

## 2024 in Review: Legislation / Guidance & Engagement



January 2024	
Defra – Digital Waste Tracking	<p>The HWMA continues to engage with the Defra team. An agreement was made for direct engagement between the two parties to ensure that our sector is adequately considered. We set up a Focus/Working Group within the HWMA to provide information to Defra and to represent our members.</p> <p>The immediate objective was for the Defra IT partners to visit several sites (hosted by the Focus Group members) to observe firsthand what their system will need to accommodate.</p> <p>NB- this process was put on hold following the elections and a government-wide review of projects. Defra is now, in 2025, re-engaging with us and this process.</p>
EA – Use of Trailers at Permitted Sites	<p>The HWMA produced a letter which set out industry concerns with the current guidelines on storage of waste in trailers, specifically the limited time periods allowed (24 hours, or 72 hours over a weekend).</p> <p>This communication remained ongoing at the end of 2024 with the HWMA having sent a further letter (in conjunction with the ESA) including member survey data on the use of trailers by members.</p>
April 2024	
EA – CWI R1 Status	<p>CWI operators are looking into the feasibility of getting R1 status for their plants. Whilst obtaining R1 status is a prescribed process for municipal incinerators, this is not the case for CWI. An HWMA Focus/Working Group was set up in April to follow this up and attempt to establish whether it is possible to agree an alternative approach/value with industry which represents best practice in energy recovery for that plant type, as well as ensuring this approach is legally watertight and consistent with the EA's approach to disposal vs recovery decisions elsewhere (if the minimum R1 value can't be met using the municipal formula).</p> <p>This is an ongoing project for the HWMA CWI Working Group.</p>
July 2024	
EA – Waste Signatures	<p>The HWMA followed up with the EA as to progress in responding to the HWMA's position statement on signatures at waste consignment, which was written with NPAG. In this we requested that the EA adopts a non-enforcement policy for obtaining signatures on consignment notes, provided that the controls in our position statement are maintained, and until such time as the current regulatory system is updated in 2025 when hopefully this can be addressed.</p> <p>The EA has confirmed, in 2025, that an RPS aligned with our position statement is forthcoming.</p>

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<p>UK ETS Expansion – Consultation <a href="#">Link here</a></p>	<p>The UK is planning to extend the UK ETS (emissions trading scheme – adopted from EU following Brexit) to EfW and to waste incineration (both MSW and clinical waste incinerators (CWIs)). The consultation has been published by DESNZ</p> <p>The intent by widening it to cover incineration is to reduce fossil content in waste (e.g. carbon in plastics). As such, this isn't relevant just to the final 'emitter' but also to the source of the carbon i.e. consumables manufacturers, transfer stations, waste producers). The EA is likely to start MRV (monitoring, recording and verification) in 2026 with the actual scheme coming into force in 2028.</p> <p>After a more comprehensive review of the scheme and its viability for clinical waste incinerators ESA and NHSE agreed on the position <u>not to support ETS for clinical waste incinerators at this time</u>.</p> <p>The HWMA submitted a response aligned with this, in August 2024.</p>
<p>UK Cross Cutting Guidance - BAT for IED Installations <a href="#">Link here</a></p>	<p>The UK Cross Cutting Guidance applies to all IED installations in the UK for which BAT Conclusions have been published since the IED came into force in 2010. It has been written jointly by the Environment Agency (EA), the Scottish Environment Protection Agency (SEPA), Natural Resources Wales (NRW), the Northern Ireland Environment Agency (NIEA), the Department for Energy Security and Net Zero (DESNZ) and the Local Authority Unit of the Environment Agency (acting on behalf of the Local Authorities regulating Part A(2) installations).</p> <p>This guidance is 'cross-cutting' in that it covers issues that are relevant to more than one of the Best Available Techniques Reference (BRef) documents issued by the European Commission under the Industrial Emissions Directive (IED) and/or Best Available Techniques Conclusions (BATC) for UK BAT published by the devolved administrations. It should be read in conjunction with any UK sector-specific guidance document that covers issues related to only one BAT document. Following the UK's exit from the EU and in accordance with the Retained EU Law (Revocation and Reform) Act 2023, the IED, as transposed through national legislation, will continue to apply in the UK as 'retained EU law' until the end of 2023 and then as 'Assimilated law' after the end of 2023. In addition to the requirements of the IED, the BAT conclusions published prior to EU Exit and the BAT conclusions published during the EU Exit Transition Period also apply in the UK. Arrangements are now being put in place to determine BAT for the UK following its departure from the EU. This guidance has been approved by the UK Regulators. It can be used by the Regulators and provided to operators and other interested parties on request, prior to publication.</p> <p>The document is the overall interpretational guidance and permitting advice covering aspects that are common to many BATC. It sets out the UK Competent Authorities' guidance for the use of BATC in determining an application for a permit for a new or modified IED installation and any review of a permit for an IED installation. It provides additional guidance to that provided in the Defra Core guidance, the Defra guidance on Part A Installations, the SEPA PPC Part A BAT conclusions review guidance published in 2018 and DESNZ Offshore PPC Guidance. In the event of any overlap or ambiguity between those documents and this guidance then the applicable Defra, SEPA or DESNZ Offshore PPC guidance takes precedence.</p>

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EA – POPs in Mattresses	<p>The HWMA sat on a Teams meeting with the EA on the subject of Persistent Organic Pollutants (POPs) in institutional mattresses. The EA has undertaken a study on institutional mattresses (including testing) and this has confirmed the presence of POPs in some of the samples. A copy of the study was shared with members by email on 31 July 2024.</p> <p>The Teams call was an introductory one and was attended by the HWMA, other associations, SEPA, NRW, NHS Trusts, waste treatment plant operators, mattress recyclers, and more. It was a short call to go through the key findings of the EA study and to flag some of the potential difficulties in dealing with the contaminated items.</p> <p>The outcome of the meeting was an agreement to a further call with the group where we will start to identify areas that proposed EA guidance will need to cover and those that might need some deeper exploration. No regulatory decisions have been made yet and this will not happen without completion of suitable consultation.</p>
<b>August 2024</b>	
RPS 063 updated <a href="#">Link here</a>	The EA extended RPS 063 until 30 April 2025. It applies to the storage of waste washroom aerosol air freshener canisters coded 16 05 04* and 16 05 05 (away from the site of production) by washroom service companies and similar hygiene facilities before recovery elsewhere.
<b>November 2024</b>	
EA Waste Charges Consultation <a href="#">Link here</a>	<p>The consultation focused on four proposed revisions to EA charges, aimed at tackling waste crime. These changes would impact several sectors, including waste management, agriculture, and the water industry, and are: 1) waste crime levy, 2) fees for intervention, 3) fees for waste exemptions, and 4) amended hourly rates.</p> <p>The HWMA submitted a response in January 2025.</p>