



Statutory Recovery Targets (SRT) Validation FAQ

Guidance for local authorities in Wales

December 2012

This is guidance on the Environment Agency Wales (EAW) approach to validating the Statutory Recovery Targets (SRT). It has been produced in the form of frequently asked questions to assist local authorities in Wales to understand how their data and evidence will be monitored and reported to Welsh Government under The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011.

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Q. How is the EAW validating WasteDataFlow (WDF) reported data for SRT?

A. We will send out SRT queries asking for evidence each quarter after we have finished your Landfill Allowances Scheme (LAS) validation. This is 6 weeks after the WDF Local Authority (LA) reporting deadline. The queries will be based on priorities specific to your individual data. The aim is to cover as much of your waste flow as possible during a reporting year by taking a de-minimis approach. More information on this approach is available on the following webpage:

<http://www.environment-agency.gov.uk/business/topics/waste/138482.aspx>

Although SRT validation will be undertaken on a quarterly basis, our monitoring information for all quarters will not be finalised until the end of the quarter 4 SRT reporting period, but we do have to provide interim reports to Welsh Government at the end of each quarter. The validation system does provide the flexibility to reconcile any inaccurate or inconsistent data that has been submitted during any quarter within a financial year. It also provides you with the flexibility to submit additional evidence for any outstanding queries if you were unable to do so during the particular quarter that it was requested. We will however, expect you to have completed your full evidence for all queries during a particular financial year by the end of the quarter 4 validation period.

We will report our final monitoring information to Welsh Government within five calendar months of the end of each target financial year. Any evidence or data roll back requests submitted after the quarter 4 validation period deadline may not be taken into account for that particular financial year.

Q. Are you requesting evidence for individual tonnages?

A. At this stage of our validations we are not looking to cross-check all of your tonnage data. We are focussing on obtaining evidence from you to prove that you know the destinations of the materials up to and including final destination, and that materials sent to those final destinations can be considered to have been legitimately recovered and/or are no longer waste. In supplying this evidence to us, you may find it beneficial to send us any supporting tonnage documentation to aide demonstrating the relevant flows of your materials. Evidence from intermediary steps should also be provided if this helps to demonstrate end destinations.



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Contractual arrangements may affect what type of evidence you are required to give. For example if a MRF has a written contract to send specific materials to a specific site for reprocessing, then a copy of the relevant section of the contract and the front sheet showing who the contract is with, plus a copy of the relevant parts of the permit (i.e. front page, page with permitted process details and acceptable wastes) for the MRF and onward sites would suffice. However, where the contract allows a particular material to be sent to one of several different destinations, you would need to provide evidence to prove which specific site it went to for the quarter we are validating, and this may inevitably include tonnage breakdowns. We would also expect to see relevant parts of permits (as above) for the whole range of sites and any further onward destinations until the waste has reached a place where it can be determined to have been legitimately recovered and/or are no longer waste.

We are aware that in the majority of cases spot markets are currently used, and evidence for these destinations may include evidence of accreditation status in the form of a certificate or public register report, with the supporting Packaging Recovery Notes (PRNs) or equivalent, which may include tonnages.

Q. Are you going to ask for the same information again next quarter?

A. We will not require you to re-submit evidence for any sites where you have provided complete evidence of final destination during a financial year. We may periodically review full evidence already submitted to us to ensure that it is still relevant and current. We will also check for consistency of reporting between sites used each quarter.

Sites where no or partial evidence was submitted will roll onto your query list for the following quarter and will be reported to Welsh Government. While we do not expect you to be able to provide every piece of evidence the quarter it was first requested, we would expect you to demonstrate your best effort. Queries on sites reported as final destinations in WDF, without the supporting evidence, will continue to roll over to the next quarter until full evidence has been submitted.

We will be reporting to Welsh Government on a quarterly basis all instances where nil, partial and full evidence was provided and the associated tonnages reported in WasteDataFlow. We will also be reporting on any improvements in evidence submitted each quarter. Over the scheme year we hope to be able to demonstrate that you have gained a continued improvement of knowledge and evidence of final destinations and the legitimacy of recovery/end of waste status of the materials.

We will however, expect you to have completed your submission of all requested evidence by the end of the scheme year.

Q. The processors/onward destinations do not respond to requests, claim that the information is commercially sensitive or refuse to provide documents.

A. You should keep a record of people that you have spoken with and when. As monitoring authority, the EAW needs to be sent a copy of this correspondence as evidence that you have attempted to obtain the information for reporting to Welsh Government.

Where you have received an unsatisfactory response from your service provider it is recommended that you check that you have spoken to the correct person and that they understand exactly what you have requested and the reasons for it. It is strongly recommended that in drafting future contracts, it is



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stipulated that service providers must provide you with evidence of your material flows from collection to final destination.

Some information may be commercially sensitive, but the information you are requesting is Statutory for reporting to Welsh Government. It may be worthwhile stating that you may face penalties if you are unable to prove the final destination and recovery of your materials. You should clarify that you only need to know where the site is and if this site is correctly permitted or exempt from permitting and are not looking to take your business elsewhere. For the purposes of Statutory Recovery Targets evidence provision you do not require sales/cost/financial data.

Q. What types of evidence can I provide?

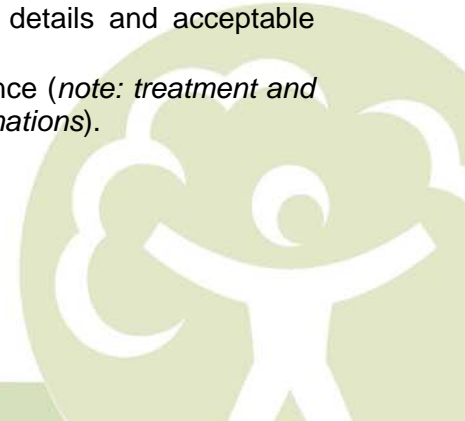
A. The types of evidence that you can provide will vary depending on your specific material flows. The list below is provided to assist you in obtaining the relevant evidence from your contractors regarding onward destinations that your wastes are sent for further processing. The evidence that the types of information will provide is split into full and partial. This refers to the degree to which this evidence will satisfy the requirements in relation to statutory recovery targets in demonstrating that the waste concerned has been recovered.

Below is a list of evidence types that, individually, we consider to be FULL evidence, the availability of these evidence types is dependant on material type and/or destination type for end of waste classification:

- Letter from EA stating agreement of End of Waste position.
- Quality Protocol documentation.
- PAS accreditation certificate.
- Confirmation email from approving body indicating application for PAS/Compost QP: AfOR (Association for Organics Recycling or OF&G (Organic Farmers & Growers)).
- Electronic Packaging Recovery Note(s).
- Approved Authorised Treatment Facility evidence note(s).
- Producer Responsibility Accreditation letter from EA.
- Annex vii form.

Below is a list of evidence types that, individually, we consider to be PARTIAL evidence, the availability of these evidence types is dependant on material type and/or destination type for end of waste classification:

- Membership details of a Producer Responsibility scheme (known as ProRes).
- National Packaging Waste Database reference number.
- Waste Transfer Notes (to the reprocessor, from the LA or contractor).
- Environmental Permit cover sheet and page with permitted process details and acceptable wastes.
- Letter/email from EA exemptions approval team with exemption reference (*note: treatment and storage exemptions demonstrate intermediate processes not final destinations*).
- Apportionment spreadsheet from MRF.
- Manual apportionment data calculations (from tipping of each vehicle).





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Please note, when provided together, several pieces of partial evidence may be deemed full. This will need to be considered on a case by case basis, see next question for further information.

The above lists are not exhaustive and we will consider other evidence types as either full or partial on a case by case basis.

Q. Do 'partial' documents achieve 'full evidence provided' status if more than one is supplied?

A. Each piece of "evidence" may provide different amounts of detail or information, so it is difficult to prescribe a "number" of evidences to make full proof of SRT end destination.

For example, a spreadsheet for MRF apportionment with a breakdown of LA tonnages could satisfy a MRF reject rate query we may have asked. However, for end destination, it is a little more complex due to the different types of waste that need to have their end destination proven and the different ways in which this can be shown.

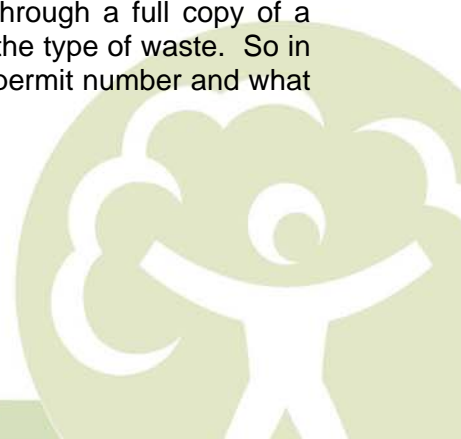
We are assessing your evidence of where your waste is being sent and how it is being managed. Evidence is required to demonstrate compliance with the Welsh Government SRTs for particular tonnages to 'count'. Therefore, the emphasis is on qualitative information rather than quantitative information in relation to providing evidence that demonstrates a particular material flow was recovered. We will consider several items of partial evidence to be full evidence as long as they satisfy the requirement to demonstrate fully the fate of your waste. This will be done on a case by case basis.

Q. Why am I being asked to provide some evidence that the Environment Agency holds?

A. There has been some confusion as to some of the evidence being requested by the EAW and the reasons for it. For example, a common query has been concerning why the organisation that issues permits is requesting evidence that a waste site has a permit from a local authority and not checking themselves?

We are the monitoring authority for The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011. Our monitoring role is not to obtain evidence on your behalf, regardless of where this information is held. In validating the end destinations of your waste, you must demonstrate to us that you know where your waste is being sent and maintain the necessary records.

For example, in terms of supplying permits as evidence, we are checking that you know that the sites you send your waste to are permitted to accept the specific type of waste. This is essentially a duty of care check whereby it is prudent for you to protect your position by being able to demonstrate the steps that you have taken to prevent illegal treatment of your waste. Therefore, this is information that we would expect you to already hold. We would also not expect you to send through a full copy of a permit, just the evidence that it is valid and that the site is permitted to receive the type of waste. So in this example, copies of the relevant parts of the permit such as the site name, permit number and what wastes can be accepted would suffice.





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Q. What if a Local Authority does not provide 'full evidence' for a waste stream in a scheme year?

A. We will report our monitoring information to the Welsh Government at the end of each scheme year. This monitoring information will include details on 'at risk' tonnages. These will be recovery tonnages that we have been unable to validate either because the material flows were under de-minimis or because we have not received full evidence from a local authority. The Welsh Government will consider this information when making decisions on compliance with the targets at the end of a scheme year.

