



Environmental Legislation Briefing

ESP Ltd.

Supplement 53
December 2008

UK Renewable Energy Strategy

A consultation paper has recently been published aimed at developing a renewable energy strategy for the UK.

This paper is in response to an EU proposal stating how the UK should obtain 15% of its energy needs from renewable sources. To do this the UK would need to concentrate on three main areas:

- Electricity,
- Heat,
- Transport.



Some of the plans have already been introduced including the Carbon Reduction Commitment (CRC) and the Carbon Emission Reduction Target (CERT).

The CRC scheme is a emissions trading scheme for the public sector and large non-energy intensive businesses and will come into force in

2010. CERT is aimed at the energy provider market and requires energy suppliers to deliver energy efficient improvements to domestic households.

The planning system will also be looked at to increase the use of renewables. The aim of this is to make it easier for on-shore renewable developments to complete the planning process.

Within the transport sector a sustainable criteria for bio fuels is under development so that there can be greater use within rail and shipping transport.

It is hoped that all of these measures will mean a huge reduction in the UK's Carbon Footprint.

Carbon Capture & Storage

Carbon capture is the collection, transport and permanent storage of Carbon Dioxide (CO₂) within deep geological sites.

This consultation deals with the practicalities of implement-

ing such a scheme for non-renewable power generation.

The document questions how Carbon capture can form part of the planning process for new power stations and how any

schemes could be licensed.

This consultation also discussed what liability licensee's will have with regard to any CO₂ they have stored.

Inside this issue:

| | |
|--|-------|
| <i>New or Amended Environmental Law, Scotland Only</i> | 2 |
| <i>New or Amended Environmental Law</i> | 2 & 3 |
| <i>New or Amended European Legislation</i> | 3 |
| <i>Other Environmental Developments</i> | 4 |



Special Points of

Interest:

- UK renewables energy strategy consultation paper published
- Consultation on carbon capture and storage
- Changes to:
 - Town and country planning
 - EMAS



The 2008 regulations came into force on 22 July 2008, and essentially apply to the requirements of the EIA Directive. It specifically relates to the few outstanding applications or appeals that relate to reviews of conditions attached to old mineral permissions. The only applications which are affected are those that have been stalled because an Environmental Statement or further information requested by the Mineral Planning Authorities has not been provided.

>>>

New or Amended Environmental Law, Scotland Only

Effluent and water

The Water Environment (Relevant Enactments and Designation of Responsible Authorities and Functions) Order 2008



New or Amended Environmental Law

Pollution Prevention and Control

No recent Developments

Air Pollution

The Capital Allowances (Energy-saving Plant and Machinery) (Amendment) Order 2008

The community Emissions Trading Scheme Regulations 2008

Effluent & Water

No recent Developments

Waste Management

The Producer Responsibility Obligations (Packaging Waste) (Amendment No. 2) Regulations 2008

Contaminated Land

No recent Developments

Development Control

The Town and Country Planning (Environmental Impact Assessment) (Mineral Permissions and Amendment) (England) Regulations 2008 <<<

Hazardous Substances

See Regulation EC 689/2008 Under 'new or Amended European Legislation' (page 3)

Nuisance

No Recent Developments

Environmental Management

The Regulatory Enforcement and Sanctions Act 2008

This bulletin only provides a summary of the legislation. For more information please e-mail enquiries@esp.uk.net.



New or Amended European Legislation

Waste Management

Regulation 669/2006 on completing Annex IC of Regulation EC 1013/2006 on Shipments of waste.

Hazardous Substances

Regulation EC 689/2008 of the European Parliament and the council concerning the export and import of dangerous chemicals



Environmental Law under Consultation

Pollution Prevention and Control

European Consultation

Public consultation on review of minimum criteria for environmental inspection.

Emissions trading and aviation– Proposal to extend current scheme to include aviation.

Principles for sustainable biofuels.

UK Consultation

Statutory consultation on Renewables Obligation Order (2009).



Hazardous Substances

EU Developments

Proposal for a new EC regulation on Ozone Depleting Substances (ODC's)

Concentrates on:

- The phase out of HCFC's,
- Virgin and reclaimed HCFC's,
- Use as feedstock,
- Essential lab and analytical uses,
- Methyl- bromide,
- Halon fire protection systems,
- New substances,
- Recovery and destruction of existing ODS.

UK Developments

Consultation on a draft UK strategy for radioactive Discharges.

Environmental Management

Proposals to revise Eco-Management and Audit Scheme (EMAS). >>>

Proposals for a revised eco-labelling scheme.

The proposed changes to EMAS are designed to make it easier for smaller companies to obtain EMAS.

The new regulation also formalizes what information has to be in the EMAS statement.

These changes are unlikely to come into force until late 2009 with a 6 months transition period after this.

<<<



ESP Ltd.

Creative Industries Centre
Wolverhampton Science Park
Wolverhampton
WV10 9TG

Phone: 01902 771 311

Fax: 01902 771 311

E-mail: enquiries@esp.uk.net

Environmental Solutions through
Partnership



www.esp.uk.net

>> Environmental Solutions through Partnership Ltd (ESP) is a small but highly experienced company providing practical and innovative solutions to a variety of business sectors.

>> One of the Company's core services is providing sustainable environmental management systems (EMS) to manage the significant environmental risks of a company to BS8555, ISO: 14001 (International Environmental Standard) and EMAS (European Environmental Standard).

>> Good environmental management can avoid the risk of prosecution (and hefty fines), identify cost savings, motivate personnel and identify those risks in a company which need bringing to the attention of senior managers/directors. In addition it can provide the right environmental credentials required for a company's image, not just green intentions that may or may not be fulfilled.

>> ESP also provides a landscape architecture service to a diverse client base. We are specialists to the mineral industry having carried out many landscape and visual assessments as well as phased working plans for a variety of large mineral extractive firms. However, ESP also specialises in providing unique and contemporary landscape design solutions to commercial companies and public sector clients.

Other Environmental Developments

- 2 new guidance notes have been published by DEFRA regarding:
 - Petrol vapour recovery,
 - Regulation of biodiesel production.
- A research paper has been published regarding the direct and indirect effects of biofuels.
- A review of the water framework directive is currently underway.
- New guidance notes regarding hazardous waste published by the Environment Agency.
- Guidance on the definition of contaminated land has been issued.
- European Chemicals Agency has issued a new guidance document on information requirements and chemical safety reports.
- A revised strategy on how the Environment Agency will deal with radioactive discharges for 2006-2030 has been released.



Although care has been taken in the compilation and preparation of this work to ensure accuracy, ESP Ltd. cannot in any circumstances accept responsibility for any errors or omissions.

Subscribers should be aware that only Acts of Parliament and Statutory Instruments have the force of law and that only the courts can authoritatively interpret the law.

For more information please e-mail enquiries@esp.uk.net.