

The Environmental Permitting Programme – Phase 2

Widening the EP Regime?

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Environmental Permitting Programme (EPP)

- Our chance to listen to your initial views
- We aim to cover
 - Why EPP 2, on what timeline and how it might work - Peter Kellett
 - Impact assessment – Sara Spillett
 - Communications – Manuela Weber
- Q&A at the end of this slot



Environmental Permitting Programme (EPP)

- My talk:
 - the drivers behind EPP1
 - how the EP Regime delivers environmental / human health requirements
 - timeline for EPP 2
 - the Candidate Regimes and how they might be incorporated

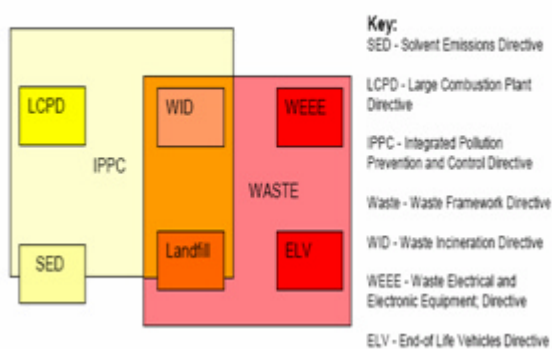


Drivers - Better Regulation Agenda & Increased Complexity

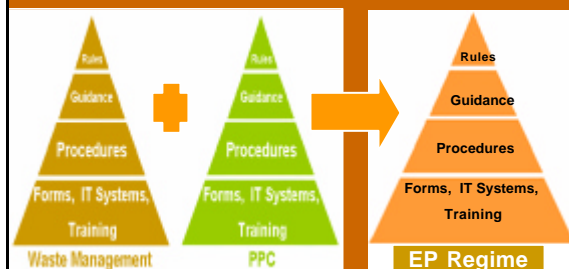
- Government wants to reduce the administrative burden of regulation on industry
- Departmental Simplification Plans aim at a 25% reduction target
- The Environment Act 1995 created common powers of charging and entry, but....
- No attempt to create a common approach to environmental permitting
- Increasing complexity since then



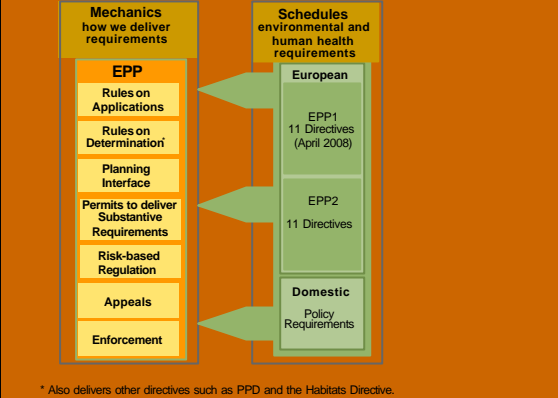
Figure 1 Illustration of overlapping permitting requirements in some European Directives



The suggested solution to over-complexity



Environmental Permitting Programme – The EP Regulations



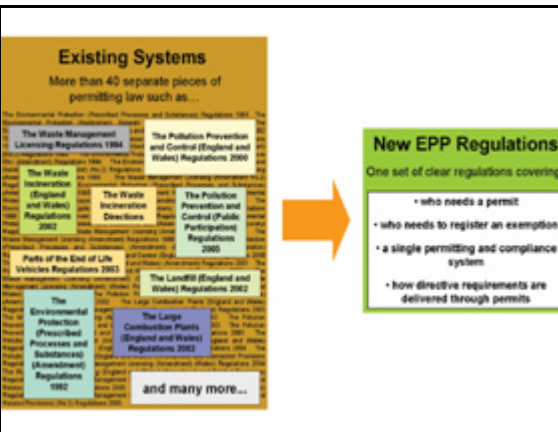
What EPP is and is not

Is -

- common, flexible and risk-based platform for Permitting and Compliance (WML / PPC)
- delivers requirements of 11 Directives + national policy
- joint Government / regulator E&W exercise

Is not changing -

- who regulates (a site-specific transfer of regulator provision exists)
- environmental standards
- environmental outcomes



Anticipated benefits from EPP

- 3 Tiers of Control Exemptions / Standard Permits / Bespoke Permits
- Increased flexibility built into regime
- Single Site Permits
- Common application procedures / approach to compliance / approach to guidance
- Ease for public/consultees/appellate bodies
- Simpler clearer law – easier to understand and apply
- Public Participation Statement



EPP 2 - Timeline

- EP Regs 2007 in force for EPP1 - 6 April 2008
- Mining Waste Directive consultation closed – 11 April 2008
- First EPP2 Stakeholder Forum - 30 April 2008
- First EPP2 Consultation (policy and law) Autumn 2008
- EPP2 in force October 2009?



EPP 2 – Which Candidate Regimes?

- broadly similar regimes perhaps
 - Radioactive Substances Regulation / Water Discharge Consenting / Groundwater – Autumn 2008
 - Some Carriers and Brokers
 - Batteries Directive (permitting parts)
 - Water Abstraction (longer timeline)



EPP 2 – How might Candidate Regimes be incorporated?

- 5 consultations held to create the EP Regime
- Candidate Regimes adopt different ways of delivering environmental requirements
- A range of options for candidate regimes...
 - “tear it up and start again” or
 - changing the common EP Regime (for one regime only or for all) or
 - slotting candidate regimes in with minimal changes to the EP Regime



Chance to modernise & inject risk-based and proportionate approaches into Radioactive Substances Regulation

- Allow permit transfers and standard permits
- Move towards more common processes
- Staged regulation of geological repository
- New statutory defence in an emergency
- Exemption Order and Schedule 1 RSA Review taking place on a longer timescale
- Scope and coverage of RSA 1993 to remain unchanged



Chance to modernise & inject risk-based and proportionate approaches into Water Discharge Consenting

- Standard permits
- General binding rules approaches for lower risk activities
- Move more towards common application, consultation & public register processes
- Procedural differences between WDC and the EP Regime e.g. transfers and variations
- Control in EP Regime applies to the “Operator” as the person in control of the activities



Chance to modernise & inject risk-based and proportionate approaches into Groundwater permitting

- Transposition of GW Daughter Directive
- Standard permits
- General binding rules approaches for lower risk activities
- Move more towards common application, consultation & public register processes
- GW authorisation becomes an “environmental permit”
- Transfer – notification v prior application



The Vision... a strategic approach to permitting and compliance

A wider risk-based and proportionate single system delivering:

- Cuts in of unnecessary red tape
- Continued protection of the environment and human health
- Increased clarity and certainty for everyone on how the regulations protect the environment.

Impact Assessment



More Effective Regulation

- NOT cheaper or less regulation
- NOT changing who regulates
- NOT changing standards or what is regulated



Impact Assessment

Baseline	Understanding the admin burden of regimes
EPP2	Potential costs and benefits of EPP2
EPP2 - new	Different approach to baseline and costs avoided



Proposed Stakeholder Engagement

Where are we now and what happens next?

- First EPP2 Stakeholder Forum – 30 April
- Second Stakeholder Forum – Autumn 2008
- 1st consultation (law & policy) – Autumn 2008
- 2nd consultation (guidance) – Spring 2009
- EPP2 regulations in force – Autumn 2009

More information

- www.defra.gov.uk/environment/epp
- www.environment-agency.gov.uk/epr
- eppadministrator@defra.gsi.gov.uk

