



Environment
Agency

**Producer responsibility obligations (Packaging Waste)
Regulations 2007 (as amended)**

Notification of a grant of accreditation

Accredited operator	Philip Tyler Polymers Limited
Registered address	Globe House, Love Lane, Cirencester, Gloucestershire, GL7 1YG
Companies House number	02877316
Accreditation Number	EX222018117
Operator Type	Exporter
Tonnage Limits	Up to 400 tonnes
Process	Export for the recycling of plastic

The accreditation will commence on **01 January 2022** and, unless notified in writing by the Environment Agency, will remain valid until **31 December 2022**.

We may cancel the accreditation or in certain circumstances it may be 'deemed' to be cancelled.

This accreditation only applies to the above named operator and process. The accreditation allows the exporter to issue PERNS against the UK Packaging waste they export, subject to complying with all applicable export regulations and the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 as amended, including all conditions of accreditation. The accreditation does not authorise the export itself.

You must notify the Environment Agency immediately in writing of any changes to the details submitted with your application. If you sell the business you will no longer be an accredited exporter. The purchaser of the business may have to make a new application for accreditation.

You are reminded that ePERNs must not be issued for more than the total amount of packaging waste which is exported for reprocessing. Any ePERNs issued contrary to this are invalid and may not be accepted as evidence of compliance if presented by a Producer or Scheme. You cannot issue ePERNs on packaging waste unless it can be lawfully sent to, received and reprocessed at the intended site in the country of destination.

Please be aware that the Environment Agency has a duty to monitor compliance with your current, and any previous years' accreditations under the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 as amended. Any non-compliance may result in the suspension or cancellation of your accreditation and/or enforcement action being undertaken in accordance with our [Enforcement and Sanctions Policy](#).

Additional guidance is provided in Annex III.

Conditions of accreditation

You must comply with the conditions of accreditation in Annex I. Failure to do so may lead to suspension or cancellation of your accreditation and/or enforcement action.

The overseas sites and/or countries covered by this accreditation are listed in Annex II.

Suspension or cancellation of accreditation

The Environment Agency has the power to suspend or cancel your accreditation if it appears to us that you have:

- (1) failed to comply with any of the conditions of accreditation.
- (2) knowingly or recklessly supplied false information in your application for accreditation.
- (3) knowingly or recklessly supplied false information in connection with your compliance with the conditions of accreditation.

Under regulation 27 there is a statutory right of appeal to the Secretary of State against the decision of the Environment Agency to specify a condition pursuant to paragraph (1)(q)(iii) of schedule 5.

The procedure on appeals is set out in Schedule 6 to the Regulations. A request to appeal should be made within 2 months of the date of this notification, by notice in writing to the Secretary of State stating the grounds of the appeal. The address to which appeals should be sent is:

The Secretary of State
Department of the Environment, Food and Rural Affairs
PR Team
Environment Quality
Ground floor
Seacole Building
2 Marsham Street
London
SW1P 4DF

The notice should be accompanied by a copy of any correspondence and documents that are relevant to the appeal and a statement indicating whether you wish the appeal to be in the form of a hearing or to be determined on the basis of written representations. A copy of the notice should be sent to the Environment Agency at the address below, together with copies of all the accompanying documents.

In addition you can request an independent internal review of our decision to refuse your application. Asking us to review our decision will not affect the time limits within which any statutory appeal must be made. We expect any request to review a regulatory decision to be made promptly, usually within 14 days.

Signed:



Charlotte Grimshaw

Designation: Senior Technical Officer

Date: 20 December 2021

Annex I

Conditions of accreditation

Export of packaging waste

1. PERNs shall not be issued for more than the total amount of packaging waste which an accredited exporter exports for reprocessing in the year or part of the year for which he is accredited.

(Schedule 5(1)(d))

2. A PERN may only be issued in respect of packaging waste that is exported in accordance with—

(i) Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste and

(ii) Commission Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which OECD Decision on the control of transboundary movements of wastes does not apply.

(Schedule 5(1)(r))

Prohibitions

3. You must not issue PERNs on any packaging waste

(i) unless it has been exported for reprocessing

(Schedule 5(1)(e))

(ii) unless it is exported for reprocessing in a recycling process which will result in a non-waste material that can be used for a recognised purpose

(iii) unless it is exported for reprocessing to an overseas site that has been approved by the Environment Agency, either through the grant of accreditation or subsequent extension to include further sites, and was valid at the time of export.

(iv) unless it is exported in compliance with relevant export regulations¹ and overseas local controls².

(v) unless you are the legal owner of the waste when it is exported from the UK or have transferred ownership to the overseas reprocessor, and are the exporter of the waste.

(vi) in respect of which a PRN or PERN has previously been issued

(vii) that has been exported prior to the date on which accreditation commences.

(Schedule 5(1)(q)(iii))

¹ Relevant export regulations mean the the Transfrontier Shipment of Waste Regulations 2007, and the retained Waste Shipments Regulation EC No 1013/2006, as amended

² Overseas local controls are when the competent authorities of the destination country - and any transit countries - implement additional permanent or temporary controls on the importation of waste. It is for the person arranging the export to ensure that they comply with all the controls at each stage of the movement and checks should be made with the relevant overseas authorities to understand and comply with any local controls that may be in place

Compliance with Application

4. You must undertake sampling and inspection of packaging waste exported for reprocessing, in accordance with a plan approved by the appropriate Agency.

(Schedule 5(1)(q)(ii))

5. You may only issue PERNs in respect of any packaging waste if

(i) The type of packaging waste

(ii) The method by which it has been sourced

(iii) The process by which it has been accepted, sampled and inspected

is in accordance with your application (updated on 17/12/2021) unless a variation has been approved by the Environment Agency in writing.

(Schedule 5(1)(q)(iii))

Adjustment

6. An adjustment must be made to the waste recording on NPWD within 14 days in respect of waste for which a PERN has been issued

(i) in respect of waste that is not packaging

(ii) in respect of packaging waste where conditions 1, 2, 3, 4 or 5 above have not all been complied with in full

(iii) in respect of waste not reprocessed at the site specified on the export documents

(iv) to meet the requirement of 16(iii).

(Schedule 5(1)(q)(iii))

Receipt in December

7. PERNs which relate to packaging waste exported in December of a year shall specify that fact.

(Schedule 5(1)(f))

PERNs issued after 31 January

8. Where a PERN has not been issued by 31st January in any year in respect of an amount of packaging waste exported for reprocessing in the previous year a PERN for that amount shall not be issued to producers or operators of schemes, or to the representatives of producers or operators of schemes but shall be issued to the appropriate Agency on or before 28th February in that year.

(Schedule 5(1)(g))

9. Subject to 8 above, PERNs may only be issued to producers or operators of schemes, or to the representatives of producers or operators of schemes.

(Schedule 5(1)(k))

Recording PERNs

10. The weight of packaging waste recorded on a PERN shall be—

- (i) rounded up to the nearest whole tonne where the part tonne is 0.5 or more
- (ii) rounded down to the nearest whole tonne where the part tonne is less than 0.5.

(Schedule 5(1)(i))

Records and Reports

11. Records shall be maintained for each quarter year on a form made available for the purpose by the appropriate Agency, shall be retained for at least 4 years after the end of the year in which the record is made and shall be made available to the appropriate Agency on demand.

(Schedule 5(1)(m))

12. Reports shall be provided to the appropriate Agency before each of 21st April, 21st July, 21st October and 28th February in respect of the previous quarter year on—

- (i) the tonnage of packaging waste exported for reprocessing in that quarter
- (ii) the tonnage of packaging waste reprocessed in that quarter
- (iii) the number of PERNs issued in that quarter and
- (iv) a list of all PERNs issued

on a form provided by the appropriate Agency.

(Schedule 5(1)(n))

13. A report shall be provided to the appropriate Agency before 28th February in each year which

- (i) sets out all the information provided in the quarterly reports which relate to the whole of the previous year
- (ii) sets out the amount of revenue received in the previous year from the sale of PERNs
- (iii) sets out what that amount has been spent on, including information on
 - investment in infrastructure and the development of capacity for the collection, sorting, treatment and reprocessing of packaging waste
 - funding provided to other persons involved in the collection of packaging waste
 - reductions in the prices of, and the development of new markets for, materials or goods made from recycled packaging waste
 - the costs of complying with obligations in these Regulations
 - funds retained for future investment
 - the development of a communications strategy for consumers of packaging made from recyclable materials

(iv) accounts for the whole of that amount

(v) sets out and explains any deviation during the previous year from the business plan referred on in regulation 24(1)(c)

(vi) is in the form prescribed by the appropriate Agency for this purpose.

(Schedule 5(1)(o))

14. The following information must be retained for a period of 4 years and made available to the Environment Agency on request

(i) evidence demonstrating that PERNs have only been issued on eligible packaging waste

(ii) evidence that the exported packaging waste has been recycled at the reprocessing site into a non-waste product

(iii) records to enable a full audit to be carried out of your procedures and record keeping, as specified in your application for accreditation or any variation approved by the Environment Agency in writing.

(Schedule 5(1)(q)(iii))

Business Plan

15. You must, in so far as it is possible, implement the business plan submitted as part of your application for accreditation.

(Schedule 5(1)(q)(i))

Interim Sites

16. If you export via interim sites which sort, partially treat, or bulk up the waste prior to onward supply to an approved final recovery site

(i) you must provide the names and addresses of any interim sites you use throughout the year in writing to the Environment Agency before the waste is exported

(ii) you must have the final reprocessing site(s) approved

(iii) PERNs can only be issued against the weight of the packaging waste accepted for reprocessing at the final reprocessing site

(Schedule 5(1)(q)(iii))

Annex VIIs

17. For all article 18 (green list) waste exports of packaging material, prior to shipment you must clearly state on the annex VII form if you do or do not intend to issue PERNs on the load and the percentage of waste you intend to issue PERNs on.

(Schedule 5(1)(q)(iii))

Undertaking

18. You undertake to issue PERNs for no more than 400 tonnes of packaging waste in the year.

If you breach this undertaking, you must comply with regulation 24(6) and pay the fee of £2111 to the Environment Agency within 28 days of the breach.

(Schedule 5(1)(s))

Container numbers

19. You must state the shipping container number(s) or vehicle and trailer registration number(s) in the 'Additional Information' free text box against the packaging waste exported, when waste recording on NPWD.

(Schedule 5(1)(q)(iii))

Plastic packaging waste

20. You must obtain and retain documentary evidence from the operator of the overseas remelt process reprocessing site that the UK plastic packaging waste exported for reprocessing has been recycled in a remelt process at the overseas reprocessing site, or have confirmation from the overseas competent authority that it has reached end of waste status.

(Schedule 5(1)(q)(iii))

Annex II

The accreditation only applies to the below named overseas reprocessors and for the material specific reprocessing activity detailed in your application, and agreed by the Environment Agency for 2022

Material - Plastic			
Reprocessor		Location	Valid from
1.	Veolia Polymesr NI B.V	Netherlands	01/01/2022
2.	Morssinkhof Zeewolde	Zeewolde, Netherlands	01/01/2022
3.	Geboplast	Lutzelhouse, France	01/01/2022
4.	Morssinkhof Plastics Bv	Lichenvoorde, Netherlands	01/01/2022
5.	Ve Plastics Srl	Vergiate , Italy	01/01/2022
6.	Athlone Extrusions	Athlone, Ireland	01/01/2022
7.	Raff Plastics	Houthulst, Belgium	01/01/2022
8.	Eng Plastics Bv	Dendermonde, Belgium	01/01/2022
9.	Galloo Plastics	Halluin, France	01/01/2022

You must notify the Environment Agency immediately in writing of any changes to the details submitted with your application.

Annex III

Information from gov.uk

<https://www.gov.uk/guidance/packaging-waste-apply-to-be-an-accredited-reprocessor-or-exporter#>

Exporters

You can export from more than one site but you must:

- own the UK sourced packaging waste at the time you export it or have transferred ownership to the operator of the overseas site
- give the overseas site name and address as the reprocessing site, not the head office or agency address
- export the waste to the overseas reprocessing site you named in your application – this information must be available for auditing
- make sure the waste carrier has a licence for each country of transit

If you're brokering the waste or acting as a dealer you must be [registered as a waste broker or dealer](#). You may only register as an exporter if you are the exporter and the last owner of the waste in the UK.

You cannot issue evidence against the shipment until:

- we've approved the overseas reprocessing site.
- the waste has cleared customs – you cannot issue ePERNs at the point the waste leaves the loading site

You must provide and keep details and proof of:

- the packaging waste being UK sourced
- the type of business it comes from
- the weight you export such as by load or container
- where you'll export from
- who owns the material at time of export
- nature of the material such as type and form
- who you are exporting it to
- the end product having a beneficial use and [meeting the end of waste test](#)
- how you intend to keep your records
- compliance with a [national or site specific protocol](#) if applicable
- compliance with an [Agency Agreed Industry Grade](#) (AAIG) if applicable
- compliance with the [Waste Shipments Regulations](#)

You must be able to show that the named overseas site:

- has received the packaging waste for reprocessing, for example by giving access to export documentation like a valid contract or completed Annex VII form for green list waste shipments.
- will not dispose of the waste

- meet [‘broadly equivalent’ standards](#) - the waste must be recycled by an appropriately permitted site

Reprocessors and exporters must upload a business plan.

It must include:

- measurable targets for the volume of packaging waste you’ll reprocess or export for reprocessing
- an income forecast from issuing evidence notes
- how you’ll reinvest this money and contribute to increasing amounts of UK packaging waste recycling – we may ask you to provide evidence of this

Reprocessors and exporters must upload a sampling and inspection plan.

It needs to show that the packaging waste you’re handling and issuing evidence notes on complies with the rules and is from the UK. It should include:

- what type of materials you reprocess or export, for example, shredded plastic polyethylene terephthalate (PET) bottles
- your checks with suppliers to make sure the waste you receive or export comes from the UK and is packaging
- how the samples you take to check how much waste packaging is in the loads you receive or export are representative of the loads
- your system for inspecting the waste you receive and determining the weight of packaging
- your system for determining the amount of non-target or non-packaging material that’s within loads, this should be excluded from evidence notes
- details of any nationally agreed protocols for mixed loads and how you’re complying with the specifications set out in the protocol
- details of any site specific protocols you’ve developed for mixed loads and details of the sampling regime to justify the amount of packaging waste in the loads
- details of any AAIG protocol used and compliance with the specifications in the AAIG

Revenue reports

You must invest revenue generated from evidence notes in ways that will increase and improve recycling of UK sourced packaging waste.

You need to complete and submit a revenue return on NPWD by 28 February following your accreditation year. Include:

- the income you received in the accredited year from issuing ePRNs or ePERNs
- how you reinvested this money to support improved recycling of UK sourced packaging, choose a category from the list in the revenue reports