

POST CONVICTION PLAN

EMR RELEVANT CONVICTION - SUMMARY

SITE	LEGISLATION	OFFENCE	DATE	DETAILS	Court
Tilbury Dock	Section 33 (1) (a) and 33(6) EPA 1990	Depositing Controlled Waste	May 2016	Submitted ASR to Stowey Quarry, Somerset where the site operator deposited it otherwise than in accordance with an environmental permit	Bristol Crown Court (concluded 2 July 2021)

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SCOPE

- A £400,000 penalty and Confiscation Order of £32,958 was imposed for supplying automotive shredder residue (ASR) to Stowey Quarry in Somerset.

EXAMINATION

- EMR's duty of care process, which included an audit, did not identify that the site was not permitted to accept the waste
- The court accepted that EMR did not commit these offences deliberately
- The site operator was found guilty of deliberately misleading the Environmental Agency
- EMR stopped using this site as soon as the problems came to light

LIKELIHOOD OF REPETITION

- Controls and responsibilities related to waste management have been revised.
- A Waste Policy has been developed and issued.
- A RACI schedule has been developed and agreed to clarify internal responsibilities and accountabilities for all significant matters related to the Waste Policy
- A dedicated Waste and By-products team has been established with a manager recruited from the waste industry, reporting direct to a UK Managing Director.
- The duty of care audit process for waste disposal has been strengthened to include audit peer review prior to contractor approval.

OTHER EVIDENCE

- The court accepted that deposits made at the site by EMR are not likely to cause pollution of the environment or harm to human health.
- Each year EMR lawfully disposes of some 300,000 tonnes of shredder waste to regulated and approved outlets at a cost of approximately £30 million per year.