

Response to the DEFRA/BIS discussion paper on a review of coherence across producer responsibility regimes, dated April 2013

The British Metals Recycling Association (BMRA) is the trade association for ferrous and non-ferrous metal recycling companies throughout the UK and represents some 340 businesses from multi-national companies to small family-owned enterprises. Between them handle over 95% of the metal recycled in the UK. This £5.6 billion industry processes over 15 million tonnes of metal annually into secondary raw material, which is vital for metals manufacturing. Furthermore, many of these businesses are registered as an approved treatment operator or exporter under one or more of the producer responsibility regimes identified in the discussion paper. The following comments concern only those parts of the consultation document of direct interest to the metal recycling sector and therefore not all consultation questions have been answered.

5.0 Proposals – Reprocessors, Treatment Operators and Exporters

Issue 16: Approvals Process

BMRA welcomes the proposal to streamline the application process for both domestic reprocessors and exporters, particularly the suggestion under *Option 1* to remove the annual application process and instead make an approval open-ended. This will remove a significant administrative burden on operators, especially to those subject to multiple producer responsibility regimes.

The second option to remove the accreditation process could offer further benefits for domestic reprocessors. However, this proposed change could also be subject to abuse from less credible operators who may not have proper administrative controls in place.

Many of our members' businesses are currently approved as both domestic reprocessors/treatment operators *and* exporters. Therefore, given that *Option 2* would apply only to domestic reprocessors, the administrative benefits would be quite small as operators would still have to seek approval for their export activities.

We therefore favour retaining the accreditation process for all affected operators but adopting the proposals detailed under *Option 1*.

Option 17: Conditions for issuing evidence

BMRA supports, in principle, the proposal to consolidate the existing conditions of accreditation/approval for operators who issue evidence. However, further discussion is needed on how this might be achieved and what the resultant benefits to affected businesses might be. We should welcome the opportunity to discuss this proposal with Government colleagues in greater detail before any decision is made on how the consolidation process would be applied.

Option 18: Independent Audit Reports

BMRA supports the proposal to remove the requirement for WEEE and batteries treatment operators or exporters to provide the relevant agency with an independent audit report (confirming that the amount of evidence issued is equal to the tonnage of materials treated or exported). This would remove significant administrative and financial costs on industry.

Option 19: Operator Competence

BMRA supports the proposal to introduce a common competency test i.e. a 'fit and proper person test' across the three regimes. However, we believe that further discussion is needed on how competence would be assessed and whether it should form part of wider operator competence assessments.

Option 20: Evidence of 'Broadly Equivalent'

BMRA welcomes the proposal to give Agencies a greater level of discretion in regard to the type of evidence an exporter can use to demonstrate that exported materials will be reprocessed under broadly equivalent conditions (mirroring the current situation for metals derived from packaging). The current requirement of obtaining information necessary to demonstrate 'broadly equivalent' standards is extremely time-consuming and therefore any easing of this requirement would be beneficial.

Please contact Howard Bluck if you have any questions or comments relating to this response: howard.bluck@recyclemetals.org or telephone 01480 455249. Alternatively, write to:

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