CODE OF PRACTICE (COP)
REPORTING PROCEDURE

2022

Code of Practice (CoP) Reporting Procedure

Date: December 2022

1. Introduction

Members of the RDF Industry Group (the Group) commit to complying with the sections of the CoP relevant to the scope of their operations in relation to the export of waste derived fuels (WDF). This document details the reporting procedure for both full members of the Group and for affiliate members. From here on 'members' refers to both full and affiliate members of the RDF industry Group unless indicated otherwise.

Note that the template now utilises the terminology WDF - incorporating both refuse derived fuels (RDF) and solid recovered fuels (SRF).

2. Scope of Member Reporting

During CoP reporting, members will confirm which legal entities (such as subsidiary companies) are included within the scope of their membership and which CoP stages are relevant to the WDF operations.

3. Reporting Procedure

Central to the CoP is the process diagram (Figure 1) which outlines each stage of the WDF export process. Most members will only undertake part of the WDF export process, and so only certain sections of the CoP are relevant to their activities. Members are required to report to the secretariat their compliance against the stages relevant to them.
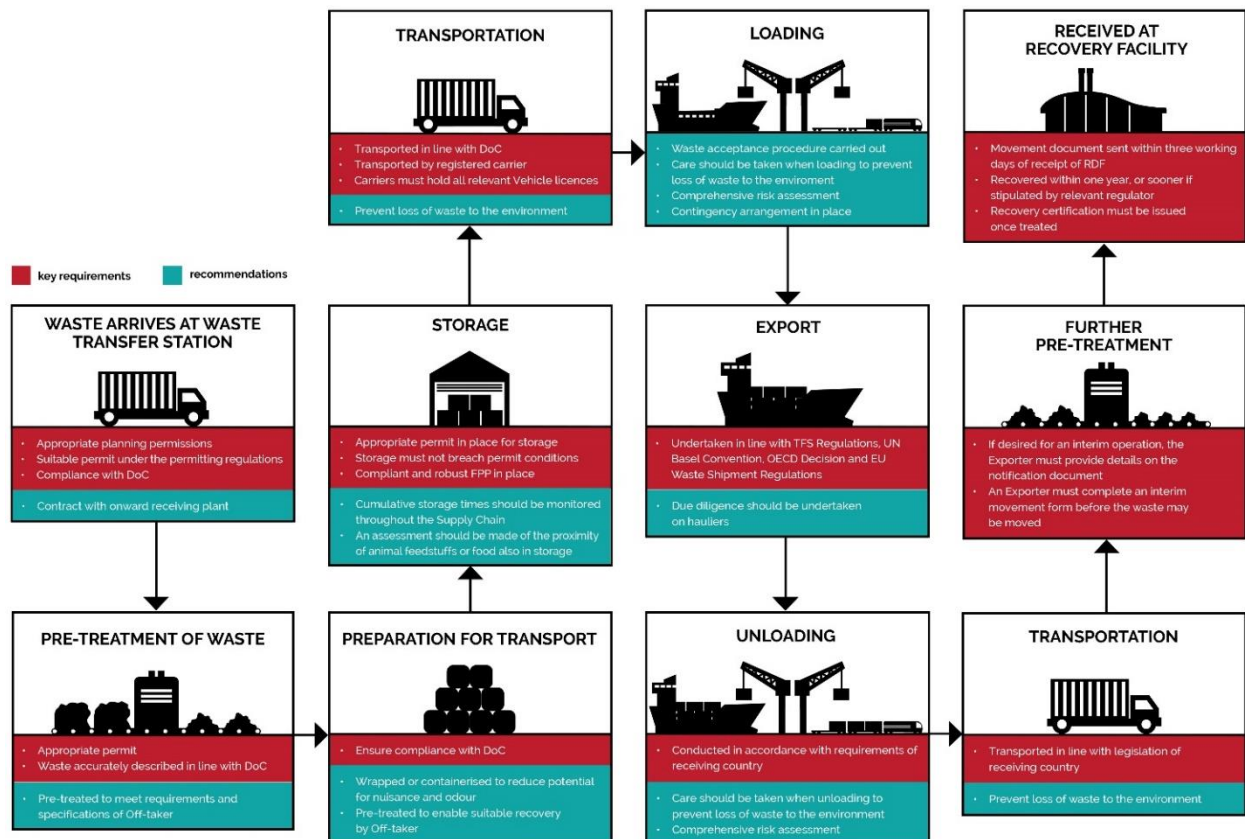
Figure 1: CoP Process Diagram

Table 1 shows the CoP stages mapped against the relevant area of regulations with which members are required to comply.

Table 1: CoP Stages and Relevant Area of Regulations

CoP Stage	Planning	Permitting including FPP (where relevant)	Duty of Care (DoC)	Vehicle Licences	Waste Shipment Regulations (WSR)/ Transfrontier Shipment of Waste Regulations	Requirements of Receiving Country
1. Waste arrives at WTS	✓	✓	✓			
2. Pre-treatment of waste	✓	✓	✓			
3. Preparation for transport	✓	✓	✓			
4. Storage	✓	✓	✓			
5. Transportation			✓	✓		
6. Loading	✓	✓	✓			
7. Export				✓	✓	
8. Unloading					✓	✓
9. Transportation					✓	✓
10. Further pre-treatment					✓	✓
11. Received at recovery facility					✓	✓

3.1. Compliance

Members are required to report any non-compliance with the regulations identified in Table 1 and further detailed in the Code of Practice, for each stage relevant to them. Reporting of non-compliance is done through the reporting of breaches. Breaches are either categorised as 'red' (which is a major breach) or 'amber' (which is a minor breach). Members must self-determine which category they think a breach falls into and complete the report accordingly. Generally, a breach should be coded as follows:

- Red
    - A significant intervention or enforcement action from a regulatory body; or
    - a prosecution or legal action from a third party or regulatory body.

- Amber
    - All other (non-red) breaches to the relevant regulations detailed in the CoP.

- A 'green' status is achieved if a member has been fully compliant with the relevant regulations detailed in the CoP.

Breaches only relate to the member organisation(s) in question, and not individuals working for that organisation (for example a driving offence attributed to an employee's own licence). Members must report breaches for all legal entities (such as subsidiary companies) that are covered by their Group membership. Members must list the facilities/activities that are part of their WDF supply chain and that are therefore within scope of the CoP.

Members should take into account that the CoP covers different UK nations and receiving countries, and therefore legal requirements and regulatory bodies will vary accordingly.

For members representing **laboratories,** you should confirm whether or not you have had any breaches when sampling and/or testing waste.

For members representing **logistic operations,** you should confirm whether or not you have legal responsibility for the waste you are transporting. If you do have legal responsibility, you should confirm whether or not there have been any breaches.

3.2.   Reporting and Confidentiality

The reporting of breaches is done through the annual CoP report (see Appendix 1). All breaches are reported in one annual report per member. If a member does not have any breaches within the reporting period then the member must submit the report declaring green status i.e. no breaches.

The reporting period is set as 1st January to 31st December.

Information from the annual reports is used to create the annual dashboard report. The dashboard report includes an anonymised, high level summary of all reported amber and red breaches, as well as good practice recommendations for avoiding future breaches. It is circulated to all members. An example of the dashboard report is shown in Appendix 2.

The overall process for CoP reporting is as follows:

1) Each member submits its annual report to the secretariat by the 31st January each year.
2) The secretariat conducts an initial analysis of member reports. The secretariat will flag any potentially miscoded breaches to the CoP panel (see section 3.3). Any flagged breaches will be anonymised before being shared with the CoP panel.
3) The CoP panel meets to discuss any potentially miscoded breaches and agree reclassification if needed.
4) The secretariat produces the dashboard report, which is approved by the CoP panel.
5) The dashboard report is circulated to the Group and CoP signatures, and is discussed at the next Group meeting.

For clarity, the circulation of the CoP reports is shown in Table 2.

Table 2: Circulation of CoP Reports

Report Name	Circulation
Members' annual reports	Each member's CoP report will be confidential and only accessible by the secretariat. Any potentially miscoded breaches are anonymised before being shared with the CoP panel. Only if the three strikes threshold is reached (see Section 3.3), is the full annual report shared with the CoP panel in confidence.
Dashboard report	Circulated to the whole Group including Affiliate Members.

3.3. CoP Panel

The CoP panel assists with the implementation of the reporting scheme. The panel is made up of:

1) the Chair and Vice Chair; and
2) the secretariat.

The CoP panel is a decision-making body with delegated powers from the Group. The CoP panel's responsibilities are as follows:

1) To evaluate any potentially miscoded breaches and agree reclassification if needed.

2) To manage the 'three strikes process'. The CoP panel will apply a 'three strikes process', whereby any member who has reported a red breach three times within two consecutive reporting periods (i.e. the most recent two years) will be assessed by the panel to determine if, overall and in the context of those three breaches, it is considered to have contradicted the Terms of Reference of the Group. As part of this process, the member in question may be invited to a meeting with the CoP panel for further discussion. At this meeting the member will have the opportunity to discuss in greater detail any remedial action it has taken since the red breaches occurred. At the CoP panel's discretion, a full member can then have their membership revoked, and a CoP signatory can have their signatory status withdrawn.

3) Should a member fail to submit their CoP report after repeated requests from the secretariat, this will be escalated to the CoP panel to determine what action may be taken. This could include membership revocation.

Appendix 1: Code of Practice –Annual Report Template

The tables below contain an example of how to complete the form.

CODE OF PRACTICE – REPORTING TEMPLATE

Reporting period covered	*Secretariat to complete*

Cover Sheet

Member organisation name	*Company Name*	
Name of respondent and contact details	*Name, email address and phone number*	
Legal entities (such as subsidiary companies) covered by your membership	*Name of legal entities*	
WDF facilities in scope[1] (see note at the end of this document for more detail on the information required)	*Provide any of the following which are applicable:* *Transfer Station 1 Name* *Transfer Station 1 Address* *Transfer Station 1 Permit Number* *Transfer Station 2 Name* *Transfer Station 2 Address* *Transfer Station 2 Permit Number* *If you have a port operation relating to WDF, please include details of any permitted sites at the port and provide a brief description of any other WDF activities.* *If you transport WDF, provide a brief description of the logistics routes used.* *Recovery facility 1 Name* *Recovery facility 1 Address* *Recovery facility 1Permit Number*	
CoP stages relevant to WDF operations (please tick stages in scope)	Stage 1: Waste arrival at Transfer Station	
	Stage 2: Pre-treatment of Waste	✓
	Stage 3: Preparation for Transport	
	Stage 4: Storage	✓

	Stage 5: Transportation (pre-export)	
	Stage 6: Loading	
	Stage 7: Export	
	Stage 8: Unloading	
	Stage 9: Transportation (post-export)	
	Stage 10: Further Pre-treatment	
	Stage 11: Received at Recovery Facility	

Number of breaches across all facilities/activities during reporting period	Red	Amber
	0	*1*

| Total tonnage of WDF handled under the CoP | xx,xxx | |

I declare that, to the best of my knowledge, the information contained within this form is true, complete and correct.

Name:_____   Signature:_____

Date:_____

If **one or more** breaches occurred during the reporting period, please fill in the following form. **If you need to report more than 3 breaches, please copy an empty version of the form** and paste it at the end of the report before filling it in (as has been done for Breaches 1 to 3). You can do this as many times as necessary.

Breach 1

Detailed location of where the breach took place (e.g. specific WDF facility/infrastructure) including country	

CoP Stage breach is relevant to (please indicate)	
Stage 1: Waste arrival at Transfer Station	Y
Stage 2: Pre-treatment of Waste	
Stage 3: Preparation for Transport	
Stage 4: Storage	
Stage 5: Transportation (pre-export)	
Stage 6: Loading	
Stage 7: Export	
Stage 8: Unloading	
Stage 9: Transportation (post-export)	
Stage 10: Further Pre-treatment	
Stage 11: Received at Recovery Facility	

Area of regulation breach is relevant to (please indicate)	
Planning	
Permitting including FPP (where relevant)	Y
Duty of Care	
Vehicle Licences	
Waste Shipment Regulations / Transfrontier Shipment of Waste Regulations	
Requirements of Receiving Country	

Classification of breach[2] *Please record amber or red as applicable.*	*Red*
Brief description of the breach	*Maximum annual throughput of WDF exceeded at Transfer Station 1 by 20,000 tonnes. This was a breach of the site's environmental permit conditions.*
Justification for classification of breach	*An enforcement notice was received from the Environment Agency.*

Estimated breach start date[3]	*April 2018*
Regulator(s) engaged with regarding this breach	*Environment Agency*
Details of engagement with regulator(s)	*Following a site inspection, the Environment Agency served an Enforcement Notice. The permit was suspended until changes had been made to the site's EMS. We have liaised with the EA throughout to determine the cause of the data error which led to the breach.*
Details of rectification actions taken (or being undertaken)	*The company's compliance team have undertaken an audit of the site's EMS and identified where the error occurred. Changes have been made to the EMS to ensure the breach does not happen again.*
Estimated breach end date	*July 2018*
Good practice/lessons learnt	*When applying for an environmental permit, ensure there is flexibility built into throughput tonnages, to allow them to increase in future years in case of data errors.*

Breach 2

Detailed location of where the breach took place (e.g. specific WDF facility/infrastructure) including country	
CoP Stage breach is relevant to (please indicate)	
Stage 1: Waste arrival at Transfer Station	
Stage 2: Pre-treatment of Waste	
Stage 3: Preparation for Transport	
Stage 4: Storage	
Stage 5: Transportation (pre-export)	
Stage 6: Loading	
Stage 7: Export	
Stage 8: Unloading	
Stage 9: Transportation (post-export)	
Stage 10: Further Pre-treatment	
Stage 11: Received at Recovery Facility	
Area of regulation breach is relevant to (please indicate)	
Planning	
Permitting including FPP (where relevant)	
Duty of Care	
Vehicle Licences	
Waste Shipment Regulations / Transfrontier Shipment of Waste Regulations	
Requirements of Receiving Country	

…rest of table to be completed as required

Notes

1. Please provide a list all relevant facilities owned by the legal entities covered by your Group membership. These should be directly related to your WDF activities, and not general waste facilities if these do not process/handle WDF specifically. If you are a logistics operator, please detail any permitted sites you operate in relation to WDF (for example at the port) and then provide a brief description of your WDF logistics activities, such as the logistics routes used.

2. It is up to members to determine whether a breach is classed as red or amber. Generally, a breach should be coded as red where it represents a:

   - significant intervention or enforcement action from a regulatory body; or
   - prosecution or legal action from a third party or regulatory body.

   All other breaches to the regulations detailed within the CoP should be coded as amber.

3. If the start date of the breach is not known please provide the date that the breach was first recorded in your Environmental Management Systems (EMS).
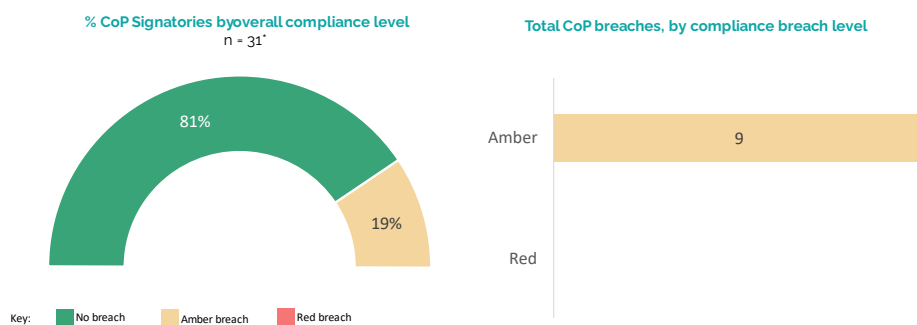
Appendix 2 – Dashboard Report Template

RDF Industry Group
CoP Dashboard Report - 2019

Code of Practice – Dashboard Report
Reporting period: January – December 2019

% CoP Signatories by overall compliance level
n = 31*

81%

19%

Key: No breach   Amber breach   Red breach

Total CoP breaches, by compliance breach level
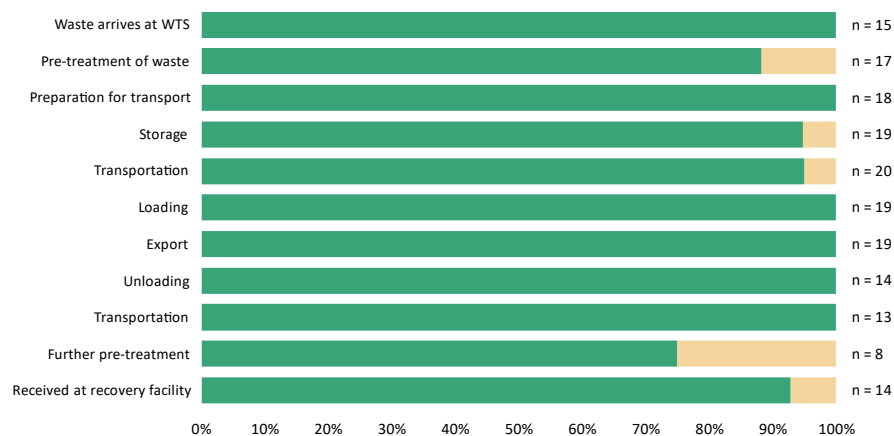
Amber   9

Red

See Annex 1 for further details of amber and red breaches.

*Three Group members did not renew membership for 2020 and therefore did not submit CoP reports.

Code of Practice – Dashboard Report

Reporting period: January – December 2019

% of CoP Signatories, by compliance level, by CoP stage*

CoP Stage		n
Waste arrives at WTS		n = 15
Pre-treatment of waste		n = 17
Preparation for transport		n = 18
Storage		n = 19
Transportation		n = 20
Loading		n = 19
Export		n = 19
Unloading		n = 14
Transportation		n = 13
Further pre-treatment		n = 8
Received at recovery facility		n = 14

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

Key: ■ No breach   ■ Amber breach   ■ Red breach

See Annex 1 for further details of amber and red breaches.

*Not all CoP stages apply to all signatories. N = the number of signatories the CoP stage applies to.
This chart show the % of signatories for each CoP stage, who had at least one amber breach.

Annex 1 – Further Details of Amber Breaches
Reporting period: January – December 2019

Breach	Brief description of the breach	CoP Stage Breach is Relevant to	Area of Regulation Breach is Relevant to	Details of rectification actions taken (or being undertaken)	Good Practice Recommendations
1	Recovery facility required WDF to be removed from container using tipping chassis. Some bales could not be dislodged and consequently the load could only be partially recovered. Remaining waste was repatriated.	Stage 11: Received at recovery facility	WSR / TFS Regulations	• Contacted EA for advice. • Documentation to facilitate repatriation was completed. • Load returned to production site. • No further instances of a load not discharging in full.	
2	Fire in storage shed. Suspected that a wheel loader stored in the shed overnight caught fire, igniting loose material ready for loading.	Stage 10: Requirements of Receiving Country	Requirements of Receiving Country	• An improved maintenance schedule for plant machinery has been implemented in the QMS. • All plant machinery to be stored outside of buildings overnight. • Reduce the amount of loose material (opened bales) until required for call off.	• All plant machinery to be stored outside of buildings overnight. • Reduce the amount of loose material (opened bales) until required for call off.
3	Procedure for using radiation detector at production site was not followed. Increased radiation levels detected in container upon arrival at receiving facility. Radiation located to one specific WDF bale.	Stage 2: Pre-treatment of Waste	Duty of Care	• Re-induction of personnel involved with WDF production. • Increased security settings on radiation detector with more people included inactivation alert emails.	• Importance of following procedures set up to protect from similar incidents.

4	Waste transfer note issued for a load of WDF had incorrect details on it (e.g. permit number and haulier registration)	Stage 5: Transportation	Duty of Care	• Errors were due to an IT error and also human error. • Worked with software providers to rectify the issue. • Compliance review of all carrier information held on the system to ensure no further errors. • Further training undertaken with all relevant staff, covering topics such as weighbridge tickets and the legal obligations relation to waste transfer notes.	• Routine duty of care checks. • Regular tool box talks / refresher training sessions to ensure staff are aware of the importance of the correct completion of waste transfer notes.
5	TFS paperwork was not placed in the trailer, so was missing when trailer arrived at the port in the receiving country. Load could not be sent to receiving facility until copy paperwork was sent.	Stage 5: Transportation	WSR / TFS Regulations	• Existing TFS Paperwork Procedure was re-issued to staff (with particular emphasis of key staff members). • A simple guide (key bullet points) was produced for display in the weighbridge for ease of reference.	• Lengthy procedures are not always read in detail by staff. • In addition to tool box talks, it can be useful to condense key points into bullet points and place in direct eyeline of staff.
6	WDF material stored over a prolonged period of time due to technical issues at receiving facility. There were odour complaints from the local community.	Stage 10: Requirements of Receiving Country	Requirements of receiving country	• Deodorant spray, re-wrapping of torn bales and moving bales in to indoor facility to prevent smell from spreading from the harbour area. • Rapid collection and recovery at facility during the autumn of 2019.	• Limit the amount of waste stored at one time • Store waste indoors to prevent odours
7	Loose WDF stored above designated maximum height of waste pile in the bunker	Stage 4: Storage	Permitting including FPP	• Waste pile height reduced to designed maximum height.	• Regularly remind site operators of site procedures.

8	Small fire caused partly due to poor housekeeping / dust accumulating on mechanical parts susceptible to risk of ignition	Stage 2: Pre-treatment of Waste	Permitting including FPP	• Ensure housekeeping is maintained around key pieces of equipment to prevent the build-up dust.	• Maintain good housekeeping.
9	Fire detected in bio-drying area	Stage 2: Pre-treatment of Waste	Permitting including FPP	• Fire procedures were implemented correctly	• N/A (cause of fire was not determined)