

Regulatory position statement

Small-scale heat treatment of waste plastics for recovery

If you comply with the requirements below, we will allow small-scale treatment of waste plastics using heat treatment either as a preparatory treatment or to manufacture finished goods without the need for an environmental permit. This position applies whilst the development of a future exemption and/ or standard rules permit is in progress.

Background

Under the previous exemptions regimeⁱ, there were two exemptions from environmental permitting that allowed treatment of waste plastics. These were [Paragraph 11 - Preparatory treatments of certain wastes](#) and [Paragraph 14 - Manufacturing finished goods](#). Treatments using the application of heat have been carried out under these exemptions.

Under the new exemptions regimeⁱⁱ, the exemptions above are replaced by [U9 - Use of waste to manufacture finished goods](#) and [T4 - Preparatory treatments \(baling, sorting, shredding etc\)](#). Neither of these exemptions allows heat treatment of waste. A number of companies have been identified as needing to apply for a bespoke permit due to this new restriction. We are intending to develop a standard rules permit and/or propose a further exemption to cover small-scale low-risk operations to ensure that these waste recovery operations have proportionate regulation.

This position is provided while consultation is carried out to formalise a new standard rules permit for these waste operations and/or any future exemption. It will mean that the same level of control will apply to new operations as to establishments or undertakings already registered exempt under paragraphs 14 and 11 who are benefiting from the transition period that ends on the 1 October 2012.

Our approach

We will not pursue an application for an environmental permit for the activity where:

- You are carrying on the preparatory treatment of waste plastic using the application of heat with a view to the recovery or reuse of the waste and the total quantity of waste dealt with does not exceed 100 tonnes per week.
- You are carrying on the treatment of waste plastic using the application of heat to manufacture finished goods and the storage of such waste is at the place of manufacture and the total amount stored at any time does not exceed 15,000 tonnes.
- You meet the relevant objectives of the Waste Framework Directive;

'... ensuring that waste management is carried out without endangering human health, without harming the environment and in particular:

- (i) without risk to water, air, soil, plants or animals;
- (ii) without causing a nuisance through noise or odours; and
- (iii) without adversely affecting the countryside or places of special interest.'

This position does not apply to the treatment of hazardous waste or allow the burning of waste plastics.

Enforcement

In not pursuing an application for a permit, we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please see our [Enforcement and Sanctions](#) statement. This can be found on the '[How we regulate you](#)' page in the Business & Industry section of our web site.

This regulatory position will be reviewed by October 2012.

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ⁱ Schedule 3 of the Environmental Permitting (England and Wales) Regulations 2007.

ⁱⁱ Schedule 3 of the Environmental Permitting (England and Wales) Regulations 2010.