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Reporting “Preparation for Reuse” in WasteDataFlow

Guidance for Local Authorities (LAs) in Wales

This guidance has been produced to support accurate and consistent reporting for the Landfill Allowances Scheme (LAS) and the Statutory Local Authority Recovery Targets (LART).

Introduction

Local authorities must only report materials or items that are defined as ‘local authority municipal waste’ in WasteDataFlow. Please see our guidance note ‘Reporting local authority municipal waste in WasteDataFlow’ for more information on this.

Local authorities must properly distinguish between ‘re-use’ and ‘preparation for re-use’ when deciding what data to report to WasteDataFlow. Objects/materials that are re-used are not considered a waste and should not be reported to WasteDataFlow. Waste which undergoes preparation for reuse can be reported to WasteDataFlow as long as it can also be defined as ‘local authority municipal waste’.

This guidance note signposts local authorities in Wales to the relevant definitions of ‘reuse’ and ‘preparation for reuse’ that must be used to ensure that local authorities accurately report the preparation for reuse of ‘local authority municipal waste’ in order to comply with their statutory reporting obligations in relation to the Landfill Allowances Scheme¹ and Local Authority Recovery Targets².

Re-use

Article 3 (13) of the Waste Framework Directive defines “re-use” as:

“Any operation by which products or components that are not waste are used again for the same purpose for which they were conceived.”

Re-use is a means of waste prevention so it is not a waste management measure. The material or object has not become a waste. The intention of the ‘Holder’ of a material or item is one factor to consider when determining the status of the material in applying the discard test. If the ‘Holder’ intends that the item should be re-used or repaired, then it

¹ The Landfill Allowances Scheme (Wales) Regulations 2004

² The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011

would not be considered waste and would not be subject to the associated permitting or monitoring framework.

Where a local authority collects/handles any item or material that has not become waste prior to its 'new life' then this must not be reported in WasteDataFlow. It must be noted that items which are not waste may be checked, cleaned or repaired. These activities do not make the items waste.

Preparation for re-use

For local authority municipal waste to be considered as 'prepared for re-use' and reported as such in WasteDataFlow, it must satisfy the criteria set out in Article 4 of the Recycling, Preparation for Re-use and Composting Targets (Definitions) (Order) 2011 as follows:

- a) A waste product or component of a waste product has undergone a checking, cleaning or repairing recovery operation and
- b) The waste product or component of a waste product can be re-used for its original purpose.

It follows that if local authority municipal waste has undergone a reprocessing, recovery, backfilling or disposal operation it is not to be reported as 'preparation for re-use' in WasteDataFlow.

Further guidance

In circumstances where a local authority is unsure as to whether any activity can be reported to WasteDataFlow as preparation for reuse, it should obtain its own legal advice in the first instance, to ensure that it has accurately reported local authority municipal waste in compliance with its statutory reporting obligations.³

Further technical queries regarding reporting the correct management categories of reported local authority municipal waste generated in WasteDataFlow should be sent to: john.fry@naturalresourceswales.gov.uk

³ To avoid being liable to any failure to comply with reporting requirements penalties, as specified in the Landfill Allowances Scheme (Wales) Regulations 2004 and The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011.