

**Defra Review of waste exemptions from Environmental Permitting -  
Consultation on draft guidance on exempt waste operations**



**Consultation Title - Review of waste exemptions from Environmental Permitting - Consultation on draft guidance on exempt waste operations**

**Name of organisation consulting – Defra**

**Water UK response**

**Date of submission: 5 January 2010**

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# **Defra Review of waste exemptions from Environmental Permitting - Consultation on draft guidance on exempt waste operations**

## **Consultation on draft guidance on exempt waste operations**

### **1. Introduction**

1.1 Water UK welcomes the opportunity to respond to the Defra consultation on “Review of waste exemptions from Environmental Permitting – consultation on draft guidance on exempt waste operation”.

1.2 Water UK represents water and waste water service providers at UK and European level. Our members provide the UK with safe, clean water and contribute to the protection and enhancement of public health and the environment.

1.3 We support the broad aims of the Environmental Permitting regime and the continuing progress being made. We believe further progress can be made by focusing on environmental outcomes and the long term objective on making the UK a recycling society.

1.4 We are seeing cultural changes among our regulators and believe more could be done to encourage waste prevention, recycling, reuse and recovery.

### **General Comments**

1.5 We would like to receive firm confirmation that certain activities excluded in EPR 2007 are indeed excluded waste operations. We refer to those activities covered by the 1992 Controlled Waste Regulations pertaining to the incidental storage of sewage sludge pending and during its application to agricultural land under the 1989 Sludge Use in Agriculture regulations. This comment relates to new exemption S3.

1.6 We welcome the clarification of "collection" of waste in the guidance. It is unfortunate that we cannot agree the movement of hazardous waste for similar purposes still requires that movement to be covered by a consignment note.

### **2. Subjects not covered by the consultation**

2.1 We have limited our responses to particular aspects of the guidance documents that impact our operations.

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### **3. Response to specific questions in the consultation document**

We address each of the questions as follows.

#### **Q1 Does the guidance adequately explain the relevant requirements of the Regulations – and if not, how should it be amended?**

We believe the guidance is adequate and welcome the statement that the regulator will provide procedural arrangement and interpretation of technical arrangements – this would be preferred as soon as possible.

#### **Q2 Do you think that the format and structure of the guidance are helpful in explaining the requirements of the Regulations – and if not, why not?**

We believe the format and structure of the guidance is helpful.

#### **Q3 Does the guidance clearly explain how the regulations are set out?**

Yes, the layout and the explanation are clear.

#### **Q4 Does the guidance adequately explain how the regulations will be reviewed in future and the risk based approach to the Government's provision of exemptions?**

We welcome reference to the review process. We would, however, welcome a commitment that the first review will actually take place in 2013.

#### **Q5 Does the guidance adequately explain the transitional provisions for those exempt operations moving to standard permits, including the requirement for technical competence?**

We would like to see clearer confirmation that activities registered under EPR 2007 do not need to re-register until the transitional deadlines (and not within a year of current expiry date).

#### **Q6 Does the guidance explain the provision of non-Waste Framework Directive exemptions in a clear and concise manner?**

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We believe the provisions are well explained but would welcome a commitment to revoke, either automatically or by exchange of letters with the regulator, any site waste permits that are rendered unnecessary by these changes. Earlier consultations only referred to revocation where permits were to be replaced by registered exemptions, not to currently permitted sites which in future will benefit from being considered non-WFD exempt sites.