The Gaps in the Plan to tackle Plastic Waste

What is the issue?

The Environment Ministry published draft regulations on Extended Producer Responsibility (EPR) which denote a backslide, particularly with respect to integration of the informal sector.

What is EPR?

> *As of 2019, about 660,787.85 tonnes of plastic waste is produced in India annually, of which around 60% is reportedly recycled and most are single use plastic.*

- Extended Producer Responsibility (EPR) is a policy approach under which producers are given a significant responsibility – financial/ physical for the treatment or disposal of post-consumer products.
- It helps advance the circular economy, decreases the environmental impact from a product and its packaging, and promotes the principle of "polluter pays" by holding the producer accountable for the entire lifecycle of the product.
- India first introduced EPR in 2011 under the **Plastic Waste (Management and Handling) Rules, 2011** and **E- Waste Management and Handling Rules, 2011.**
- The objectives of EPR are as follows
    - Integration of environmental costs
    - Improved waste management
    - Reduction of disposal
    - Reduction of burden on municipalities
    - Design of environmentally sound products

What is the draft rule about?

- **Aim**- to mandate producers of plastic packaging material to collect all of their produce by 2024 and ensure that a minimum percentage of it be recycled as well as used in subsequent supply.
- **Categories of plastic packaging-** Plastic packaging, as per the rules fall into three categories.
    1. **Rigid plastic packaging**- includes PET and HDPE that are effectively recycled.
    2. **Flexible plastic packaging**- includes single layer or multilayer plastic sheets and covers made of plastic sheet, carry bags plastic sachet or pouches that are expensive to recycle.
    3. **Multi-layered plastic packaging**- has at least one layer of plastic and at least one layer of material other than plastic which are difficult to recycle.
- **Declaration**- Producers of plastic will be obliged to declare to the government through the website how much plastic they produce annually.
- Companies will have to collect at least 35% of the target in 2021-22, 70% by 2022-23 and

100% by 2024.

- **Not fulfilling the objectives-** If entities cannot fulfil their obligations, they will on a case by case basis be permitted to buy certificates from organisations that have used recycled content in excess of their obligation.
- The CPCB will develop a mechanism for such exchanges on a centralised online portal.
- **Non-compliance**- An environmental compensation will be levied, though the rules do not specify how much this compensation will be.
- **Banning of a range of range of plastic products-** The manufacture of a range of plastic products such as plastic sticks, plastic flags, candy and ice-cream sticks, thermocol, plates, cups, glasses, plastic cutlery, wrapping or packing films , invitation cards, cigarette packets, plastic or PVC banners less than 100 microns, etc will be banned from July 2022.
- **Exceptions-** Only a fraction of plastic that cannot be recycled such as multi-layered multi-material plastics will be eligible to be sent for end-of-life disposal such as road construction, waste to energy, waste to oil and cement kilns
- The methods prescribed by the Central Pollution Control Board will only be permitted for their disposal.

What are the criticisms of the draft rule?

- The draft rule fails to mention the waste pickers or mechanisms for their incorporation under EPR.
- The guidelines fall short in three areas - people, plastics and processing.
- **People**- Waste pickers form the base of a pyramid diverting waste towards recycling and reuse, waste pickers also subsidise local governments responsible for solid waste management.
- Most informal waste pickers in India work without social security, health insurance, minimum wages or basic protective gear.
- The guidelines don’t involve them as stakeholders in formulating the guidelines and doesn’t direct producers to set up a private, parallel plastic waste collection and recycling chain.
- **Plastics**- The EPR guidelines are limited to plastic packaging leaving out many multi-material plastic items like sanitary pads, chappals, and polyester that pose a huge waste management challenge today.
- Flexible plastics like LDPE and PP bags are recyclable, but due to their contamination with organic waste, light weight and high volume, the cost of recycling is very expensive compared to the market value of the output.
- Multi-layered and multi-material plastics are low weight and voluminous, making them expensive to handle and transport and recycling is technologically challenging as it is heterogeneous material.
- **Processing**- Processes like waste-to-energy, co-processing and incineration have been proven to release carbon dioxide, particulate matter, harmful dioxins and furans which have negative climate and health impacts.
- Technologies like chemical recycling and pyrolysis are capital-intensive, releases pollutants,yielding low returns and running into frequent breakdowns and technological problems.
- A number of gasification, pyrolysis and other chemical recycling projects have figured in accidents such as fires, explosions and financial losses.
- But the draft regulations legitimise them to justify the continued production of multi-layered plastics.

What must be the focus of the government ?

- EPR funds could be deployed for mapping and registration of the informal sector actors, building their capacity, upgrading infrastructure, promoting technology transfer, and monitoring mechanisms.
- For easily recycled plastics, the informal sector can be formalised and their work can be documented and can be provided with adequate compensation.
- The government should redo the consultation process for the draft guidelines and involve informal workers.
- The scope of plastics could be altered to exclude those plastics which are already efficiently recycled and to include other plastic and multi-material items.
- The end-of-life processing technologies should be closely evaluated, based not only on their health and environmental impacts, but also on the implications for continued production of low-quality and multi-layered plastics.

References

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