy making in a stakeholder consultation,
- b. Municipalities could participate in the frame of their local possibilities (offer collection or collection sites/land to other official actors in case they do not have an operative company themselves),
- c. If offering collection sites, gather waste separated according to types and secure it against deterioration, theft or other undesired movement,
- d. Consult final consumers concerning repair and take back possibilities.

12. Recyclers / Waste Operators

- a. Support PROs, municipalities and professional users/holders classify waste correctly or arrange for the correct classification thereof in accordance with the Waste Catalogue,
- b. Gather waste separated according to types and secure it against deterioration, theft or other undesired movement,
- c. Ensure that treatment of waste from any source follows the waste management system hierarchy, including when relevant by securing a partnership with Refurbish / Repair / Reuse Centres,
- d. Ensure waste traceability regulations and good practises are met at all times including by reporting the recorded data as appropriate to the EPR/PRO or if not applicable (i.e. other actors) to the Independent National Governance Authority,
- e. Carry out audits checking quality and compliance of their first tier suppliers in accordance to harmonized standards + take appropriate corrective actions in case of non-conformities,
- f. Enlist with the Independent National Governance Authority as an approved Recycler/Waste Operator,
- g. Collection of end-of life products.

13. Logistics Companies

- a. Transport products and materials according to applicable law (e.g. hazardous waste, transboundary shipment etc.),
- b. Carry out audits checking quality and compliance on transported material and be jointly held responsible in case of illegal shipment of waste,
- c. Possibly also Collection of end-of life products,
- d. Hand-over the collected end-of-life products to an enlisted Refurbish / Repair / Reuse Center or Recycler/Waste operator.

14. Non-Governmental Organizations (NGOs) / Consumer Organizations

- a. Support policy making in a stakeholder consultation,
- b. Support Independent National Governance Authority in monitoring all actor's performance (collecting/waste treating parties incl. PROs),
- c. Provide advice to other stakeholders,
- d. Raise awareness among public.

15. Academics

- a. Support policy making in a stakeholder consultation,
- b. Support with R&D inventing new innovative recycling processes or for further optimize existing ones,
- c. Provide scientific advice to other actors.

16. Standardisation (CEN/CENELEC)

- a. Support policies by developing and publishing applicable and recognized standards e.g. eco-design, performance measurement, waste treatment etc.

About ERP

The European Recycling Platform was founded in 2002 in response to the introduction of the European Union's Waste Electrical and Electronic Equipment (WEEE) Directive. ERP's mission is to ensure cost effective implementation of the directive, for the benefit of the participating companies and their customers. As of June 2014, the Landbell Group, an independent recycling and resource specialist, based in Germany, has become a shareholder of ERP SAS.

ERP is the first WEEE compliance scheme authorised to operate in Austria, Denmark, Finland, France, Germany, Ireland, Israel, Italy, Netherlands (with WEEE NL), Norway, Poland, Portugal, Slovakia, Spain, Sweden, Turkey and the UK thus passing on the advantages of multinational recycling operations to the consumer. ERP has proved to be the most competitive solution for companies in the countries where operates now offering WEEE, Batteries, Packaging and PV panel compliance services and know-how.

For more information on ERP, please visit www.erp-recycling.org or contact press@erp-recycling.org