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Net Zero, Energy and Transport Committee  
c/o Clerk to the Committee  
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28 August 2024

By email: [netzero.committee@parliament.scot](mailto:netzero.committee@parliament.scot)

Dear Convener,

### **The Environmental Protection (Single use Vapes) (Scotland) Regulations 2024**

Thank you for your letter of 24<sup>th</sup> June 2024. SEPA welcomes the opportunity to provide views on the draft Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024. SEPA welcomes the opportunity to comment.

It is well established that single use vapes waste valuable resources, blight communities as litter, are a hazard in bin lorries, and are difficult to manage in recycling systems. SEPA welcome forthcoming regulations as to tackle the environmental impacts of vaping, a range of measures are needed to reduce the number of vapes becoming waste and increase their collection and recycling. SEPA supports measures to restrict the supply and use of disposable products where a reasonable reusable alternative exists, in line with circular economy principles. When single use vapes are mismanaged at the end-of-life the resource value is lost and the risk of fires in the Scottish waste industry increases. Single use vapes are often marked as 'disposable' with very little public communication on recycling options.

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SEPA therefore supports the proposed ban on single use vapes as part of a wider package of measures to reduce the environmental impact of disposable items and increase the reuse, collection and recycling of vape products.

## **Environmental Impacts**

SEPA would like to highlight three environmental issues associated with single use vapes which the proposed ban would work to address.

### **1. Waste of valuable resources and critical raw materials**

Vapes and the batteries inside them batteries contain lithium, aluminium, steel, copper and plastics which could be recycled, saving precious resources from being lost forever. For example, it is estimated that 5,000 electric vehicle batteries worth of lithium is being thrown away inside vapes every year.

### **2. A new and rising source of litter on the street**

A report published by Zero Waste Scotland in 2023 suggests that over two million single use vapes are littered in Scotland every year. Littering is a blight on our streets, communities and countryside with the cost of clean-up often borne by Local Authorities.

### **3. Fires at waste management facilities**

Battery fires in bin lorries and at waste sites in the UK have reached an all-time high with the Environmental Services Association estimating an annual cost to the UK industry of £150m. There have been several high-profile waste site fires in Scotland, with lithium-ion batteries and vapes identified as a potential cause. Lithium-ion batteries are becoming ubiquitous in society and a pervasive issue across the whole waste industry, not just the Waste Electrical and Electronic Equipment (WEEE) sector.

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## **Impacts of the proposed ban**

The proposed ban is likely to reduce the overall number of vapes sold in Scotland but on its own will not wholly address the environmental impacts of vaping. The direction of the market and the announcement of bans has led manufacturers to develop new products which can be repeatedly refilled and recharged. These new products could be less detrimental to the environment than current single-use disposable vapes – for example, if refilled and recharged multiple times, the batteries would last longer in use within the product and fewer vapes would become waste, litter or a source of fire risk within the waste management system.

However, many of the new compliant products look just like the single use disposable vapes they replace. Further, the price point for such products is often the same as that for current single use disposable vapes. As a result, there is a risk that consumers simply treat them as single-use disposables rather than re-charging and re-filling. To be most effective, refilling and recharging needs to be cheaper than simply buying a new unit.

Further, these new products are designed to use disposable pods. The pods also contain electronic components, plastics and residual nicotine and are likely to be hazardous waste in their own right. They are highly likely to be a source of some of the same littering and improper disposal behaviours as disposable vapes and as such also need to be managed.

## **Wider considerations**

Whether single use or refillable, vape products must be properly managed at the end-of-life. Vapes, like any other electrical item with a plug, battery or cable, should never be binned and always be separated for recycling. The measures needed include:

- Rapid growth in the number of accessible and visible vape recycling drop-off points.
- Proper financing of genuine recycling to recover materials and manage fire risks.
- Wider communication campaigns around vape recycling.

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A UK consultation recently proposed a series of changes to the way WEEE should be managed. It included proposals to create a specific category for vapes to ensure producers pay the full cost of separate collection and recycling, strengthen distributor take back to increase collection rates and sought views on whether producers should finance the cost of the clean-up of commonly littered electrical items.

SEPA supports these reforms alongside the draft Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024 as part of a wider package of measures to address the environmental harms associated with vaping.

Further, although aimed primarily at reducing child vaping, the Tobacco and Vaping Bill will create new powers to restrict flavours, require plainer packaging, and place restrictions on how they are displayed. These measures may further influence consumer behaviour around single use vapes.

I trust the above information is helpful, but should you wish to discuss the above matter further, please do not hesitate to contact [ask@sepa.org.uk](mailto:ask@sepa.org.uk).

Yours sincerely

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Scottish Environment Protection Agency  
Buidheann Dìon Àrainneachd na h-Alba