

# Information sheet for Materials Facilities Regarding EPR 2014

**This information sheet provides summarised (non-statutory) information regarding the requirements of the Environmental Permitting (England and Wales) (Amendment) Regulations 2014 for operators of qualifying Materials Facilities (MFs).**

## Introduction

The Environmental Permitting (England and Wales) (Amendment) Regulations 2014 (the Regulations) were laid on 11 February 2014 and came into force on 5 March 2014. The Regulations aim to increase the quality of recyclable materials by adding a condition into the environmental permits of all qualifying MFs to routinely sample and test the composition of their input and sorted output materials. Scotland and Northern Ireland are also likely to introduce similar requirements for MF operators.

The outcomes of the sampling and testing must be reported to the relevant Regulator (the Environment Agency in England and Natural Resources Wales in Wales). The Regulator will enforce the sampling and reporting requirements and it is envisaged they will initially make two inspections of MFs per year (one of which would be unannounced) to review the sample-taking, testing and reporting procedures. Additional visits might also be undertaken based upon intelligence, outcomes of previous inspections or quarterly returns data.

## Who is affected?

The Regulations apply to regulated MFs that receive 1,000 tonnes or more of mixed waste material for sorting during the relevant year<sup>1</sup>.



Materials being tipped at a MF

Mixed waste material is defined as material from households (or that is similar to materials from households in terms of composition) and consists in the largest proportion of two or more of the following materials mixed together; glass, metal, paper (including card and cardboard based cartons) and plastic. Therefore facilities such as material recovery facilities sorting household dry recyclables and transfer stations where materials similar to household wastes are sorted are likely to be affected by the Regulations. Further details of the types of facilities likely to be affected are provided in WRAP's Sampling and Testing Guidance for Material Facilities<sup>2</sup>.

## When did the changes come into force?

The Regulations came into force on 5<sup>th</sup> March 2014. The first reporting period will be from 1<sup>st</sup> October 2014 to allow for the

<sup>1</sup> The relevant year is the period of 12 months that commences on the first day of a reporting period

<sup>2</sup> <http://www.wrap.org.uk/content/sorting-materials-materials-recovery-facilities-mrfs>

purchase of relevant equipment and staff training. The reporting periods are:

- 1<sup>st</sup> January to 31<sup>st</sup> March. Returns due by 30<sup>th</sup> April.
- 1<sup>st</sup> April to 30<sup>th</sup> June. Returns due by 31<sup>st</sup> July.
- 1<sup>st</sup> July to 30<sup>th</sup> September. Returns due by 31<sup>st</sup> October.
- 1<sup>st</sup> October to 31<sup>st</sup> December. Returns due by 31<sup>st</sup> January.

### What do I have to do?

Incoming mixed waste material must be sampled to identify target material (material identified by the facility as that which will be separated out in bulk quantities), non-recyclable material (material that is not capable of being recycled) and non-target material (material that is capable of being recycled but that is not a target material of that MF). The target material must be sampled to identify the content of glass, metal, plastic and paper (including cardboard and cardboard based cartons).

Sampling of output glass, metal, plastic and paper (including cardboard and cardboard based cartons) must be undertaken with consideration given to the grade of material output from the MF. For example, output grades might include newspapers and magazines and mixed plastic bottles. Target materials, non-target and on-recyclable materials should be defined within these grades based on purchase specifications agreed with the relevant reprocessor.

The sampling requirements are summarised in the table below. Please note that there are some changes after 1<sup>st</sup> October 2016. A full sample must be collected in one go and it is not acceptable to take smaller sample sizes at more regular intervals in order to collect a sample.

Sampling should be scheduled to ensure it is as representative as possible, for example by ensuring that material from as many different collection routes as possible are sampled for each supplier and that output materials from different shifts are sampled. The MF should be able to demonstrate to the Regulator that the sampling being carried out is structured and managed to provide representative results.

Material	Sample size (kg)	Sampling frequency until 1 <sup>st</sup> Oct 2016	Sampling frequency from 1 <sup>st</sup> Oct 2016
Incoming material	60	Per 160t delivered per Supplier	Per 125t delivered per Supplier
Paper	50	Per 80t produced	Per 60t produced
Glass	10	Per 50t produced	Per 50t produced
Metal	10	Per 20t produced	Per 20t produced
Plastic	20	Per 20t produced	Per 15t produced

Although there are no statutory requirements regarding the methodology that should be used for sampling and testing, recognised procedures are outlined in detail in WRAP's Sampling and Testing Guidance for Material Facilities. The recommended process is also summarised in a diagram that accompanies the guidance.

It is extremely important that sampling and testing of materials is undertaken by staff that have received full training, both from practical and H&S perspectives. Guidance on the H&S aspects of sampling and testing is available in WRAP's Sampling and Testing Guidance for Material Facilities.

The outcomes of the sampling and testing must be recorded and submitted to the Regulator within one month of the end of each reporting period. Information should be kept for a minimum of four years from the date it was recorded and should be available to be produced for inspection by the Regulator.

### What will happen to the data I report?

The Regulator will publish the data it receives on a public register. A more searchable version of the data will also be provided in an online database.

### Where can I get more information?

This worksheet provides a brief summary of the key requirements of the Regulations. Further information is available from:

- The Regulations: [http://www.legislation.gov.uk/uksi/2014/255/pdfs/uksi\\_20140255\\_en.pdf](http://www.legislation.gov.uk/uksi/2014/255/pdfs/uksi_20140255_en.pdf)

- WRAP's Sampling and Testing Guidance for Material Facilities which includes accompanying diagrams that summarise the sampling requirements of the Regulations and provide a process flow for undertaking the sampling:  
<http://www.wrap.org.uk/content/sorting-materials-materials-recovery-facilities-mrfs>
- Defra's Materials facilities, how to report on mixed waste sampling:  
<https://www.gov.uk/government/publications/materials-facilities-how-to-report-on-mixed-waste-sampling>

WRAP can respond to general questions regarding sampling and testing at MFs. The Environmental Services Association or Resource Association can also be contacted for information.

For questions regarding enforcement please contact the appropriate *Regulator*.

#### **Contact telephone numbers**

- WRAP: 0808 100 2040
- Environmental Service Association: 020 7824 8753
- Resource Association: 01943 464778

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