



CRNI COMMENTS ON EPA CONSULTATION ON END OF WASTE GUIDANCE

The Community Resources Network Ireland is an all-island network supporting community based reuse, repair and recycling organisations. Through the support of the EPA under the National Waste Prevention Programme, our European network RREUSE and in consultation with our members we represent the voice of the sector in supporting policy and guidance formation.

This submission concerns the draft EPA End of Waste Guidance Documents Part 1: Introducing End-of-Waste and Part 2: Preparing an End-of-Waste application.

We support the overall approach taken in the guidance note. We particularly support a cautious approach to End-of-Waste decisions to ensure that the process protects people and the environment from harm and to safeguard natural resources as flagged in Section 2.1. However we believe that greater consideration should be given to recovering waste for the purposes of reuse.

CONCEPT OF END OF WASTE

End of Waste applies to any waste that ceases to be waste and obtains a status of a product (or a secondary raw material). Some products that may be reusable or repairable are collected through the waste stream (e.g. at recycling centres, in skips or otherwise) and would require an end of waste process to enable their return to market.

The guidance states that the legal framework is designed to:

- improve the environmental performance of recycled products by encouraging businesses to produce recycled products that conform to defined environmental criteria; and
- reduce unnecessary burdens, including the regulatory burden, for low-risk recycling activities.

However, as described above, this guidance should not only apply to recycling but also to products that have been or are being prepared for reuse. Throughout both guidance documents, we ask that the language is changed to be more inclusive of both preparation for reuse and recycling operations and refer to materials or products.

For example,

- on (p1) *"This can in turn inhibit the preparation for reuse, recovery and recycling of waste and its diversion from landfill and other disposal routes"*
- on (p5) Section 2.1 *"The legal framework is designed to ... reduce unnecessary burdens,..., for low-risk preparation for preparation for reuse and recycling activities".*
- on (p5) Section 2.1 *"end-of-waste gives the opportunity for waste holders to demonstrate, with an appropriate level of rigour, that (a) they can fully recover a waste material (b) that the waste can be*

used as a secondary resource or product in the place of primary resources or products (c) the fully recovered material or product can be used...

- on (p12) *"The overall intended benefit of end-of-waste is to facilitate the recovery of waste thereby diverting waste from disposal. End-of-waste moves the management of waste up the EU waste hierarchy of options in terms of environmental sustainability and retains the materials or products in use as a resource, in-line with the concept of a circular economy."*

SECTION 4.4 THE MATERIAL FULFILS THE TECHNICAL REQUIREMENTS FOR THE SPECIFIC PURPOSE

Products that have been prepared for re-use should not have to comply with the same legislation as new products.

While legislation is updated regularly, this does not render a product already in circulation unusable or unsafe. To enable the continuous circulation of goods as part of a circular economy, it should only be necessary for second-hand products to meet the requirements that were existing when they were first placed on the EU market. A CE marking (for products to which the CE marking applies) should be enough for a second-hand product to be considered as compliant with legislation (for further details see [here](#)).