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**Abstract/Summary How will PPC affect the Water Industry?
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The Environment Agency issued guidance on how the Pollution Prevention and Control (England and Wales) Regulations 2000 (PPC Regulations) will apply to the water industry in June 2003. This followed detailed consideration by the Agency, Counsel, Government and extensive consultation with the water industry through Water UK. This guidance has also been issued via OFWAT so the Water Companies can include this element in their business plans for the Periodic Review 2004, if they so wish.

The Agency guidance focuses on the extent to which the biological and/or physico-chemical activities conducted by the water industry are covered by the activity description in Schedule 1, Sections 5.3(c)(i)-(ii) to the PPC Regulations (Section 5.3c). The guidance also explains the extent to which the activities conducted by the water industry, where not regulated under the PPC Regulations, may be subject to the requirements of Waste Management Licensing.

How the PPC Regulations will affect the water industry requires an understanding of the interactions between the Integrated Pollution Prevention and Control Directive (96/61/EC), Waste Framework Directive (75/442/EEC) and Urban Waste Water Treatment Directive (91/271/EC). For an activity to fall under the PPC Regulations Section 5.3c it must have the capacity to treat greater than 50 tonnes per day (wet weight) of waste for the purposes of disposal. Treatment for the purposes of recovery will not be regulated under the PPC Regulations Section 5.3c (but may fall under Waste Management Licensing) which sustains the Government and Agency policy that recycling sewage sludge to land is, in most cases, the best practical environmental option.

Defining 'waste water', 'other waste waters' and 'waste in a liquid form' based on their constituent nature would have been fraught with difficulties and so a jurisdictional approach was used as it is believed to be more legally sustainable. The Agency guidance uses the jurisdictional approach to define the legal boundaries around the activities conducted at a sewage treatment works (STW) and this approach has been summarised for a 'typical' STW in Figure 1.

The guidance also defines terms such as treatment capacity, disposal, recovery, physico-chemical treatment etc., which are fundamental when identifying whether an activity will fall under the PPC Regulations.

In terms of timing, the PPC Regulations will apply to all applications for new activities listed under Schedule 1, while existing activities listed under Section 5.3c have an application window in 2004. However, the Department for Food Environment and Rural Affairs has recently issued a consultation to seek opinion on moving the application window for these activities back to 2006.



Water Companies activities may also fall under the PPC Regulations as a directly associated activity (DAA). A DAA is one that is directly associated and technically connected with an activity listed under Schedule 1 of the PPC Regulations, and can have an effect on pollution. For the water industry two DAA scenarios are possible:

1. **Internal** – where a water company is conducting a listed activity then other elements of the process, e.g. flaring from the sludge treatment, may be regarded as DAA; or
2. **External** – where a water company's assets, such as pumping stations, serve an industrial listed activity and meet the DAA criteria.

The Agency guidance also provides clarification of when the Waste Management Licensing Regulations 1994 will apply to a water company's activities at sewage treatment works.

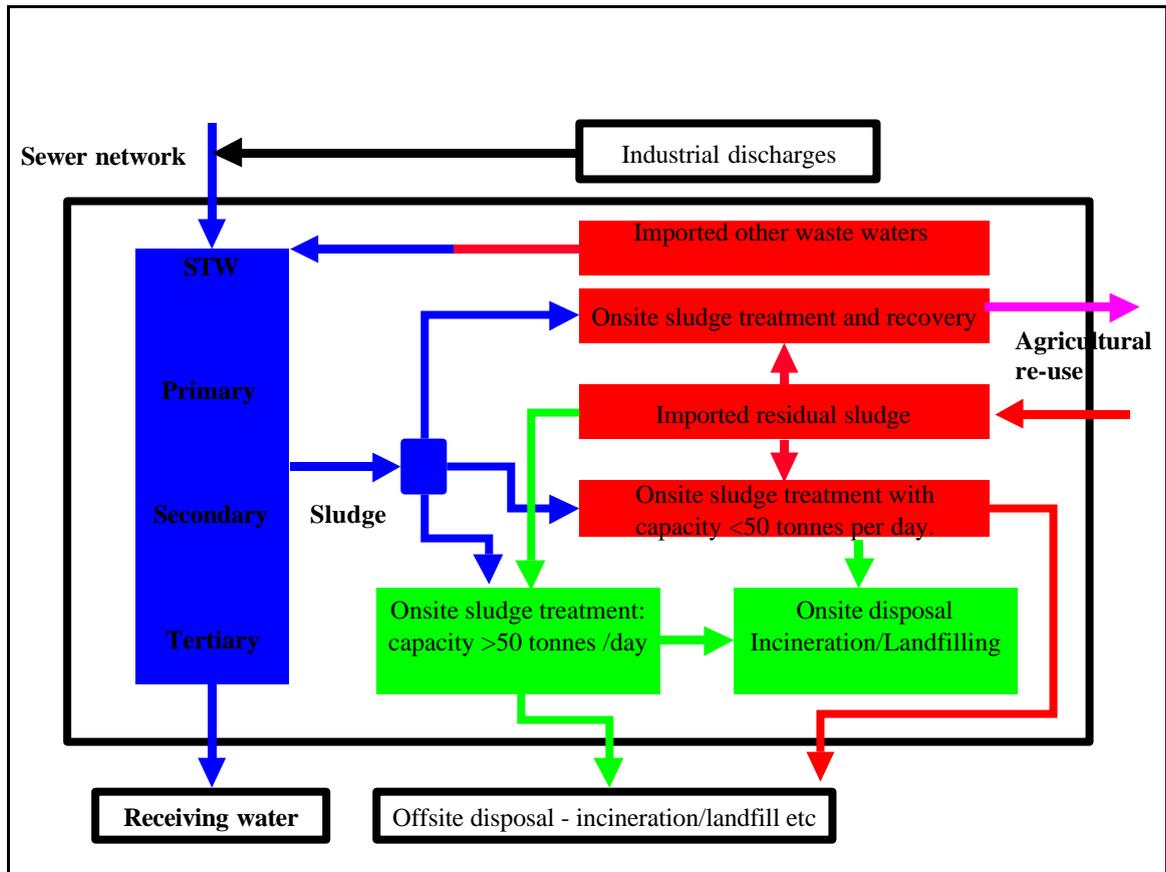
The Agency is currently engaging with the key stakeholders through the waste sector implementation group, which is the forum for addressing issues that arise during implementation.

In summary, the key changes that arise from the application of the PPC (and Waste Management Licensing) regulatory framework to the water industry are:

- PPC permits will be required for sludge treatment activities that have the capacity to treat >50 tonnes of residual sludge per day (wet weight) for the purpose of disposal, this may include sludge produced on site.
- For influents that are brought in to the STW by road tanker, then the Agency will expect the receipt, deposit and keeping of these tankered-in influents to be covered by a Waste Management Licence (or exemption). Pre-treatment of these influents may be subject to either a Waste Management Licence (or exemption) or a PPC permit depending upon the treatment capacity and nature of the activity.
- The treatment of tankered wastes by digestion for the purpose of disposal may require a PPC permit rather than a waste management licence depending upon the capacity and nature of the waste.
- Where a STW has a dedicated pre-treatment plant (e.g. for an industrial effluent) within its curtilage then, depending upon the nature and capacity of the pre-treatment plant, either a Waste Management Licence or PPC permit will be required.
- Where the Water Company asset is regarded as a directly associated activity then a PPC permit will be required.
- Biogas utilisation schemes that are not part of PPC permitted sludge treatment installation with a thermal rated input >3MW will require their own PPC permit.
- A PPC permit will also be required for other activities listed under Schedule 1 of the PPC Regulations, for example the production of fuel from waste under Section 5.5, which may include drying of sewage sludge that is then used as a fuel.



Figure 1 Regulatory scenarios



Key	Colour	Regulatory regime
	Blue	Urban Waste Water Treatment Directive.
	Red	Waste Framework Directive.
	Green	Integrated Pollution Prevention and Control Directive.



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Biography

Stewart Mounsey: Policy Advisor (Freshwater): Environment Agency.

Stewart's background is in environmental sciences with a PhD in modelling acid runoff from forested catchments.

He has been with the Environment Agency for 12 years working in water resources, environment protection, groundwater and as a water quality planning team leader. Currently he is responsible for developing the Agency's policies for point source discharges to freshwaters.

He has been heavily involved in developing and writing the guidance for the application of PPC for STW and is also working on the Periodic Review.