



**ENVIRONMENT AGENCY**

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# **Available Recovery & Disposal Routes**

## **Environment Agency Perspective**

Regulations

Issues

Opportunities

# **Who?**

**State Veterinary Service**

**Local Authorities**

**Environment Agency**

# Regulations

- Waste Framework Directive 75/442/EEC places controls on Directive waste.
- In the UK Directive Waste = controlled waste
- At the moment controlled waste does not include Agricultural Waste or Mines and Quarries Waste.
- Pollution, Prevention and Control

# Regulations

- Certain wastes are EXCLUDED where 'other legislation' provides controls at least equivalent to WFD **relevant objectives** ie:
  - radioactive waste
  - waste waters, with the exception of waste in liquid form
  - Animal carcasses and the following agricultural waste: faecal matter and other natural, non-dangerous substances used in farming

# Regulations

## Commission :

- Recital 4 of the EC ABPR : *In the light of the experience gained in recent years, it is appropriate to clarify the relationship between Directive 90/667/EEC and Community environmental legislation.*
- Animal and public health legislation and the waste legislation apply concurrently to animal by-products that are waste - except for certain whole carcasses.
- Relationship still subject to clarification and discussions continue between DG Sanco, DG Environment and Member States

# Regulations

Existing waste / ABP interface....

- The Waste Management Licensing Regulations 1994, Regulation 17 - **Waste Exemptions**
  - Para 7 - landspreading > blood and guts
  - Para 12 - composting > catering waste
  - Para 23 - keep/treat of ABP
  - Para 29 - incineration at site of production in exempt incinerator > animal carcasses
- Also exemptions specified for duty of care and waste carrier registration

# Issues

- Waste law refers to ABPO
- Agency view is that this does not now read as ABPR
- Given Interpretation Act 1978 :
  - the scale of alterations made by the ABPR
  - its far broader scope
  - expanded definition of 'animal by-product '
  - regulatory risks if did
- Defra propose consultation
- Agency position established during interim [ABPRRGN3]



# Issues

## Agency Approach

- Not in public interest to take enforcement action for :
  - failure to hold a waste management licence
  - to register as a waste carrier
  - to complete duty of care paperwork...in respect of activities involving animal by-products that are waste,
- Provided that the activity:
  - is already specifically or generically approved by Defra under the ABPR and,
  - does not cause or risk pollution of the environment or harm to human health and,
  - does not involve catering waste.
- will review position in light of the development of the proposed Regulations by Defra.

# Issues

## Agency Policy Objectives

- Ensure that those who dispose or recover animal by-products that are waste do so in a manner that meets the relevant objectives set out in Article 4 of the WFD.
- Ensure that the interface is clear, unambiguous and enforceable and that where provisions within the ABPR also meet the requirements of waste management controls that an avoidance of dual controls is encouraged where possible.
- Ensure any new regulation fully utilises the opportunities presented by the permitting review

# Issues

- Landfill Directive
  - number and geographic spread of sites, cost,
  - waste **pre-treatment requirements**
    - reduce quantity or hazardousness
  - reduction in BWM to landfill

# Key points

- Animal by-products that are discarded as waste are controlled waste
- ABP subject to ABPR > protection of animal health
- But also.....
  - ABP subject to waste management legislation
  - ABP subject to broader environmental legislation to protect environment and prevent water pollution
- ABPR approval does not displace these requirements
- Government review provide clarity
- Things will change - cannot exempt disposal including storage on way to disposal

# Opportunities

## Permitting Review:

- Defra / Agency reviewing waste regulatory regime
- Efficient, modern, risk based, proportional and flexible
- Consultation packages released
- Regulations proposed in advance of WEEED 2004
- Remaining activities 2005

## Opportunities

### **Review waste controls interface with ABPR:**

- To clarify ABP need for:
  - waste exemptions
  - waste licence
  - duty of care
  - waste carriers
- Government addition to recent PPC consultation provides some insight
- Consultation possibly 2004?

## Opportunities

### SORP [Sustainable Organic Resource Partnership]

- start up money provided by EA
- now an established non-profit organisation
- promote sustainable use of organic waste on land
  - through advice, increase public understanding
  - influence controls to make use on land welcomed
  - establish Demonstrators
    - [members operate to Partnership's controls]
- CFA on Council
- SORP actively seeking to increase membership

## Opportunities

### Waste Implementation [New Technologies] Programme

- Defra initiative - LFD targets driven
- Funding opportunities for research & trials into new and emerging technologies in waste management
- MSW focus BUT technology/sites potential for more than just MSW
- Sole non-MSW funding difficult
- But...collaborative local approach
- Liase with Local Authorities



# What?

**State Veterinary Service**

**Environment Agency**

**Local Authorities**

# Some useful contacts

- SORP:**

[www.sorp.org](http://www.sorp.org)

[partnership@timevansenvironment.com](mailto:partnership@timevansenvironment.com)

- WIP:**

[www.defra.gov.uk/environment/waste/wip/newtech/index.htm](http://www.defra.gov.uk/environment/waste/wip/newtech/index.htm)

- Environment Agency:**

General enquiry line	0845 933 3111
Floodline	0845 988 1188
Emergency Hotline	0800 80 70 60

[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)