



## **FROM THE EXECUTIVE DIRECTOR**

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22 May 2020

Sir James Bevan  
Chief Executive  
Environment Agency  
By email

Dear Sir James,

The recycling and waste industry would like to thank Environment Agency staff working on the front line in local areas for the pragmatism and flexibility they have shown throughout the recent crisis. This has enabled waste operations to continue to operate despite very challenging circumstances, protecting public health and the environment.

Covid-19 has of course reduced everyone's capacity to continue normal operations and activity. In this context I would like to draw two specific issues to your attention:

Firstly, our industry is keen to play its part in helping the Government to deliver a green recovery. We have a strong pipeline of planned investment projects, including within the critical next 6-12 months. We have significant concerns that these investments will be delayed and our contribution to a recovery blocked, due to a lack of permitting capacity within the Environment Agency. Unfortunately, our members were experiencing long delays in the permitting process before covid-19, which has understandably exacerbated the situation further. Before the crisis, we had a constructive meeting with the Agency's National Permitting Team, but we would like to emphasise to you the importance of ensuring that permitting is sufficiently resourced to enable applications to be processed in a timely fashion so as to support a green recovery.

Secondly, the energy from waste sector currently recycles around two million tonnes of ash every year as aggregate in construction projects. This is recognised by the Environment Agency as an activity which is of low risk to the environment and which has been carried out successfully for many years in many parts of the world. This activity is currently carried out in the UK under a temporary Regulatory Position Statement (RPS), which is due to expire at the end of July.

The RPS has been put in place to enable the ash processing industry to complete a testing programme to classify correctly its aggregates in accordance with waste regulations. Unfortunately the covid crisis has delayed the industry's ability to complete this testing.

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If the RPS were allowed to expire at the end of July without either being extended or replaced with an appropriate alternative regulatory solution, then the impacts on the wider energy from waste sector would be significant. It would precipitate the collapse of the ash processing industry, putting jobs at risk, alongside a significant increase in waste disposal costs to energy from waste operators and their local authority customers. And two million tonnes of ash would be landfilled – a far worse environmental outcome.

We therefore call for the Environment Agency to grant a temporary 12 month extension to the current RPS to enable the testing programme to be completed and an alternative – longer-term – regulatory solution to be introduced.

We are in discussion with your officials on both of these points, and would welcome your support in ensuring that we are able to play our part in contributing towards a green UK economy.

I look forward to your response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Hayler', with a stylized flourish at the end.

Jacob Hayler

Cc Chris Preston, Head of Waste Policy, Defra