

Waste giant forced to pay over £500,000 for exporting banned waste

In June, Biffa was found guilty after a three week trial of sending contaminated household waste, described as waste paper, to China between May and June 2015. Exports of unsorted household recycling waste from the UK to China are banned.

During the EA investigation, officers prevented seven 25-tonne containers destined for China at Felixstowe Port from onward export. Although marked as waste paper, the contents of the containers included soiled nappies, food packaging, items of clothing, bags of faeces, wood, tin cans, plastic bottles and electric cable.

In a hearing held today at Wood Green Crown Court the court heard brief details about four further charges against Biffa illegally exporting 42 containers of waste collected from households to India and Indonesia between November 2018 and February 2019.

The court fined Biffa £350,000 and ordered that the company pays costs of £240,000 and a further £9,912 under the Proceeds of Crime Act (POCA).

The EA has introduced a number of additional measures to tackle illegal exports including working closely with HMRC reviewing inconsistencies between customs information and packaging data, and creating an investigations team to target serious offenders.

Malcolm Lythgo, Head of Waste at the Environment Agency, said:

“We are pleased with the court’s decision. We want all producers and exporters of waste to be responsible and make sure they only export material that can be legally and safely exported for recycling overseas.

“Illegal waste export blights the lives and environment of those overseas. We continue to treat illegal waste exports as a priority and will not hesitate to take appropriate enforcement action against those found to break the rules.

“Between 2018 and 2019, we prevented the illegal export of 12,690 tonnes of unsuitable waste and are working with the government on a number of measures to tighten controls including increasing monitoring of international waste shipments and charging higher fees to improve compliance.”

During the trial, jurors heard how Biffa used two brokers to arrange the export to two paper mills in Shenzhen and Guang Dong, a coastal province of southeast China. The jury did not accept Biffa’s version of events that consignments leaving its depot in Edmonton four years ago complied with the law because they comprised of waste paper. The first broker took up a request from a Chinese client in April 2015 to arrange shipment of 5,863 tonnes of mixed waste paper from Biffa. A price of around £350,000 was agreed for this

order. At the same time, Biffa agreed with a second broker to ship 4,992 tonnes of mixed paper in a contract worth almost £290,000. The seven stopped containers were part of these two orders.

All UK waste exports must be in accordance with Waste Shipments Regulation and the EA have a system of inspections in place to verify compliance. This will remain the case post-Brexit.

The Government's Resources and Waste strategy puts forward a suite of measures including: extended producer responsibility (EPR) for packaging waste; a consistent set of materials to be collected for recycling by local authorities; a deposit return scheme (DRS) for beverage containers; and a 'plastics tax' on packaging containing less than 30 per cent recycled plastic.

0o-00u0