

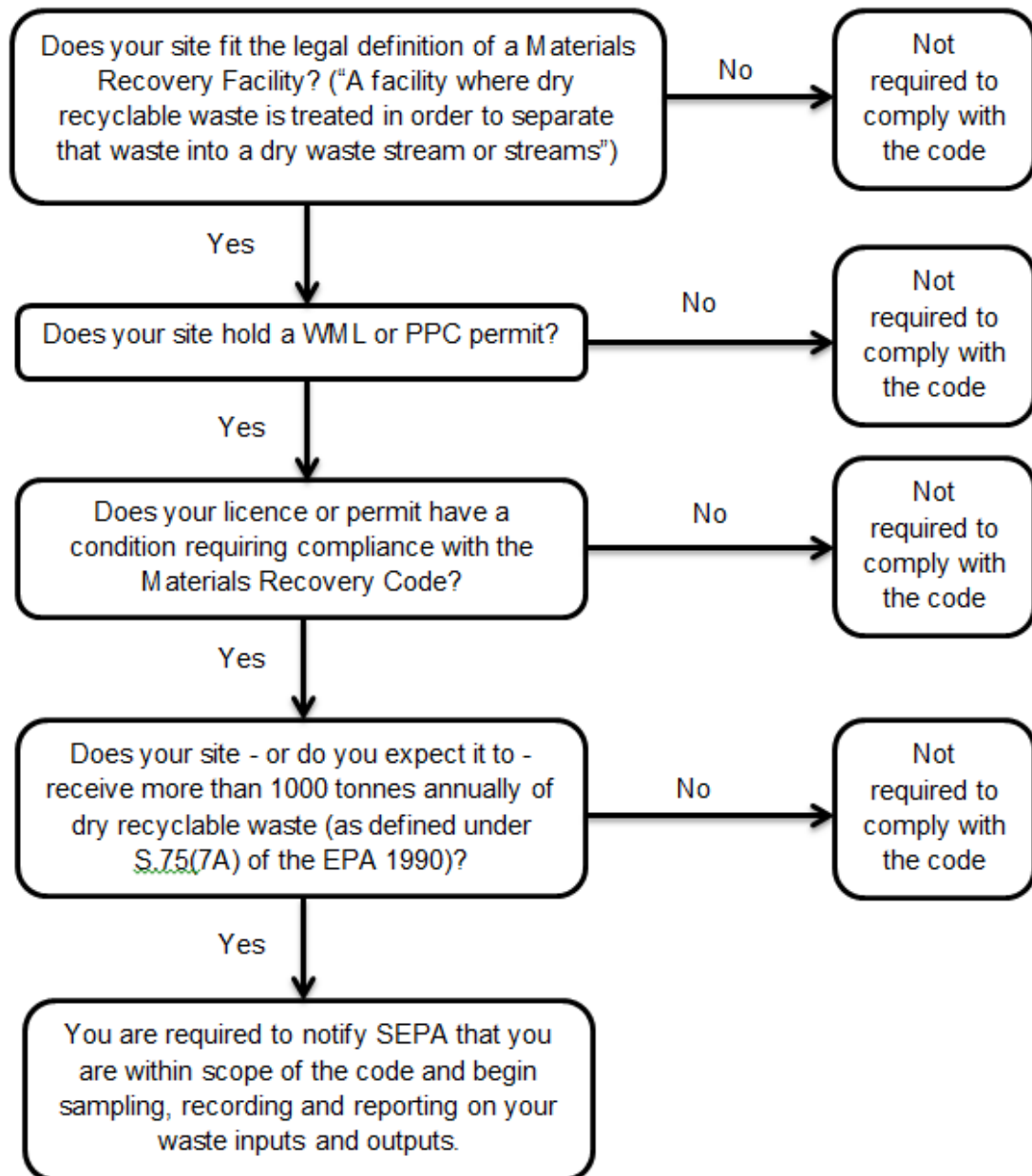
CODE OF PRACTICE ON SAMPLING AND REPORTING AT MATERIALS RECOVERY FACILITIES (THE “MATERIALS RECOVERY CODE”)

Frequently Asked Questions

1. [Am I required to comply with the sampling & reporting requirements in the Material Recovery Code?](#)
2. [Is my site legally defined as a Materials Recovery Facility?](#)
3. [Are residual waste recovery facilities caught by the requirements?](#)
4. [Does the Materials Recovery Code only apply to purpose-built materials recovery facilities, or could other waste treatment facilities which separate dry recyclable waste also be in scope?](#)
5. [A permitted/licensed facility accepts dry recyclable waste but at the moment only bulks it and does not separate it. Is this a materials recovery facility?](#)
6. [A facility receives paper, plastic, glass & metals in single loads \(weighed in together on one vehicle\), but the wastes have been pre-sorted at the kerbside and are kept separate on the vehicle. They are then put in separate output/product bays. Is this classed as a materials recovery facility?](#)
7. [A reprocessor receives recyclate with approximately 5-15% contamination that they have to further treat to remove. Is the site in scope?](#)
8. [A waste transfer station receives 1000 t/y dry recyclable waste, but only separates the waste to obtain a single target material such as cardboard? Is this in scope?](#)
9. [A site operates a picking line and all the waste received goes through this in order to extract recyclables. A lot of the waste is from commercial and industrial sources but inputs do include over 1000 t/y dry recyclable waste. Is the site in scope?](#)
10. [A licensed/permitted materials recovery facility receives dry recyclable waste material, but at the moment it only bulks the waste and does not separate it. Does the licence/permit need to be varied?](#)
11. [An operator has recently assessed their facility & it does not fall within scope of the Materials Recovery Code. Should the operator notify SEPA that it isn't within scope?](#)
12. [What does my materials recovery facility need to do to comply with the Regulations?](#)
13. [What are the sampling frequencies for output target materials?](#)
14. [What are the correct definitions of “target”, “non-target” and “non-recyclable”?](#)
15. [Does pre-sorted collection material need sampling?](#)
16. [Are sampling frequencies for waste inputs and outputs cumulative or are they reset quarterly?](#)
17. [Does moisture content need to be measured as part of the sampling process?](#)
18. [Are sites required to submit photographs with their returns?](#)
19. [Does Commercial Confidentiality apply?](#)
20. [In the data return template, is a broker number the same as a licence/permit number?](#)
21. [What information is required for destination facilities?](#)
22. [Which email address should quarterly returns be submitted to?](#)
23. [Where a supplier or customer does not operate a specific waste station, what information should I provide?](#)
24. [Is it acceptable to provide a head office address as a supplier or customer address, or should it be the depot address \(e.g. A where a company's registered head office address is in England, but the waste is actually coming from or going to a local depot in Scotland\)?](#)
25. [What information is required in the “Material Use” Column of the “Waste Output” tab?](#)

1. Am I required to comply with the sampling and reporting requirements in the Material Recovery Code?

The flow chart below will help you determine whether you need to follow the sampling and reporting requirements in the Materials Recovery Code:



2. Is my site legally defined as a Materials Recovery Facility?

A “materials recovery facility” is defined as “a facility where dry recyclable waste* is treated in order to separate that waste into a dry waste stream** or streams”, under the Waste Management Licensing (Scotland) Regulations 2011.

If your site fits this definition, it is legally defined as a materials recovery facility. SEPA are required to modify your site licence or permit to include a requirement to comply with the Materials Recovery Code.

*“Dry recyclable waste” is defined as “controlled waste that is glass, or metals, or plastics, or paper or card (including cardboard)”, under Section 75 (7A) of the Environment Protection Act 1990.

**Under this same regulation, “dry recyclable waste of the same type (such as glass or paper) is referred to as a ‘dry waste stream’”.

3. Are residual waste recovery facilities caught by the requirements?

Recovery facilities which only treat residual waste are not caught by the requirements.

However, if the facility accepts dry recyclable waste (as defined in Section 75 (7a) of the EPA 1990) for separation as well as residual waste, operators should refer to the flowchart to check whether the facility qualifies, based on the receipt and treatment of the dry recyclable waste.

Where both dry recyclable waste and other wastes are being sorted to extract recyclables, only the dry recyclable waste should be sampled and reported as per the Materials Recovery Code and the dry recyclable waste should be processed separately.

4. Does the Materials Recovery Code only apply to purpose-built materials recovery facilities, or could other waste treatment facilities which separate dry recyclable waste also be in scope?

The Materials Recovery Code applies to any facility which meets the criteria set out within it. The criteria do not include whether or not it is ‘purpose built’ or, indeed, what the plant or wider site is called. Operators should refer to the scope flowchart for further guidance. Note: sites operating under an exemption from waste management licensing are not required to comply with the Materials Recovery Code.

5. A permitted/licensed facility accepts dry recyclable waste but at the moment only bulks it and does not separate it. Is this a materials recovery facility?

The facility is not defined as a materials recovery facility if it only bulks dry recyclable waste. However if the facility begins to treat the dry recyclable waste, to sort into separate waste streams, it will fit the definition of a materials recovery facility. SEPA will modify the licences/permits of any site authorised to operate a materials recovery facility, even if they are not currently carrying out such operations. This is to ensure that, in the event that the site falls in scope of the Materials Recovery Code, the site is automatically required to notify SEPA (via MRFReqs@sepa.org.uk) and begin sampling and reporting.

6. A facility receives paper, plastic, glass and metals in single loads (weighed in together on one vehicle), but the wastes have been pre-sorted at the kerbside and are kept separate on the vehicle. They are then put in separate output/product bays. Is this classed as a materials recovery facility?

Providing the site is not then treating this, or any other waste to further separate it into dry waste streams, the site is not legally defined as a materials recovery facility. If it is treating any other waste for this purpose, it is defined as a materials recovery facility, and may be required to comply with the Materials Recovery Code (see Scope Flowchart).

7. A reprocessor receives recyclate with approximately 5-15% contamination that they have to further treat to remove. Is the site in scope?

Providing the site is not treating the waste to separate it into different dry waste streams, the site is not legally defined as a materials recovery facility. If it is treating any other waste for this purpose, it will be defined as a materials recovery facility and may be required to comply with the Materials Recovery Code (see Scope Flowchart).

8. A waste transfer station receives 1000 t/y dry recyclable waste, but only separates the waste to obtain a single target material such as cardboard? Is this in scope?

Yes it would be, as it meets the legal definition of a materials recovery facility, meets the 1000 t/y threshold and is treating the waste to remove a particular type of material. Whether it qualifies is not affected by the fact that only one type of recyclate is being targeted during treatment.

9. A site operates a picking line and all the waste received goes through this in order to extract recyclables. A lot of the waste is from commercial and industrial sources but inputs do include over 1000 t/y dry recyclable waste. Is the site in scope?

Yes, if the facility receives (or expects to receive) 1000t/y or more of dry recyclable waste, then treats any of this to remove contaminants or to grade the waste, then the facility would be in scope, irrespective of whether this was the site's primary activity.

10. A licensed/permitted materials recovery facility receives dry recyclable waste material, but at the moment it only bulks the waste and does not separate it. Does the licence/permit need to be varied?

No. The licence/permit does not need to be varied to remove the requirement to comply with the Materials Recovery Code.

Generally operators should talk to their SEPA site officer if they want to change any activities to make sure that operations remain within the terms of the licence/permit.



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11. An operator has recently assessed their facility and it does not fall within scope of the Materials Recovery Code. Should the operator notify SEPA that it isn't within scope?

The operator does not need to formally notify SEPA if the outcome of their assessment is that the facility does not qualify, unless they had previously been in scope. Operators only need to notify us if the facility does qualify in the first instance (i.e. exceeds the 1,000 tonne threshold for receiving dry recyclable waste); or subsequently if the conclusion has changed. That said, SEPA may request clarification of site operations from a facility where they consider a site may be required to sampling and reporting.

12. What does my materials recovery facility need to do to comply with the Regulations?

If you operate a materials recovery facility SEPA will insert a condition in your licence or permit requiring you to comply with the Materials Recovery Code. Compliance with the Materials Recovery Code is a condition of any waste management licence or PPC permit granted (or varied) by SEPA. Materials recovery facility licence or permit holders who do not comply with the requirements of the Materials Recovery Code may be deemed to be in breach of their licence or permit conditions.

In addition to the Materials Recovery Code, [‘Materials Recovery Facilities – Testing and Reporting Guidance’](#), produced by Zero Waste Scotland and SEPA is intended to help materials recovery facility licence or permit holders to design and carry out their material testing and reporting procedures.

13. What are the sampling frequencies for output target materials?

Output material should be sampled at the rate specified in the Materials Recovery Code (see table below).

Output Sampling Frequencies		
Material	Before October 2016	From October 2016
Glass	50 tonnes	50 tonnes
Paper & Cardboard	80 tonnes	60 tonnes
Metal	20 tonnes	20 tonnes
Plastic	20 tonnes	15 tonnes



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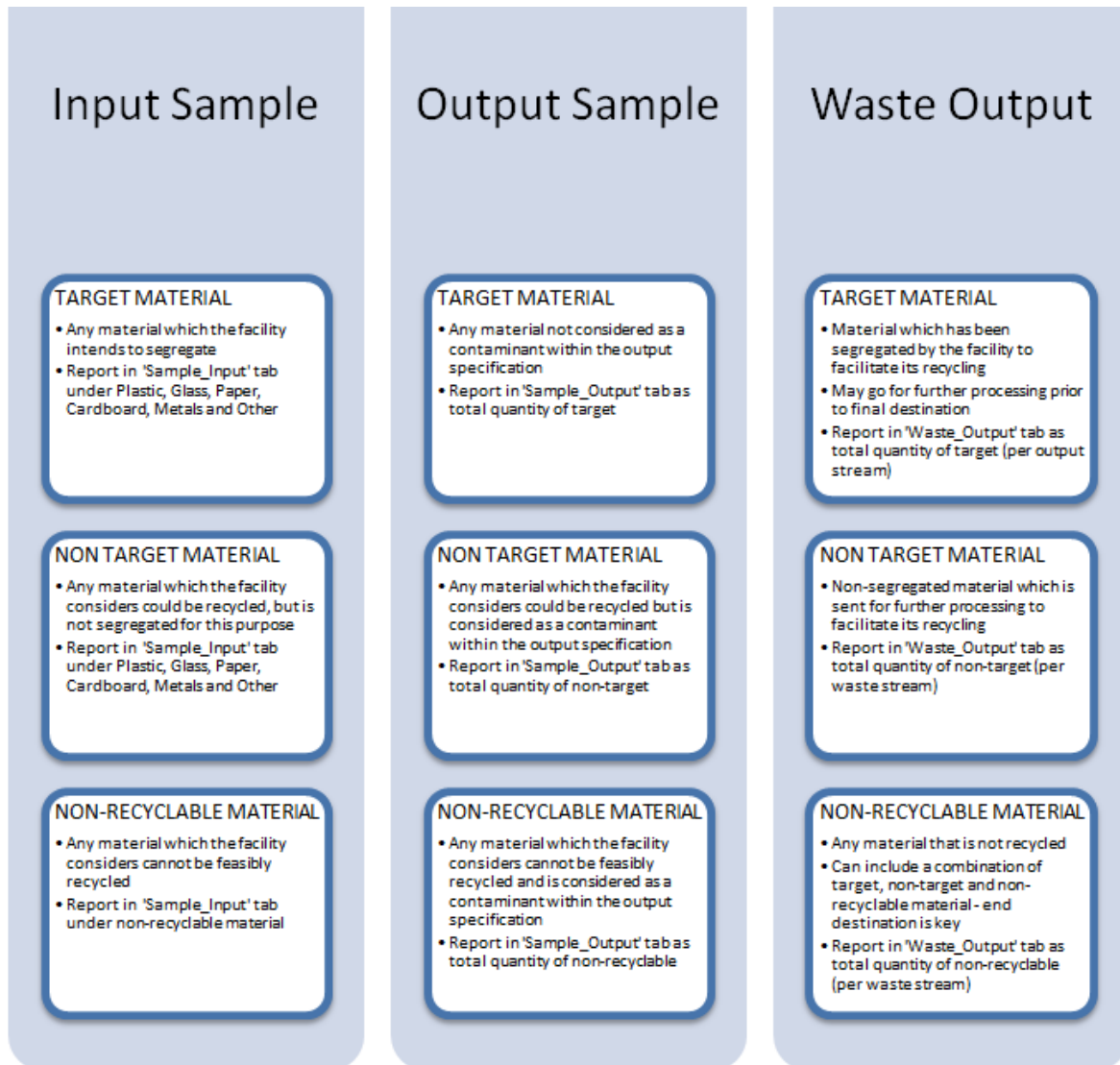
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14. What are the correct definitions of “target”, “non-target” and “non-recyclable”?

The definitions vary depending on which stage of the cycle your material is at. The following diagram sets out the criteria to follow when determining how a material should be categorised:



15. Does pre-sorted collection material need sampling?

If the material is undergoing further treatment to separate into different grades of recyclate, sampling will be required. Where material is only being treated to remove contaminants, no sampling is required.

16. Are sampling frequencies for waste inputs and outputs cumulative or are they reset quarterly?

The sampling frequencies are based on cumulative annual tonnages and not reset at the end of each quarter. Quarterly reporting will contain the samples that have been taken during the periods stated within the Materials Recovery Code. Given that waste supplies from individual customers may change throughout the year, it is expected that facilities will reassess their sampling plans accordingly. Therefore the number of samples taken may vary from quarter to quarter. However providing these meet with required frequencies at the end of the year, SEPA will accept these variances.

17. Does moisture content need to be measured as part of the sampling process?

Moisture content isn't a specific requirement for sampling. However operators are required to give details of any rejected loads, including reasons for rejections. Moisture content may be one of many such reasons, and should be recorded at this point.

18. Are sites required to submit photographs with their returns?

No, although keeping records of photographs would be considered best practice.

19. Does Commercial Confidentiality apply?

SEPA is required to publish the information we receive from operators in connection with their obligations under the Materials Recovery Code.

As part of the quarterly return, operators are asked to declare whether they wish to have the next and end destination information excluded from the register on the grounds that it is commercially confidential. Sites can apply for commercial confidentiality to apply, but are still required to provide the information to SEPA. Where operators do apply, the information will be handled in accordance with sections 65 & 66 of the Environmental Protection Act 1990, which makes provision for the exclusion of commercially confidential information from the public register. Where operators do not declare that they wish for the information to be handled as commercially confidential, this may be published or shared with other parties.

20. In the data return template, is a broker number the same as a licence/permit number?

A broker number is different. Licence/permit numbers will begin "PPC/..." or "WML/..." and apply to a specific site. Broker numbers apply to specific companies, which may have more than one site, and are usually a third party person or company responsible for arranging for transport of the waste to the next destination (other than the haulier) on behalf of a waste operator. A list of SEPA-registered brokers and their broker numbers can be found on SEPA's website at <http://apps.sepa.org.uk/rocas/>

21. What information is required for destination facilities?

The destination details must include the company name and full address (including postcode) as well as their permit, licence or exemption number. Where the waste is being sent out with the UK, the data return must include a full address for the site destination, including postcode and, where available, licence number and/or export reference number from the exporters' annex VII or notification paperwork. If brokers are used, please report the name of the destination facility and the brokers' name (e.g. "waste management site X, WML/PPC... (via broker Y, CB/UP...)"

22. Which email address should quarterly returns be submitted to?

All quarterly returns should be submitted to waste.data@sepa.org.uk. Any other queries or comments regarding the Regulations should be sent to MRFRegs@sepa.org.uk

23. Where a supplier or customer does not operate a specific waste station, what information should I provide?

We would expect to be provided with a waste carriers licence, or similar information which will allow us to easily identify the operator.

24. Is it acceptable to provide a head office address as a supplier or customer address, or should it be the depot address (e.g. A where a company's registered head office address is in England, but the waste is actually coming from or going to a local depot in Scotland)?

SEPA requires the details of the actual site the waste has come from, or is going to. Therefore, if the waste is coming from or going to the depot directly, the depot details are required. However if, for example, the company is doing a collection round and then going straight to the head office then the head office details are required. Where a broker is used in the movement of waste, sufficient detail should be provided to allow SEPA to adequately track material flow.

25. What information is required in the "Material Use" Column of the "Waste Output" tab?

A description of the specific end use that the waste is being put to is required (e.g. recycled whisky bottles, recycled tissue paper, loft insulation). It is not sufficient to state, for example, "re-processing" or "recycling".

Can't find an answer to your question here? You can:

- Refer to the [Materials Recovery Code](#), or the [Testing and Reporting Guidance](#)
- Call SEPA to speak to a member of staff (03000 99 66 99)
- Email SEPA at MRFRegs@sepa.org.uk