

2023 in Review: Legislation / Guidance

January 2023	
Regulatory Position Statements	<p>The EA published a new RPS, RPS 273 'Treating and using unused waste plastics for recovery' (it was actually published on 29 December 2022).</p> <p>At the same time the EA extended existing RPS C29 (managing unused waste COVID-19 test kits. Note that if you intend to use this you must get written agreement (as specified in the RPS).</p>
ADR 2023	<p>ADR 2023 - Agreement concerning the International Carriage of Dangerous Goods by Road came into force on 1 January 2023 across Europe, with a 6-month transitional period allowed until 31 June 2023. This is enforced by the DfT and contains detailed rules and requirements for the classification, packaging, loading, handling, and documentation of dangerous goods, as well as for the construction and testing of vehicles and equipment.</p> <p>During 2023 the HWMA has been liaising with regulatory bodies and stakeholders regarding the possible issue around the need to weigh packages at the site of production. The HWMA will engage with the DfT.</p>
March 2023	
HTM 07 -01	<p>NHS England (NHSE) published the revised (2022) version of Health Technical Memorandum (HTM) 07-01: Safe and Sustainable Management of Healthcare Waste, link here. It aims to align with the NHSE strategy that was also published this month, here</p>
July 2023	
Regulatory Position Statements	<p>The EA updated RPS C30 (managing unused waste COVID-19 PPE). This extended the RPS to 31 December 2024 but tightened the conditions so that only sites with an environmental permit or a registered T4 or U9 waste exemption can use it. As for RPS C29, if you intend to use this you must get written agreement (as specified in the RPS).</p> <p>The HWMA was consulted on proposed changes to RPS 063 (storing waste aerosol canisters) including the clarification that it is purely for the storage of waste aerosol air freshener canisters, that they can only be stored at washroom service companies' premises, and to include the reduction of the storage limit to 1 m³. This was to be implemented pending the completion of the permit review process at which point it would be withdrawn as the codes have been included on the varied bespoke permits and on the SR EP. <i>Note: the EA has been chased by HWMA about this as the 2020 version is still live on the gov.uk website. Note that the EA intention is still to publish the revised version then withdraw it. Anyone without a permit but wishing to store this type of waste will need to address that.</i></p>
October 2023	
Digital Waste Tracking	<p>Defra issued the consultation outcome (Government Response) to the mandatory digital waste tracking service, link here. The original policy paper is here.</p>

2023 in Review: Legislation / Guidance

	<p><u>Key points are:</u></p> <ol style="list-style-type: none"> 1. Introduction of a system to make it easier to track waste and resources, enabling users to provide the right information at the right time. 2. Forms part of ‘smarter regulation’ proposal to grow the economy and improve regulation and guidance, ensuring it’s clear and proportionate. 3. Defra is developing the IT service with help from those in the waste industry (via user panel).
Waste CBD System	<p>Defra issued its response to the consultation comments on the reform of the waste carrier, broker and dealer registration system in England, link here.</p> <p><u>Key points are:</u></p> <ol style="list-style-type: none"> 1. Replacement of existing registrations with a ‘standard rules’ environmental permit or a registered exemption. Introduction of 3 permit types (waste controller only, waste transporter only and a combined waste controller-transporter permit), each differentiated according to the activity carried out under the permit. Permits further differentiated by the scale of the operations undertaken and type of waste carried by the permit holder with additional tiers that take into consideration the type and volume of waste carried. 2. There are a range of scenarios where lower risk activities will require an exemption from a requirement to hold a permit. 3. Introduction of light touch permit renewals which will be needed every 3 years. As with permits, registered exemptions will need to be re-registered every 3 years. 4. Charges for permits and renewals will be set in line with the existing legislative charging framework for environmental permitting. Application fees will therefore cover the cost of determining an application alongside an additional fee that will cover the costs of monitoring compliance to enable more targeted and effective monitoring and compliance. 5. Mandatory technical competence will be introduced for a permit holder and any nominated person(s) within the business. There will be multiple routes to demonstrate this.
December 2023	
HWMA AT Guidance	The HWMA finalised and published its Alternative Treatment Validation Testing Guide, link here .
Coming up in 2024...	
Waste exemption review	This is likely to be in the Autumn and, as they are removed/amended, there may be a need to review the SR EP (2008 No24) to reflect the waste codes currently allows by the exemptions. HWMA is currently gathering member views on this and will feedback to the EA.