

A response to the MSW charging bill

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More than two years have lapsed but not a single step of progress is made for the implementation of a “pay as you throw” type of municipal solid waste (MSW) charge. I submitted a support letter to the Legco in Dec. 2018. In this submission, while I would continue to show support for the MSW charging bill, I would like to add or reiterate the following:

1. While theoretically, a volume or weight MSW charge can achieve the intended purpose, i.e., to encourage waste disposal quantities, in reality, based on the currently set rate of the charge for households, i.e., \$0.11/litre, significant reduction in waste disposal is not expected to be achievable. I understand that a low rate of charge is set on purpose to ease acceptance for this new policy. However, unless the community has a high level of waste literacy and that EnB/EPD is able to push forward quickly the recyclable collection and the subsequent recycling services promised (for waste plastics, food and paper) in the latest *Waste Blueprint for Hong Kong 2035* (hereafter, the *Blueprint*), the effect, if any, on reducing waste requiring disposal, especially for the domestic households, would disappear soon after the implementation of the charge. Thus, I suggest that for this policy to achieve its intended purpose, the rate of charge should be reviewed and adjusted up as soon as possible.
2. There appears to be a “grace period” of 12 to 18 months for the violation of MSW charging scheme (para. 32 of the Legislative Council Brief). My view is that this is too long. I would propose a maximum of 6 months.
3. I am elated to learn that the government has eventually realized that without an efficient and convenient reverse logistic set up, it will not be possible to boost waste recycling quantities. However, it is also a reality that all schemes on free collection of plastic and food waste from the community have not been too successful as reflected in the continuous drop of quantities of recyclables recovered in 2019. While local waste recycling capacities are growing, it still falls far short of making HK self-sufficient in waste recycling. Imposing strong policy control to discourage the use of one-off items and to lend major policy support to the establishment of waste recycling industries, such as various types of waste paper, are two necessary conditions for HK to become a resource sustainable society.
4. I support and appreciate the voluntary payment of MSW charges by government bureaux and departments and I would strongly encourage all government departments and offices to report their monthly MSW and recycling levels at their websites for public scrutiny.
5. After reading the responses from the Environment Bureau/Environmental Protection Department (hereafter Bureau/Department) to the questions raised by the Legal Services Division of the Legco Secretariat (hereafter Legal Services), I have the impression that there are quite a lot of possible situations where law enforcement by frontline staff is subject to his/her own discretion based on the facts and circumstance that one can gather or has gathered. Under such circumstances, frontline cleaners may be fined/prosecuted for breaching the law inadvertently. I would like to know how the Bureau/Department can ensure that the majority of the frontline cleaners/waste workers know what they should

behave/do if those exceptional situations (e.g. mentioned in questions 9, 11, 14...) occur so that they will not be disadvantaged while carrying out their day to day waste removal/cleaning duties in good faith.

6. From the response of the Bureau/Department to Q.s 18 (20N(1) of Cap.354) & 19 (20O(1) of Cap.354) of the Legal Services, it appears that for private vehicles to remove bulky waste, waste generators can only pay for the removal and disposal of the bulky waste through the gate-fee whether or not one is a domestic waste generator. Since some household waste generators are still served by private waste collectors in Hong Kong, these household waste generators may believe that they as everyone else should buy a DL instead of sharing or paying the gate fee. How will the Bureau/Department ensure that this correct way to dispose of bulky waste through a private waste collector (and its vehicle) is apprised to all relevant parties in Hong Kong? I also find it illogical that removing a piece of bulky that is already attached with a DL but not wrapped in a DB is considered an offence. I hope the Bureau/Department can state the offence in a more accurate way.
7. From your response to Q.20 of the Legal Services, it appears that there is no need or no incentive for property management companies to use large DBs. In this regard, would it be an offence for a cleaning contractor to pack multiple small (say 5 liters) securely tied DB into a standard black trash bag and take the trash bag to i) municipal RCPs and ii) a private waste collector's standard RCV?
8. From your response to Q.s 21 and 22 of the Legal Services, it appears that Bureau/Department is not aware of the possible use of a bag ring/frame which is commonly seen on streets in Hong Kong now. As a result, I think that the Bureau/Department should not avoid answering Q.22 (20P(3)(a) of Cap.354) directly, e.g. by stating the maximum volume tolerated.
9. I support handling the issue of counterfeit DL under the Trade Descriptions Ordinance.

I notice that this charging system is trusted with an important role in the *Blueprint* to cause waste reduction. As mentioned in 1. above, the waste reduction effect will not automatically happen but would predicate on a number of important follow throughs. Also noted in the *Blueprint* is that, there is little concrete information on what measures and targets there are for the recycling of domestically generated waste plastic and to a lesser extent paper materials. I would like to caution EnB/EPD that waste plastic and waste paper are the 2nd and 3rd largest group of waste materials in Hong Kong. The energy recovery of these materials is only environmentally sensible if they are heavily contaminated. Secondly, the *Blueprint* is silent on how the authority plans to treat or reuse the ash from the I-Park(s). I therefore do not know how the zero landfill goal can be achieved. Last but not the least, with the determination to promote electric car, it is unavoidable that large numbers of waste electric car batteries will be generated. There is also no mention in the *Blueprint* how these waste batteries would be deal with. This is another lacuna in the *Blueprint*.