

2nd Advisory Group Meeting, Microsoft Teams

5 July 2023

Notes

Present:	Association of the British Pharmaceutical Industry (ABPI), BEIS British Metals Recycling Association, Chartered Institute of Environmental Health CIEH, Chemical Industries Association (CiA), CIWM, Dacorum Borough Council, DAERA NI, Defra, Department of Agriculture Environment and Rural Affairs in Northern Ireland (DAERA NI), Environmental Services Association, Galvanizers Association, Leeds University, Mineral Products, National Farmers Union (NFU), Natural Resources Wales (NRW), Scottish Environment Protection Agency (SEPA), Scottish Government, Sheffield University, The Association for Renewable Energy and Clean Technology, TransFIRE, UK BAT, UK Petroleum Industry Association (PIA), UK Steel, University College London (UCL), Welsh Government
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Apologies:	CIEH, University of Leeds, Wood Recyclers' Association, Environment Agency
Agenda:	<ul style="list-style-type: none"> 1.0 House Keeping 2.0 Introduction 3.0 Update on delivery of Tranche 1 4.0 Chemical Industries Association (CiA) UK BAT – the future (for discussion) 5.0 UK BAT Evidence Collection 6.0 Closing remarks

1.0 House Keeping – Jon Robinson, Defra Chair (JR)

The Chair welcomed everyone to the group and gave a brief introduction to UK BAT.

2.0 Introduction – JR

Everyone was invited to contribute to the discussion. The Chair explained there would be an opportunity for everyone to express views (but to respect the groups Terms of Reference).

3.0 Update on delivery of Tranche 1 (T1) – UK BAT

An update was given regarding progress with the sectors reviewed in T1. The T1 Technical Working Groups (TWG) had agreed the final wording of the BATC for each sector review. The UK BAT Team was in the process of finalising and the formatting the final documents. A final meeting for the Textiles TWG was scheduled in one weeks' time. This would be the last TWG meeting for T1. A presentation would be given to the Standards Council before formal approval.

Several factors had affected process, including agreement of the generic BATC - Circular Economy (CE), Climate Change Adaptation (CCA) and Climate Change Mitigation (CCM). The number of Face to Face (F2F) meetings had also increased from 1 to 2 per sector, to allow adequate time to fully review the issues and changes.

3.1 CE, CCM and CCA

It was confirmed that the Standards Council will review the approach to CE, CCM and CCA over the coming months and will consider perspectives from industry and stakeholders. A transitional arrangement was in place for T1.

3.2 Next Steps

It was confirmed that the UK BAT Team were aiming for the Textiles BATC review to be published during 2024.

Tranche 2

Recruitment of 4 Technical Authors for Tranche 2 (T2) had commenced. It was expected kick-off meetings would commence September/October 2023. T2 sectors were identified as:

- Ceramics (CER)
- Surface Treatment of Metals (and Plastics) (STM)
- Slaughterhouses and Animal By-Products (SA)
- Smitheries and Foundries (SF)
- Large Volume Inorganic Chemicals (LVIC)

It was confirmed that T2 will be a UK wide process. An announcement would be made on .gov.uk (during September/October 2023) to recruit suitable members to the T2 TWG's. It was emphasised that a combination



of Regulators, NGOs, Equipment Suppliers, Academia etc. would be needed. Members of the TWG should be willing to bring experience and expertise and there would be opportunities to get involved in the process. It was anticipated that the scope for T2 would be published on .gov.uk, and there would be a public consultation before publication as a Statutory Instrument (SI). The group asked whether specific experts can be members of the TWG.

Cross Media Effects

The UK BAT Team was looking for views (from the group) on how to integrate Cross Media Effects into the UK BAT review process. It was confirmed this is an action also for the Standards Council.

Comments were made regarding the timescales for delivery of T1 and T2. It was suggested compromises were made for T1. The UK BAT Team confirmed the T2 review would take two years. The group discussed implementation and the permitting process.

Alternative Positions

It was confirmed the SI will be UK wide. Questions were raised regarding Alternative Positions (including potential Devolved Administration Alternative Positions), and the resolution process. It was suggested that although there is space within the BATC for regional differences, the aim was for similarity and coherence across the UK. Essentially there is a common framework between the four Governments. The process for logging Alternative Positions was explained.

CE, CCA, CCM

The group discussed the implications of CE, CCA and CCM. Academia generally agreed these should have been included and the UK should not be constrained by the EU. Defra confirmed decisions had not yet been made on these BATC.

It was suggested it might be difficult to cover these 3 topics in the BATC, as they are not techniques. Industry highlighted concerns over duplication or conflicting regulation.

4.0 Chemical Industries Association (CiA) UK BAT – the future (for discussion).



A think piece was presented by the CiA. The CiA believed the UK BAT review was an important opportunity to look at policies and regulations surrounding environmental permitting in general. Thanks were given to the CiA for a thoughtful and well-structured think piece. The group discussed the use of cost benefit tools, reprocessing waste and permitting.

Action: UK BAT Team to circulate CiA slides to the group, and upload to UK BATIS. *Completed*

The group agreed to use the AG discussion forum on UK BATIS to discuss the slides further and confer further at the next AG meeting.

The group discussed and generally agreed there is a need for a clear, long term environmental strategy.

5.0 Evidence collection for T2 – UK BAT

It was explained that evidence collection for the Tranche 2 (T2) BATC will be sector specific. The importance of establishing equal levels across the UK for installations as a starting point, was emphasised, especially as the installations vary in size.

It was noted that the 'availability' of a technique is important. Evidence for T2 would be collected from multiple sources including industry, regulators, NGO's and academia; and could be numerical or narrative. The Technical Author (TA) will need to describe how the process works and understand how an installation operates, to understand the data. The TWG will then consider what are the best reference sites, based on data shared with all TWG members. The TA will then draft BATC based on the data received.

The process for setting BAT Associated Emission levels (AEL's) was explained. Essentially BAT AEL's drive the 'performance of the rest' to the 'performance of the best' and set the Standards for the next 10 – 15 years. This would help improve efficiency (energy), and processes including efficient raw material usage.

It is vital to collect high quality data that can be benchmarked against other sources, as TWG /TA decisions must be clearly justified.

A Background Document (containing supporting evidence) would be produced and will aid the implementation of the SI.



Cross Media Effects could highlight where a technique is more costly than others. Routes to Net Zero could potentially result in conflicting impacts (for the WGC sector, a wet scrubber is likely to produce more effluent).

It was confirmed that permit requirements can be more stringent than BAT and could include a 'derogation process'.

BAT AELs are mandatory and can be tighter depending on the conditions. The group generally agreed the EU principle (at the beginning of the EU BATC) - 'neither prescriptive nor exhaustive' should be adopted in the UK.

Action: Leeds University to contact the UK BAT Team regarding the 'Complex Value Assessment' document post meeting. *Completed*

6.0 Closing remarks - JR

The Chair thanked the group for their contributions.

Action: Defra to consult colleagues, with regards to questions raised during the meeting. *Completed*

Action: UK BAT Team to consider forming targeted Subgroups, for agenda items requiring additional discussion. *Completed*

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Best Available Techniques

UK BAT

Acronyms	
AG	Advisory Group
BAT AEL	BAT Associated Emission Levels
BATC	UK Best Available Techniques Conclusions
CCA	Climate Change Adaptation
CCM	Climate Change Mitigation
CE	Circular Economy
CER	Ceramics
CiA	Chemical Industries Association
F2F	Face to Face
GHG	Green House Gas
IPPC	Intergovernmental Panel on Climate Change
LVIC	Large Volume Inorganic Chemicals
NGO	Non-Governmental Organisation
Q1	Quarter one
SA	Slaughterhouses and Animal By products
SF	Smitheries and Foundries
SI	Statutory Instrument
STM	Surface Treatment of Metals (and Plastics)
T1	Tranche One
T2	Tranche Two
TA	Technical Author
TWG	Technical Working Group
UK BATIS	UK BAT Information System
WGC	Waste Gas Chemicals