

## **Landfill Allowances and Trading Scheme (LATS) Accounting for rejects at Material recycling sites**

The Environment Agency are the monitoring Authority for LATS. We are seeking to improve consistency and accuracy in accounting for reject rates at Materials Recycling Facilities (MRF). This will ensure our calculations of biodegradable waste diverted from landfill are based on a firm foundation

### **The Issue**

A number of Waste Disposal Authorities (WDA) have been reporting zero reject rates for MRF. We have evidence that this is inappropriate.

There are a number of instances when WDA using the same facility are reporting widely different reject rates.

### **The Evidence**

We have collected information on reject rates from material recycling facilities using a survey of Waste Disposal and Waste Collection authorities. In addition we have conducted an inspection programme of MRF. Our evidence has indicated that reject rates of 10.85 would be a typical average and 'zero reject rates' very unlikely.

### **Our approach**

We will seek robust evidence from WDAs to support reporting zero or low reject rates of the procedures in place delivering consistently perfect quality material to MRF facilities.

There will be two elements to our approach:-

1. We will write to every local authority informing them that as part of our level 35 validation of reported data in Waste Dataflow, we will not normally consider a 'zero rejects' as acceptable. The letter will inform all local authorities that the reporting of zero rejects from MRF will need to be supported with substantive evidence.
2. Those authorities submitting data as from Quarter 1 08/09 who report zero rejects rates will be issued with a Notice served pursuant to Waste and Emissions Trading Act 2003, Landfill Allowances Scheme (England) Regulations 2004 Reg.11(6). This Notice will request that the authority shall provide sufficient justification and evidence for the reject rate within 15 working days of the notice. Failure to comply with a notice may make an authority liable to a penalty from DEFRA.

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## Implementation

To be implemented by the 22 August to give local authorities sufficient time to undertake a review of reporting of rejects rates and submit Quarter 1 data by the specified deadlines.