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ACP Technical Liaison Group Meeting

Quadrant 1, 99 Parkway Avenue, Sheffield S9 4WF

17th June 2015 10am – 3pm

Attendees:

Industry	Agencies
Phil Conran – Chair	Sarah Wooller – Defra
Mike Maxwell – J&A Young	EA – Chris Grove, Helen Rockey, Christine Norris, Kayleigh Wells, Ash Rahman
Natalie Smith – Valpak	SEPA – Bernard Gaffney, Nathaniel Chalamanda
Joy Jones – DS Smith	NRW – John Davies
Garvin Freeman – TATA	
Simon Ellin - IWPP	
Rick Hindley – Alupro	

Apologies:

Martin Cooper – SITA	
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Agenda Item 1: Introductions

The Chair welcomed members of the Technical Liaison Group.

Agenda Item 2: Definition of contamination

Phil Conran summarised the background to this issue. A questionnaire was circulated in May and 12 formal responses received. It appeared to be an issue for waste paper and plastic and reprocessor v exporters. There was a perception that exporters were getting an easy ride and the intention was to create a level playing field.

The objective was for industry to offer a first draft of guidance to help clarify how contamination should be considered when issuing PRN/PERNs. The Agencies would then consider and then look to issue Agency guidance based on the industry draft..

Karen Andrews stated that legal advice was that any agency guidance could not state % levels of acceptable contamination and she also advised against industry using percentages. She stated that some overseas countries had their own specific requirements, which would be discussed at a future EU Correspondents meeting.

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The exporters present stated that export markets would not accept high levels of contamination, following Green Fence in China and that if waste exports were contaminated the overseas reprocessor would not buy from the exporter in future. There was debate about industry regulating itself or information obtained from returned shipments informing the agencies about exporters exporting poor quality loads.

Karen Andrews pointed out that the agencies are not aware of many returned loads as the agencies are not informed but that this was being investigated.

There was a discussion about what was required in the agencies sampling and inspection plans, what the terms contamination, reasonable and trivial meant and whether protocols or industry standards could be used to satisfy the requirements in the sampling and inspection plan.

It was considered that in addition some reprocessors may be 'losing' PRNs because they are issued based on the output not the input weight.

Sarah Wooller stated that PRNs and PERNs should only be issued for PRNable material, including process waste but not contamination.

It was concluded that the Environment Agency required more sampling information than SEPA or NRW in the sampling and inspection plans. This was attributed to the much smaller number of exporters for these two agencies and an annual audit of each accredited exporter by the SEPA & NRW Officers who granted accreditation. All agencies required sampling and inspection for mixed loads of packaging and non-packaging waste.

Chris Grove stated that the sampling and inspection plan must answer the following questions:

- Is it packaging waste?
- Is it UK waste?
- What is the tonnage?

He stated that the agencies required assurance that the quantities of PRNs issued was correct. More information has been required in the sampling and inspection plans because there was a perception that a) exporters were issuing PERNs on contamination and not packaging waste; b) that there had been fraud in the system.

It was discussed whether the extra burden on applicants regarding sampling and inspection plans was proportionate to the benefit derived. Industry stated that the extra work involved was deterring companies from becoming accredited.

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Actions

Action 1: Industry to produce a set of guidelines to satisfy the agencies for each sector, regarding sampling and inspection plans, which takes a reasonable position on contamination to be circulated by the end of July.

Action 2: Agencies and government to determine what is needed in the sampling and inspection plan since it is a regulatory requirement.

Action 3: Sarah Wooller to clarify and standardise the various terms used, for example: target material, non-target material, PRN, non-PRN and send to Phil Conran.

Agenda item 3: Accreditation process

Kayleigh Wells stated that following the template introduced last year for WEEE AATF applicants that the Environment Agency was reviewing whether a similar approach could be adopted for packaging for business plans, sampling and inspection plans and recording of deliveries and outputs plan for packaging applicants. It was hoped this would make the process quicker as applicants would answer specific questions.

SEPA and NRW stated that this template would not necessarily be adopted by them.

Phil Conran asked Sarah Wooller if now was the time to change the time period for accreditations to 3 years?

Sarah Wooller considered the burden could be reduced without needing regulatory change by applicants simply notifying the agencies of any changes since their previous successful application for accreditation..

Chris Grove pointed out that the regulations currently required an annual application and the fee was comprised of an application fee and subsistence e charge.

Actions

Action 4: Kayleigh Wells will forward the template to Phil Conran for circulation by mid-July. There would be a 2-week consultation period.

Action 5: Sarah Wooller and Chris Grove to discuss the requirements of the regulations regarding applications.

Agenda item 4: Obligated data publication

This item was not discussed due to time constraints.

Agenda item 5: AOB

There were no AOBs

Agenda item 6: Date of next meeting

As required but no firm date agreed..