

**ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS**

**71st Meeting of ACAF on 27 October 2016**

**REFUSE DERIVED FUEL STORED AT PORTS AWAITING EXPORT:  
UPDATE PAPER ON POTENTIAL IMPACT ON FEED (AND FOOD)**

The Committee is asked to:

- a) note the summary information provided in this paper on the controls on refuse derived fuels stored at ports following enquiries carried out by the Secretariat and also the further fact finding visits planned by the Secretariat;
- b) give its initial views on the type of recommendations which might be appropriate to address the issues highlighted; and
- c) consider whether any further information/input is required to enable the Committee to provide a final view at its next meeting in February 2017.

At the meeting as part of this agenda item, Eunomia Research & Consulting ('Eunomia'), will provide a presentation about the work of the RDF Exporters Industry Group (the 'Group'). Eunomia is a consultancy that formed the Group in 2015, and now acts as secretariat to the Group.

**ACAF Secretariat**

**October 2016**

**Refuse Derived Fuel:  
Potential contamination issues for feed (and food)  
when RDF is stored at ports awaiting export.**

**Purpose**

1. To provide the Committee with an update on progress and further information following this issue being brought to the Committee's attention by GAFTA at its meeting in February 2016.

**Background**

2. At its meeting in February 2016, the Committee discussed a paper (ACAF 16/01) presented by GAFTA. It set out concerns that the export of refuse derived fuel (RDF) had been a growth area in recent years whilst UK [awareness of and] controls on RDF were still in its early stages and as a result RDF posed a potential risk to feed (and food) stored at ports.
3. This had been a growth area in recent years because of the growing cost of sending such waste to landfill. It also provided a more sustainable approach than landfill in keeping with the circular economy. We understand that there are some facilities in the UK, but the current capacity of facilities does not meet the quantity of waste being produced. In addition, a number of other European countries have excess capacity and can offer cheaper prices.
4. GAFTA was concerned that although environmental consequences are a consideration for current controls on RDF (which are the responsibility of the Environment Agency), risks to food and feed were not. As a result there were concerns about the potential contamination of feed stored (often in open sheds) at UK ports. GAFTA provided photographic evidence of bales of RDF stored in close proximity to feed and evidence of bales which had become open and thus attracting pests – flies, rodents, foxes etc. In addition, insecticides were sometimes used to control flies around the RDF and this presented a further contamination risk to nearby feed stores. Overall, it sought for a holistic approach to be taken in the controls and suggested that a possible solution is stricter legislation on RDF such as mandatory zoning.
5. In response, the Environment Agency (EA), which was also represented at the February 2016 meeting, outlined its role as the regulator for waste activities such as storage of RDF. It was explained that RDF is municipal waste –

household waste –from which recyclables such as metal, etc. have been recovered. The EA is the regulator for processing sites that produce RDF. Operators have a duty of care in the transportation of the RDF and the EA, working with the police and local authorities, carries out spot checks on vehicles to ensure compliance with duty of care. At ports, the EA is responsible for regulating waste storage facilities. Where the operator has a waste storage facility at a port the EA issues permits covering the waste activity and sets conditions to prevent or minimise impacts on the environment (e.g. nuisance, vermin, odour, noise and contamination of ground and surface water). Where RDF is transferred to docks for loading onto ships, this is incidental to transport and the EA has no jurisdiction other than duty of care considerations.

6. Mandatory guidance was introduced in March 2015 on the prevention of fires, early detection, preventive measures, site abandonment and long term storage of RDF.
7. The EA is responsible for enforcing the permit conditions, and where breaches occur the operator is required to deal with these quickly. The EA cannot deal with zoning at ports or site suitability for RDF; it can only act as a consultee to the planning process. In this respect Port Health Authorities have to manage their competing interests and contractual arrangements.

### **Outcome of the Committee's discussion**

8. The ACAF Chairman noted that there was a safety and containment issue and legislative gaps in duty of care which should be closed. The ACAF Secretary said that he would like the Committee to make formal recommendations on how the issue should be addressed.
9. The ACAF Secretariat undertook to seek further information on the issue – e.g. from enforcement bodies, industry, other Member States etc and to both raise awareness and seek input on the issue. The Defra Assessor also agreed to liaise with colleagues that had responsibility for animal by-products issues. Additionally, the GAFTA representative agreed to make enquiries on the zonal approach adopted at European ports.

### **Update on actions since the discussion**

10. Following the Committee's initial discussion the Secretariat has pursued a number of avenues of enquiry, dissemination and general fact finding:
  - it has raised awareness of other Member States, providing a short presentation in Brussels at a meeting of the Standing Committee Plants Animals, Food and Feed (SCoPAFF);

- it has alerted feed assurance bodies to the issue;
- it has made enquiries of the National Animal Feed at Ports Panel (NAFPP), where there was previously little awareness of the issue;
- it has sought further information about existing controls from the Environment Agency, which in turn advised of the recently formed RDF Industry Group and the Secretariat subsequently met with its Chairman;
- to date the Secretariat has visited 2 ports which have past experience of handling RDF.
- Defra has carried out information gathering as part of its ports inspection programme;
- DAERA has made an assessment of the situation within its ports and provided feedback to the Secretariat; and
- further visits are also planned to 2 Scottish ports which currently handle RDF, and to an RDF processing site.

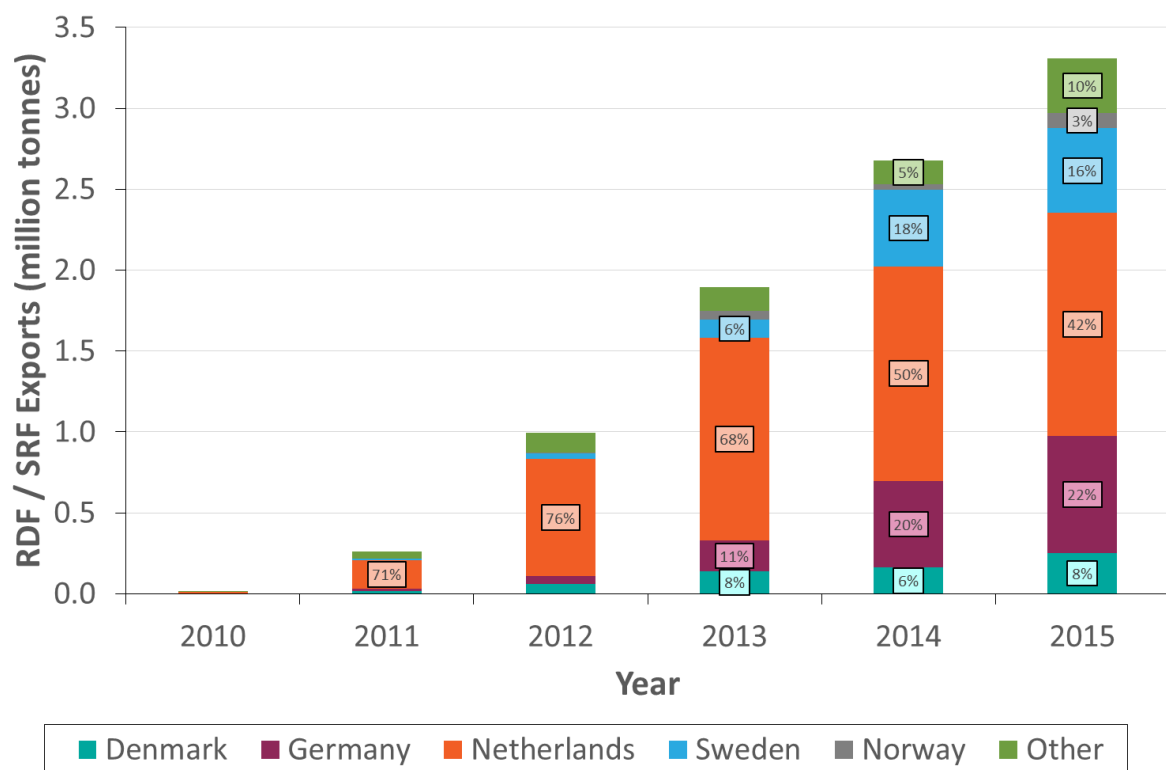
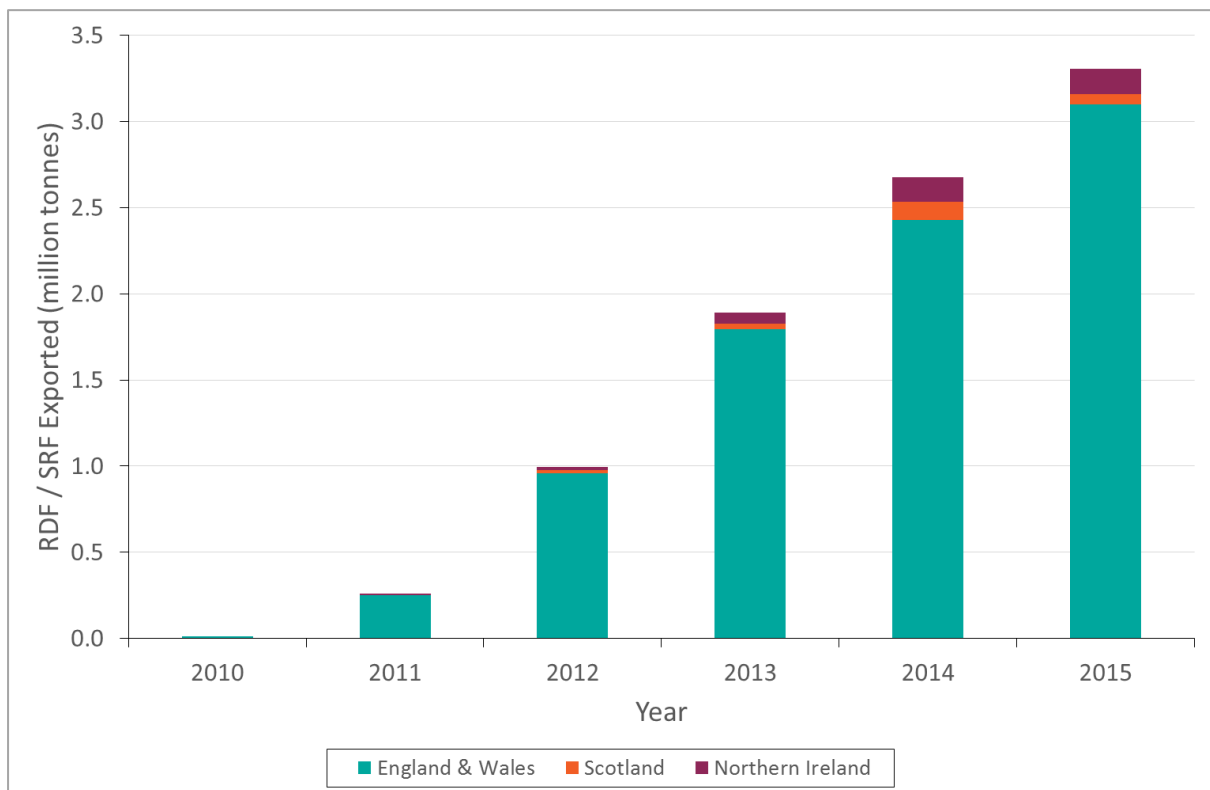
### **RDF – brief summary of what is it and what controls are in place.**

11. RDF is non recyclable domestic waste. Although metals will be removed, processing is otherwise generally limited to simply reducing into smaller particles. The Environment Agency has recently trialled using a definition as follows - *Refuse derived fuel (RDF) consists of residual waste that is subject to a contract with an end-user for use as a fuel in an energy from waste facility. The contract must include the end-user's technical specifications relating as a minimum to the calorific value, the moisture content, the form and quantity of the RDF*'.
12. RDF is usually transported in one of three ways – in baled form, in sheeted, curtain sided lorries for discharge directly to ship; or transported in cargo containers. It can be exported to mainland Europe by road or sea.
13. There are specifications set up under waste regulatory controls for facilities that can process RDF. The majority of export is currently to Denmark, Netherlands, Germany and Sweden. Further facilities to treat residual waste and RDF in the UK are currently under development. Eunomia's review of residual waste treatment capacity in the UK indicates that there is an additional 5 million tonnes of treatment capacity due to become operational in the next 3 – 4 years<sup>1</sup>
14. Figures for the tonnage of exports is shown in Fig 1 below.

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<sup>1</sup> Eunomia's Residual Waste Infrastructure Review is available at: <http://www.eunomia.co.uk/reports-tools/residual-waste-infrastructure-review-10th-issue/>

**Fig 1 RDF Exports from UK 2010-2015 (Calendar Years)<sup>2</sup>**



<sup>2</sup> Eunomia Research and Consulting

### **Enforcement Authorities / Responsibility for official controls at ports**

15. The transport of waste between EU Member States is regulated under Directive EC 2008/98 (the Revised Waste Directive) and Regulation EC 1013/2006 on Shipments of Waste. The EA is responsible for the implementation of the waste controls. It issues permits for the storage of waste at ports, and in doing so considers environmental issues which may be impacted. Whilst feed and food will benefit from any general considerations about leakage/pollution etc. from the waste to the local area, the EA does not give any specific consideration for the feed and food at ports.
16. In Great Britain, local authorities, mainly Trading Standards Departments, are responsible for enforcement of the legislation on feed. Port Health Authorities have responsibility for food (Environmental Health Departments carry out this function in Scotland). In Northern Ireland (NI), feed controls are carried out by the Department of Agriculture, Environment, and Rural Affairs (DAERA). Enquiries by the Northern Ireland Assessor showed that DAERA had not been made aware of any issues relating to RDF at NI ports, but it will monitor the situation over coming months.
17. Animal and Plant Health Agency (APHA) inspectors have made enquiries relating to storage of RDF at ports while carrying out inspections for other purposes. Within the available timeframe, it was only possible to carry out cursory checks but in cases where RDF was identified, the material was stored outside and in plastic wrapped bales. Bales were not leaking but some were reported to be attracting ‘a lot of bird activity’.

### **Outcomes so far**

18. The rapid growth of the RDF market meant that ports were in some cases initially unprepared for the problems that arose – particularly in cases where the RDF remained at dockside for long periods.
19. Awareness of the port companies and authorities now appears to have grown. From contacts made so far the Secretariat is aware that large ports such as Tilbury which handle RDF regularly have developed Codes of Practice to ensure appropriate handling of RDF. These appear to have been developed by the individual ports according to their needs. In particular, from the example, there is focus on ensuring that a maximum capacity for RDF is set, that it is monitored regularly, wrapping issues are addressed and also that there is a maximum time that it can remain at the port. The location of the storage site will take into account the requirements of the EA permit.

20. The RDF processing industry itself has also moved relatively quickly to improve sharing and dissemination of good practice and communication through the formation of the RDF Industry Group which has 27 members representing ~50% of market volume. The group is developing a code of practice for its members, which sets out both the regulatory requirements, and good practice recommendations for the RDF supply chain. There will be a short presentation about the Group at the meeting.
21. While other Member States welcomed the UK raising awareness of the issue in Brussels, there has been limited feedback from them on practices in their own countries. Germany has provided a Code of Good Practice used by its Association of Seaports for the storage of grain etc - in accordance to Reg. 183/2005 which focuses on good HACCP to ensure contamination does not take place.
22. The Secretariat has put in hand arrangements to visit two ports in Scotland which currently handle RDF and also the RDF processors facility at Avonmouth. The Secretariat intends to complete these visits before presenting a final discussion paper to the Committee at its meeting in February.

**Action:**

23. The Committee is asked to:
  - a) note the summary information provided in this paper on the controls on refuse derived fuels stored at ports following enquiries carried out by the Secretariat and also the further fact finding visits planned;
  - b) give its initial views on the type of recommendations which might be appropriate to address the issues highlighted; and
  - c) consider whether any further information/input is required to enable the Committee to provide a final view at its next meeting in February.

ACAF Secretariat

September 2016