

Interview

Ross Bartley, Environmental & Technical Director, BIR

“EU End-Of-Waste-Policy Will Give A Boost To European Collection, Sorting and Processing”

WSW speaks with Ross Bartley, Environmental & Technical Director at the Bureau of International Recycling about the end-of-waste policy of the European Union. Bartley explains, what it's about and why he thinks, the new rules will be beneficial for the scrap metal market.

Please can you elaborate on what the end-of-waste criteria specifically refers to for ferrous and aluminium scrap?

The criteria take account of the origin and quality of the scrap fed into the recovery operation, then the treatment of the scrap within the recovery operation, and the quality of the scrap resulting from the recovery



Ross Bartley

operation, all supported by the recycler's Statement of Conformity with the end-of-waste criteria. The criteria for metal ceasing to be waste are defined according to the conditions set down by the European Parliament in its Waste Framework Directive of 2008 which are that: (a) the substance or object is commonly used for specific purposes; (b) a market or demand exists for such a substance or object; (c) the substance or object fulfils the technical requirements for the specific purposes and meets the existing legislation and standards applicable to products; and (d) the use of the substance or object will not lead to overall adverse environmental or human health impacts. Lastly, the criteria include limit values for pollutants where necessary and take into account any possible adverse environmental effects of the scrap metal. The current legal process began over

seven years ago, and after those intervening years of consultation with all stakeholders across the EU and beyond concerning the 'Towards a thematic Strategy on Waste Prevention and Recycling' and the 'Thematic Strategy' itself, the European Parliament and the Council of Ministers decided, amongst other key revisions, the need for end-of-waste in their recast Framework Directive on Waste in 2008. The need for an end-of-waste status was shown by the many court cases over the past decades.

The Waste Framework Directive was steered through the European Parliament by the rapporteur Dr Caroline Jackson, MEP for the South West of England.

When do you think the criteria will be approved? How long will it take for these measures to become fully active?

We expect that the European Parliament will agree with the Council and Commission's legal text by the end of February, then the Council will finalise its Regulation for publication in the Official Journal of the European Union. We expect there will be a six-month transitional period before the new Regulation comes into effect. It will then be directly applicable in every Member State which will ensure a level playing field. However it is up to the scrap supplying companies themselves whether they wish to invest more effort to ensure their scrap meets the quality criteria set in the Regulation and so take advantage of selling a product rather than a waste.

Why do you believe that scrap metal has nothing to do with waste

legislation? How will the new measures impact the ferrous and aluminium scrap industries?

Scrap metal has always been collected, sorted and processed to meet industry specifications and sold to metalworks, simply as it is the metalworks that pay for the scrap metal. For the scrap metal that will meet criteria for ceasing to be waste, which scrap by definition will not lead to overall adverse impact on human health or the environment, it follows then that the waste legislation currently imposed simply adds costs between the scrap yard and the metalworks. Furthermore and particularly in the case of the recent accession countries there were transitional arrangements that required scrap metal to be fully controlled by governments that were to give permission for each import into those countries. Looking from the historical perspective, before the waste legislation was conceived, scrap metal was collected, sorted and processed and sold to metalworks. Under waste legislation there were extra hindrances and costs but still scrap metal was collected, sorted and processed and sold to metalworks. And in future, from the fourth quarter of 2011, it is hoped again that scrap metal can be collected, sorted and processed and sold to metalworks without hindrance or extra costs of unnecessary legislation. The big question is whether the extra effort to comply with the conditions and criteria set by the new regulation will exceed the savings possible.

At what stage of the procedure is the criteria at now? Is it still being reviewed by the Council of Ministers?

The Council of Ministers agreed it, now the European Parliament is scrutinizing the legal text.

In a recent BIR press release, it is mentioned that the criteria will avoid legal uncertainty surrounding the definitions? Why is the end of waste criteria needed for the recycling industry?

Uncertainty in the previous legislation led to many court cases and without the clarity of the revised Waste Framework Directive more court cases would have been expected. ▶▶

►► The new regulation will help towards the EU recycling society and will certainly as a regulation facilitate the EU's internal market for access to this quality of scrap metal. Overall there is a trade off, an improvement in quality of recycling scrap with regulatory relief for scrap yards and metal works. The regulatory relief is intended to reduce the costs and administrative burden of the waste regime - at the scrap yard and in getting iron and steel or aluminium scrap from the scrap yards to the metal works and at the metal works. Scrap metal has for hundreds of years been sold to metalworks - it did not need waste laws to ensure that - the unneeded laws added costs and delays.

Recyclers agreed with the European Commission objectives for End-of-Waste which were to set a high environmental standard, to distinguish between clean and dirty recycled products, to give Regulatory relief for low risk products, and to facilitate the internal market.

How will the new criteria change things for scrap metal in a few years' time once they approved?

This Council Regulation and similar regulations arriving for copper scrap for example will give a boost to the scrap collection, sorting and processing sector. Regulators and Competent Authorities will gain confidence that the waste laws were not needed for getting this quality Iron & Steel or aluminium scrap, or copper scrap from the scrap yards to the metal works.

Improving the European Union internal market in scrap will bring much needed structural and competitive benefits.

What were the results or conclusions of the IEC meeting in Istanbul concerning this topic?

The rest of the world's industry and regulators may take an interest in the EU's new approach to encourage high recycling standards by trading off regulatory relief.

Interview by WSW reporter
Neena Rai

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Scrap Freight Rates

Spot market in USD/t Based On Container Capacity of 30-35,000 t steel scrap		
	01/20	01/13
USA/Turkey	33.00	40.00
USA/China	45.00	55.00
Europ. Continent/Turkey	20.00	25.00

Foreign Exchange

LME Settlement		
Conversion Exchange Rates	01/20	01/13
GBP/USD	1.5968	1.5781
USD/JPY	82.3400	82.9600
EUR/USD	1.3474	1.3198
Interbank Exchange Rates	01/20	01/13
USD/EUR	0.7441	0.7487
USD/GBP	0.6265	0.6314
USD/JPY	82.6500	82.7600

Scrap Substitutes (USD/t) 01/20 01/13

SGX Iron Ore Swaps ²⁾ (CFR China, 62% FE Fines)		
January 2011	178.38	176.62
Chinese Pig Iron (Spot) ³⁾		
Steelmaking Pig Iron	551.32	547.40
Casting Pig Iron	560.57	555.38

Source: Mysteel

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Imprint

Publisher: Dow Jones News GmbH, Wilhelm-Leuschner-Straße 78, 60329 Frankfurt am Main; HRB 58631 Frankfurt

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Frequency: weekly