

Key points from the panel discussion on “Improving regulation of organic wastes post BREXIT”

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The underlying premise for this discussion was that BREXIT had taken place and that the Great Repeal Act had transposed all relevant European legislation into UK law. This could provide an opportunity to re-visit the raft of different legislative instruments under which waste water and waste management are regulated: covering everything from effluent discharge consents to the waste hierarchy and recycling targets. Rather than wait for the UK government(s) to revisit this legislation, BREXIT provides an opportunity for the waste and water sectors to take the initiative and pro-actively suggest changes in policy or regulation to better tailor approaches to the UK context. Key points from the panel discussion are listed below, and we hope to re-visit these in future conferences.

1. There is already a divergence in regulatory approach in the different nations of the UK. Should this divergence continue, it may reach a point where nationwide business in some sectors becomes untenable (except for large multinationals)
2. There may already be a disconnect between regulation of waste management processes (i.e. treatment) and the quality / suitability for use of the resulting wastes (i.e. use), since the emphasis within permitting regulation is management of the potential for environmental harm from each separate process
3. There is room to simplify the current regulatory framework without weakening the environmental safeguards that are in place, whilst ensuring that future regulations are fit for the UK context
4. The SEPA approach to establishing and implementing key principles of regulation could be a model for other regulatory approaches, and its development should be followed closely
5. Ideally the water and waste sectors should speak with one voice, although there is a risk that the 'door-opening' clout of the water sector (as compared with the waste sector) could skew the direction of travel in any joint policy ask
6. In contrast to the perceived wisdom, there are currently no regulatory barriers to co-digestion of sludge and waste (or non-waste). The barrier is economic, since the resulting digestate would be applied to land under the waste regulatory regime (environmental permitting) and would not (immediately) benefit from any of the existing end of waste approaches

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