

Shredding of WUDS containing POPs at authorised facilities

Reference: WST-G-66

## Issued December 2023

# Temporary Regulatory Position Statement (tRPS) in relation to shredding of Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs) at authorised sites.

## Background

* 1. Waste Upholstered Domestic Seating (WUDS) is deemed a POPs waste due to the presence of POP-BDEs and HBCD, at or above relevant threshold limits, unless proven otherwise. POPs WUDS must be managed in such a way as to destroy or irreversibly transform the POPs content. For POPs WUDS this is currently limited to incineration (HTI or EfW).
  2. Article 7 (1) of the EU POPs Regulations require waste producers and holders to undertake all reasonable efforts to avoid, where feasible, contamination of the waste with POPS. In order to prepare POPs WUDS for incineration, it may be necessary to shred the WUDS and the shredding process creates the risk of particulate emissions to air, surface water or ground water and contamination of other waste streams.

### SEPA Guidance

* 1. SEPA’s [“Guidance on the management of Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs)’](https://www.sepa.org.uk/media/tnoa12he/waste-upholstered-domestic-seating-containing-pops-guidance.pdf) contains criteria relating to shredding.
  2. SEPA recognises that in the short-term operators of licensed or permitted waste management sites (“authorised operators”) which are authorised to shred waste may be unable to fully comply with the criteria related to shredding as detailed in SEPA’s Guidance. In addition, operators of sites which are not currently authorised to shred waste may also wish to carry out shredding of POPS WUDS for a temporary period.
  3. This Temporary Regulatory Position Statement has been developed to support authorised operators in transitioning towards compliance.

### Temporary Regulatory Position Statement for Shredding POPs WUDS

* 1. This Temporary Regulatory Position Statement (tRPS) outlines the interim steps which authorised operators can take to enable them to shred POPs WUDS while working towards full compliance with the criteria related to shredding as detailed in SEPA’s Guidance.
  2. This Temporary Regulatory Position Statement should be read in conjunction with the SEPA guidance document ‘[Guidance on the management of Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs)](https://www.sepa.org.uk/media/tnoa12he/waste-upholstered-domestic-seating-containing-pops-guidance.pdf)’.
  3. If you wish to operate under the terms of this Temporary Regulatory Position Statement you must notify SEPA of your intention by contacting [nationalwaste@sepa.org.uk](mailto:nationalwaste@sepa.org.uk) (See section 3 below).
  4. It is currently SEPA’s intention to remove this Regulatory Position Statement in 18 months from the date of issue.

# SEPA Position

* 1. This position statement will only apply to specific authorised sites as agreed in writing by SEPA.
  2. Subject to the conditions set out in your authorisation, and the interim measures outlined in the Annexe, a breach of any site authorisation conditions as a result of the shredding of POPs WUDS will not be treated as a non-compliance for compliance assessment or enforcement purposes. Authorised operators who comply with the requirements of this Temporary Regulatory Position Statement shall be treated as having undertaken all reasonable efforts to avoid, where feasible, contamination of other waste with POPS.
  3. This Temporary Regulatory Position Statement only applies to those matters set out in paragraph 2.2 and covered by the interim measures set out in the Annexe. It does not apply to any other regulatory requirements such as the Duty of Care obligations contained in Section 34 Environmental protection Act 1990 or the Special Waste Regulations 1996 and does not detract from any other applicable statutory requirements, such as any need to obtain planning permission or building regulations approval or any responsibilities under legislation for health, safety and welfare in the workplace. All other conditions of the site authorisation not referred to in paragraph 2.2 of this Temporary Regulation Position Statement continue to apply as normal.
  4. This Temporary Regulatory Position applies from the date SEPA confirms its agreement in writing.

1. Utilising this Temporary Regulatory Position Statement
   1. You must notify SEPA at nationalwaste@sepa.org.uk of your intention to utilise this Temporary Regulatory Position Statement detailing the site name, address site authorisation number (i.e. PPC/WML/WMX number).
   2. Please include ‘WTS-G-66’ and your organisation’s name in the subject heading.
   3. Details of how you will comply with the following requirements of this Temporary Regulatory Position Statement should be submitted with the notification

# Conditions that apply

* 1. The following conditions apply:
* You must only shred POPS WUDS within the authorised site boundary.
* You must implement interim measures to minimise releases from the shredding of POPS WUDS and the storage of shredded POPS WUDS as specified in Annex 1.
* You must notify SEPA [nationalwaste@sepa.org.uk](mailto:nationalwaste@sepa.org.uk) without delay if you are shredding or intend to shred POPS WUDS and you cannot comply, or think you may not be able to comply, with the conditions of this Temporary Regulatory Position Statement.
* You must keep records to show that you have complied with the conditions in this Temporary Regulatory Position Statement for two years from the date the record was made. These must be made available to SEPA on request.
  1. The terms of this Temporary Regulatory Position Statement may be subject to periodical review and may be varied or withdrawn at any time.
  2. SEPA reserves its discretion to depart from this Temporary Regulatory Position Statement and to take appropriate action as necessary.
  3. Note – if you are shredding or intend to shred POPS WUDS you should ensure you have all other necessary consents and permissions to carry out this activity.

# ANNEX I –Interim measures to minimise releases to the environment

If you wish to shred WUDS and your shredding process does not meet the criteria detailed in SEPA’s Guidance on the management of Waste Upholstered Domestic Seating (WUDS) containing Persistent organic Pollutants (POPs*)* then you must meet the criteria for shredding WUDS and storing shredded WUDS (where relevant) below while your current process is being retrofitted or you are installing a new system. If your process does not meet the following requirements then you must not shred WUDS.

You should:

* Shred the WUDS within a building to contain dusts and particulates and prevent them contaminating other waste streams or the wider environment either directly or indirectly.
* If no building is available, ensure shredding takes place within a temporary waste storage shelter and that measures are taken to reduce particulate generation and releases.
* Locate WUDS storage and shredding areas away from sensitive receptors and other waste storage areas.
* Store Shredded WUDS within a building, under cover, in sealed containers, or baled/securely wrapped.

#### Use of Temporary Waste Shelters:

* Temporary waste shelters must be enclosed on 3 sides (as a minimum) with a roof.
* An example of a [temporary waste storage shelter](https://www.zappshelter.com/waste-storage-shelters/) (other similar systems will be available).
* Where necessary i.e. to prevent and minimise particulate release, wind netting should be used at the front end to minimise wind whip and particulate escape from the enclosed area.

#### Prevention and mitigation of dust/particulates:

* Point-source misting and sprays placed over the shredder hopper, conveyor system and installing hoods, on the shredder outlets will help to reduce particulate releases.
* Mobile dust suppression cannons can be used to control point sources of particulates as well as using static misting and spray systems within the buildings.
* These should be operated to ensure maximum dust suppression but so they do not create water runoff.
* Drop heights into storage bays/areas and the amount of handling should be minimised to reduce particulate generation.
* Binders such as calcium magnesium acetate (CMA) can be used on stockpiles of shredded material and potentially floor areas to minimise re-suspension of particulates.
* Where necessary due to the prevailing wind direction, in relation to opening/doorways of the building, create a wind break.
* Legio blocks can be used to create a temporary wall/ bay to reduce the impact of wind in the treatment area.
* The use of wind reduction netting or lamella curtains (plastic strips) in wide doorways will prevent wind whip and reduce the risk of particulates being mobilised and spread.

#### General Recommendations:

* Simple, cheap measures such as good housekeeping and maintenance will also reduce contamination by particulates. Examples would include regular cleaning of the shredder and areas around it, to prevent particulates building up and escaping to other areas of the site.
* Regular planned preventative maintenance on plant and dust suppression systems should be in place to ensure they are effectively working.
* Visual monitoring should be regularly done to make sure particulates are not escaping the building (or waste storage shelter) and to ensure that the interim measures are effective.
* Reduce the shredder speed where possible to reduce generation of fines.
* [Further information and guidance on preventing particulates and DEMPS (dust and emissions management plans).](https://www.gov.uk/guidance/control-and-monitor-emissions-for-your-environmental-permit#emissions-management-plan-for-dust)

For information on accessing this document in an alternative format or language please either contact SEPA by emailing [equalities@sepa.org.uk](mailto:equalities@sepa.org.uk)

If you are a user of British Sign Language (BSL) the Contact Scotland BSL service gives you access to an online interpreter enabling you to communicate with us using sign language.

<http://contactscotland-bsl.org/>

[www.sepa.org.uk](http://www.sepa.org.uk)

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