

Business of Recycling Wales- Webinars Waste Collectors Sector- 7 February 2024 Q&As

This document presents WRAP Cymru’s answers to the questions delegates asked during the ‘Waste Collectors Sector’ webinar. We have grouped questions by theme; sometimes there is a single answer for multiple questions.

You can watch the webinar and access the slides here: [Workplace Recycling -Webinars \(wrapcymru.org.uk\)](https://wrapcymru.org.uk)

Code of Practice: [Separate Collection of Waste Materials for Recycling: A Code of Practice for Wales | GOV.WALES](#)

There are resources available to help you get ready here: [The Business of Recycling Wales Guidance for all workplaces \(wrapcymru.org.uk\)](#)

Question	Response
Carbon savings	
Question for Gareth Davies Business Wales– do you find clients more interested in recycling as a result of the Carbon audits or vice versa is it more the recycling regs are driving their interest in CO2?	Yes, once they see the impacts on scope 3 emissions, it can be a prompt to reconsider recycling and waste management. UK greenhouse gas emissions reporting: Scope 3 emissions - GOV.UK (www.gov.uk)
How is the environmental impact going to be monitored, as many companies are purchasing more vehicles to collect the separated items?	We can review waste data after a year two years etc and look at the increase in recycling and reduction in waste to landfill and incineration. The increased environmental benefits of higher quality recycling have been shown to outweigh any additional emissions relating to transport. (For full technical detail you can read the Regulatory Impact Assessment).
Communications	
How else will the changes be communicated, as many of our customers still don’t have any idea that these new regulations are coming?	A letter was sent to every non-domestic premises in Wales in November 2023. There have also been TV and radio and billboard adverts, and extensive use of social media. More adverts will start soon. Welsh Government have created and shared communication assets that stakeholders such as trade / representative bodies can also use to communicate the changes to their members / audience. Economy Welsh Government Communication Services

<p>How can you edit posters on The Business of Recycling Wales website, as I don't seem to have this option?</p>	<p>To edit the templates, you'll need to have access to the Adobe InDesign software then download the files in this format. Workplace Recycling -Resources wrapcymru.org.uk</p>
<p>Cross-border collections</p>	
<p>If waste is collected in Wales but is managed at a permitted facility in England, does the incineration and landfill ban still apply? If yes, how would an operator then identify waste collected in Wales and waste collected in England, once it's been processed through a MRF? Does this determine what waste would be subject to the ban?</p>	<p>If the waste is collected in Wales then there is still a duty on that collector to collect separately and NRW are working with the EA to communicate these changes with their registered carriers. If an English carrier is committing an offence through their operations in Wales, then NRW are still able to act upon that.</p>
<p>We're aware that some operators are telling customers not to worry about the new regulations as they (the waste collector) are based in England and the changes don't apply to them. I'm aware that isn't the case, but it will be accepted and welcomed by some waste producers as it avoids costs. Does NRW have any powers or agreements with the EA to visit these operators' sites in England as part of the enforcement of the new regulations?</p>	<p>If collected in Wales it needs to be collected separately, if then taken across the border to England, the following legislation currently applies in England:</p> <p>Regulation 21 of The Waste (Circular Economy) (Amendment) Regulations 2020 introduce bans in England and Wales on the landfilling and incineration of separately collected paper, metal, plastic and glass – via Part 4 Schedule 9 of the Environmental Permitting Regulations (for incineration bans) and Schedule 10 for landfill.</p>
<p>What about waste that's collected outside of Wales but brought back to Wales for disposal?</p>	<p>https://www.legislation.gov.uk/uksi/2020/904/regulation/21/made That would include separately collected paper, metal, plastic and glass collected in Wales but taken to England.</p>
<p>How does it work if we collect waste from Wales, but it gets tipped in England?</p>	<p>In addition, Regulation 14 of the Waste (England and Wales) Regulations (2011; as amended) prohibit the mixing in England of separately collected paper, metal, plastic and glass. That would include separately collected paper, metal, plastic and glass collected in Wales but taken to England. https://www.legislation.gov.uk/uksi/2011/988/regulation/14</p>
<p>Contamination & Enforcement</p>	
<p>What action, if any, can a waste collector take when customers continue to deliberately ignore the new requirements or continue to contaminate waste streams?</p> <p>We note that refusal to collect is a last resort, but ultimately this could lead to</p>	<p>NRW would expect collectors to have procedures in place for dealing with contamination and how they would deal with their customers in that situation. Where they have persistent non-compliance by a customer this can be reported to NRW via our usual</p>

<p>other environmental, amenity and health issues, such as pest infestation, issues for street scene, and accumulations of waste.</p>	<p>incident reporting lines. Natural Resources Wales / Report an incident</p>
<p>Will consistent contamination by waste producers be addressed by NRW?</p>	
<p>If a waste collector arrives at a Waste Transfer Station with dry mixed recycling (DMR) onboard, what will the Transfer Station Operator do?</p>	<p>The operator of the transfer station would hopefully remind the carrier that they should be collecting that material separately but there is no duty under the new regulations for that operator to reject that load. NRW officers who regulate these sites have been trained in the new regulations and will be looking for evidence of non-compliant collectors upon their inspections and we will also be reviewing waste returns data to target our efforts.</p>
<p>What should we advise customers when we can't accept some of their waste streams?</p>	<p>You will not be required to sort through bags of recyclables to ensure they are free of contamination.</p>
<p>Likewise, if you operate a venue and the guests leave a mess with contaminated bags, etc., do we expect the cleaners to sort through it?</p>	<p>You will need to ensure that the recycling bins are clearly labelled, the recycling system in place is communicated to staff and visitors and sufficient containers are provided for your staff and guests to use it correctly.</p> <p>You are advised to monitor the effectiveness of your recycling system and make any change needed to ensure it is working well.</p> <p>The Code of Practice (paragraph 7.37) contains more detail on steps you are advised to take in relation to contamination.</p>
<p>Fines</p>	
<p>At what point will enforcement cross between Fixed Monetary Penalties (FMPs) and Variable Monetary Penalties (VMPs), both against waste producers and waste collectors?</p>	<p>Each offence would be reviewed on a case by case basis, and we seek to take the most appropriate and proportional enforcement action in that case. But generally, VMPs are for more serious, persistent or repeated offences</p>
<p>If a waste collector mixes streams in the same vehicle compartment across 10 sites on the same round, would that be classed as a single offence, or one offence per site? And where does a Variable Monetary Penalty (VMP) come into play?</p>	<p>Unable to comment on a general scenario as NRW's approach would depend on a range of different factors, such as whether or not the offender had previously been spoken to, volumes and evidence.</p>
<p>It was mentioned fines may be issued to those not adhering to the requirements. How will NRW (or any other appropriate body) monitor what is happening? Will there be a team that will be out in the field? Will it</p>	<p>NRW has a team of 12 Officers across Wales that will be monitoring the implementation of the new regulations, carrying out inspections and supporting workplaces to implement the changes.</p>

be data driven? And will this rely on feedback from third parties?	
How much is the fine?	Where non-compliance occurs, NRW may provide advice and guidance as a first response where appropriate. However, for more serious incidents or persistent non-compliance, NRW has powers to take a firmer approach where necessary, including both civil sanctions (fixed and variable monetary penalties) and criminal proceedings. The fixed monetary penalties will be either £300 or £500 depending on the breach.
Is £500 a large amount for a large Viridor/Veolia/Biffa running a 250,000 TPA Energy from Waste (EfW) plant, that brings in millions in gate fees and electricity sales each year?	
Food waste	
Where do we stand with clients stating that they give their food waste to local community allotments for compost?	Food waste has to be managed under the requirements of the Animal By-Products (Enforcement) (Wales) Regulations 2014 to prevent the spread of harmful pathogens.
Is there any guidance on how food waste collections link to animal by-products requirements?	You may be able to compost or anaerobically digest your own food waste on your premises, provided you meet the requirements of the Environmental Permitting (England and Wales) Regulations 2016 and any relevant exemptions, and the requirements of the Animal By-Products (Enforcement) (Wales) Regulations 2014 and Regulation (EC) No 1069/2009 , and any other relevant regulations.
How does Biffa plan to collect food waste from large campsites, e.g. from bins only in a compound, or do you supply each caravan with individual containers to decant into larger bins, etc?	Most waste collection providers provide larger bins to be placed in the waste compound. How the waste is transferred from the individual caravans is the responsibility of the site owners.
Litter	
Regarding the question about street scene, are waste arisings from local authority duties as a Principal Litter Authority exempt from the new regulations?	This is correct.
What about localities that provide litter bins around their properties, such as national parks, country parks, golf courses, etc?	All workplaces, including country parks and golf courses, are required to present the listed materials separately for recycling. It is up to each workplace to decide how they can most effectively separate these materials. However, having recycling bins next to litter bins can be a good way to do this. Just collecting all waste in a residual litter bin and making no attempt to separate the required materials for recycling would not be in line with the new regulations.
Materials	

What is the definition of 'metal, plastic and cartons'? Irrespective of guidance, businesses think this means all metal and plastic items.	Annex 2 of the Code of Practice states the definition of what is included in the 'metal, plastic and cartons' stream. Clear communication should ensure only target materials are collected.
You mention the Annexes of the Code of Practice state what is acceptable or otherwise. My understanding is that the Annexes show the minimum acceptable materials and that if a waste collector is able to collect additional items that fall within the same stream, it's fine if they're able to recycle those too. Is my understanding correct?	This is correct. However, you would need to check with the receiving site or processor that the additional material would not cause contamination.
Separate collections	
Will mixed general waste and dry mixed recycling bins become outlawed from 6 April 2024?	Yes, collecting mixed general waste and dry mixed recycling will no longer be allowed after 6 April 2024. All specified materials must be collected separately.
Although Annex 2 advises differently, could certain materials such as crisp packets and black plastic trays be put in the plastics stream, as these items can be easily removed? If these items are sent to Edf, but the metals, plastics and cartons are sent for recycling, is the collection still compliant?	If these items, crisp packets and black plastic trays, are not to be recycled they should go in with the residual. If they have gone in the recyclable stream then they cannot be sent to landfill or incineration.
If the metals, plastics and cartons bin contains coffee cups, and we don't manage that stream within our collection process, would that now be classed as contaminated waste?	The waste producer will need to find a collector who will collect coffee cups (with plastic liners), as they are on the specified material list of items that must be recycled.
Do the new regulations encompass the WEEE being recycled by businesses, such as IT equipment, fans, heaters, etc.?	This is not unsold sWEEE and is therefore not covered in the new regulations.
The main aim of the new regulations is to increase commercial waste recycling rates. If a waste collector/processor can recover and recycle flexible packaging/plastic film – known as 'plastic bags and wrapping' – is it acceptable to advise customers to include these items in the cartons stream?	Yes, plastic film could be placed in the same container as the metals, plastics and cartons if your waste collector is able to separate out the streams.
What advice would you give to workplaces that produce tiny amounts of a certain recyclable materials that, before the regulation change, would not warrant a separate container?	There is no minimum level stipulated in the new regulations, therefore any amount, no matter how small, must be collected separately.
If a premises does not produce glass waste, does it still need to have a separate container and collection for glass?	The waste producer and waste collected must have a conversation to agree an appropriate

<p>If a retail store produces a broken wine bottle or a sauce bottle, does it still need a separate glass container and collection?</p>	<p>collection frequency schedule for these small amounts.</p>
<p>If a business produces just one can, bottle or carton in total each week, does it still need a separate collection? Is there a minimum level?</p>	
<p>According to the Code of Practice, should plastic film – known as ‘plastic bags and wrapping’ – not be included in the metals, plastics and cartons stream?</p>	<p>Correct, unless your waste collector is able and happy to take that material stream in which case it could be place in the same container as metals, plastic and cartons.</p>
<p>Should we be extending the changes to our recycling collection contracts to garden waste or other widely recycled materials?</p>	<p>You do not need to do this to comply with the new regulations but may wish to do so for other reasons.</p>
<p>What funding / resource has been allocated to NRW to carry out inspections for enforcement? Am I correct in thinking there will be more resource needed for this?</p>	<p>NRW has a team of 12 Officers across Wales that will be monitoring the implementation of the new regulations, carrying out inspections and supporting workplaces to implement the changes.</p>
<p>Premises</p>	
<p>What will happen to waste produced by tradesmen from domestic properties? And what will happen with regards to housing voids with commercial companies?</p>	<p>The only items that will need to be separated for recycling will be the household-like materials, such as cardboard packaging, and not building materials, such as bricks, tiles etc See section 4.4 of the Code of Practice for the materials that must be collected separately</p>
<p>If a builder takes the waste from a household renovation to a permitted waste site, would it need to be separated on the job then transported? If yes, would the expectation be that they would separate the waste and place it in different parts of their van? For example, plastics in one area, and glass in another?</p>	
<p>Also housing voids with commercial companies?</p>	<p>This is waste collected from a domestic property and therefore does not come under the new regulations.</p>
<p>If your workplace is your home, are you exempt?</p>	<p>Where an individual runs a business or carries out some form of business activity from their home (for example making items to sell online, or a childminder), consideration may need to be given as to whether the carrying out of the business renders part of the property non-domestic.</p>
<p>Where a contractor (waste collector) is employed by a local authority to clear waste from hoarding and filthy and verminous premises, or accumulations of waste in default of notice, must the waste be separated under the new regulations?</p>	<p>If waste encountered in this specific situation is contaminated with hazardous substances and / or is not empty and free of significant contamination or is degraded beyond the point of recyclability it does not need to be presented separately for recycling</p>

<p>The mixed waste is often piled high or contained in bags such as carrier bags, and often contaminated with faecal matter, urine or other body fluid from human or pest. And often the waste has degraded and is matted together.</p> <p>Are contractors required to open every bag and separate all items of waste before transporting it?</p> <p>This would be extremely time consuming, costly, hazardous, and result in poor quality recyclables.</p>	
<p>How do the new regulations affect cemeteries? Do customers need to separate items such as wreaths, which can contain a mix of plastics, oasis (floral form) and flowers?</p>	<p>Those materials are not specified under the separation requirements of the new regulations; therefore these materials would be managed the same way they are now.</p>
<p>We have customers/businesses that bring in domestic waste that is kerbside collected to provide an alternative to household recycling. How should we manage this?</p>	<p>If the material has been collected from a domestic property, it doesn't need to be separated or comply with the new regulations.</p>
<p>If waste is brought into a waste transfer station from a domestic premises, then sent onto another transfer station, does the waste need to be separated before moving it? This waste started as domestic, but then becomes business-to-business.</p>	
<p>Do the new regulations apply to any domestic skips/bins brought in by third parties with Waste Carriers Licence?</p>	
<p>If a licenced collection agency is collecting from a domestic address (domestic waste), do the separation requirements apply to the household and collector in the same way as when they collect from business premises? We are seeing small firms springing up collecting bags from households that do not sort and recycle, and instead present all their waste in black bags.</p>	
<p>How do we manage waste coming into us from other waste management companies, that bulk it and do a level of pre-sort before bringing to us, as we know their customers will be both commercial and domestic?</p>	<p>If they've collected from a workplace, the items should already be separated and remain separate. The new regulations apply to the point of presentation from the workplace to the waste collector, and not further along the supply chain.</p>
<p>Process</p>	

What considerations have been given for business materials that are recovered and recycled via a commercial & industrial materials recycling facility (C&I MRF)? Does such MRF treatment satisfy the new regulations?	Mixed collection of dry recycling is no longer permitted under the new regulations. This includes sending recyclables to MRFs. You will need to arrange for the separate collection of the specified waste streams from your company's premises, including food waste if you produce more than 5kg in a 7-day consecutive period. Once collected the materials must remain separate from each other. Section 3 of the Code of Practice.
Our company's recycling and non-recyclable waste are currently collected and then pre-treated, recovered recycled via a commercial & industrial materials recycling facility (C&I MRF). It recovers more than 18 different wastes over and above the usual dry mixed recycling (DMR) in our bins. Does this meet the new regulations and, if not, why?	
Does the incineration ban also include waste-to-energy facilities?	Yes.
Separate collections	
If survival bags are not recommended in the Code of Practice, what about collecting separate streams in separate bags in a caged vehicle or skip?	The Code of Practice advises against the use of survival bags and placing items from different material streams within the same bag, such as mixing paper with metals, plastics and cartons. Section 8.2-8.4 of the Code provides further guidance.
Can survival bags be used if they maintain separation? Surely effectiveness is the important thing?	
What about customers that haven't got space to keep additional containers for separate waste streams, but they need to meet the new regulations?	There are a range of containers on the market that have minimal footprints. The materials must be presented separately for the waste collector.
Can bulk bags be used for separate collection?	If they are sufficient to ensure that separation is maintained, yes
Small WEEE	
What is the "unsold small WEEE"?	The separation requirements only include unsold sWEEE, not broken electrical items such as toasters. The definition of unsold can be found in the glossary of the Code.
The new regulations only mention unsold WEEE. There is conditions of size able to be collected too. What's the plan for operational/used waste electronics and electricals as part of manufacturing or business use?	
Does unsold small WEEE mean stock, and not just an old toaster from a staff room?	

If you've any further questions please send an email to WalesRecycles@wrap.org.uk or CymruYnAilgylchu@wrap.org.uk.