Opinion: non-qualifying regulatory provision confirmation
Origin: European
RPC reference number: RPC-DEFRA-3426(1)
Date of implementation: July 2016

Regulatory Policy
Committee

Commission Directive 2015/1127 – energy efficiency formula for 'Energy from Waste' status

Department for Environment, Food and Rural Affairs

RPC rating: confirmed as a non-qualifying regulatory provision

Description of proposal

The proposal would amend the way in which a waste recovery facility is distinguished from a waste disposal facility; both are types of 'Energy from Waste' facilities. In order for an 'Energy from Waste' facility to be formally classed as a waste recovery facility, it must meet the efficiency threshold set out in the energy efficiency formula. The proposal would amend the formula by including a climate correction factor to take into account difficulties in producing electricity in warmer climates.

Impacts of proposal

The climate correction factor will only affect the classification of 'Energy from Waste' facilities in the southern parts of Europe. The change is not expected to change the status of any British 'Energy from Waste' facilities.

Quality of submission

The submission adequately explains that this proposal will have negligible effects, if any, on UK businesses. The submission also demonstrates that the proposal would not qualify for the business impact target, due to its EU origin.

Departmental assessment

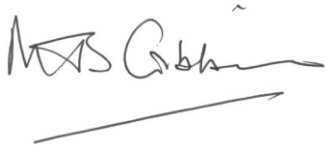| Classification	Non-qualifying regulatory provision (EU)
Equivalent annual net cost to business (EANCB)	Not applicable (low cost non-qualifying regulatory provision)

RPC assessment

Classification	Non-qualifying regulatory provision (EU)

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Small and micro business assessment	Not required (EU)

Michael Gibbons CBE, Chairman