

# ASBP – POPs in construction

Graham Winter  
Environment Agency  
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[graham.winter@environment-agency.gov.uk](mailto:graham.winter@environment-agency.gov.uk)

# Today:



- **Understanding our waste**
  - Your Responsibilities (Duty of Care)
  - Why it's important to properly describe waste
- **Hazardous Waste and Persistent Organic Pollutants (POPs)**
  - what are POPs
  - Managing POPs
  - POPs in the construction sector
  - What the EA is doing about POPs
- **The Circular Economy**

# Understanding our waste

- Your Responsibilities (Waste Duty of Care – S.34 EPA 1990)
  - Classify and Describe it accurately
  - Pass it to the right people
  - Keep a record
- Why it's important to properly describe waste
  - Reduce harm to human health
  - Reduce harm to environment
  - Increase opportunity for reuse and recycling
- What assessment is required?
  - Understand likely contaminants
  - Sampling and testing if unsure or possible hazardous (WM3)



# Why do we have Duty of Care?

- To address illegal activity
  - Crime costs us £1b year
  - >800 illegal sites
  - Undercuts compliant industry
- To reduce harm to human health and environment
- To do the right thing
  - Waste resource/hierarchy
  - Circular economy



# What are POPs and why do they matter?

Persistent Organic Pollutants are chemicals that:

- remain intact in the environment for long periods,
- become widely distributed
- accumulate
- have harmful impacts

As a result:

- subject to a global treaty (Stockholm Conv.)
- Restricts production and use
- Controls waste management
- Implemented in UK law
- New chemicals identified & added every 2 years



# Obligations on waste holders

Under Chemical Regulations, POPs waste must

- not be mixed with other waste (e.g. in a skip)
- be sent for destruction of the POP (i.e. incineration)
- Nearly all waste R&D operations are prohibited

Note:

- applies to the waste producer (i.e. the producer has to ensure the POPs are segregated and destroyed)
- additional requirements, on top of Duty of Care and Waste legislation



# Existing Requirements

The requirements apply to **all** wastes containing POPs (at relevant levels)

It is the Duty of Care Holder's responsibility to:

- know the chemical nature of their wastes,
- describe and manage them appropriately

It is not the Regulator's role to point out:

- what chemicals are in each of your wastes, or
- which items contain POPs (or provide a list)

But, we'll help where we can.....



# Duty of Care (section 3.5.3)

“...You should also consider whether there are any problems associated with the waste that you need to describe so that subsequent users can handle it properly.

Examples include whether the waste: .....

- needs particular treatment or handling, for example batteries or waste electrical and electronic equipment (WEEE)
- can or cannot be mixed with other wastes
- displays a hazardous property (e.g. flammable) or presents a chemical hazard.....”



# Regulator activity on POPs in waste

Two main areas of activity:

- Tackling non-compliance with existing POPs
- Preparing to implement new POPs

We are undertaking studies to identify

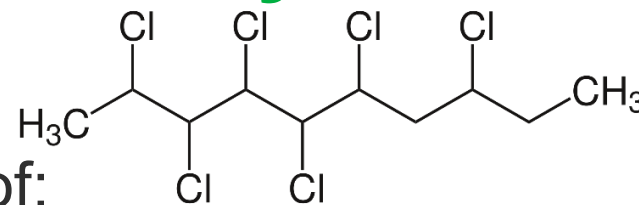
- where existing POPs are and deliver compliance, and
- Identify sectors and waste affected by future POPs to prepare them for implementation.

Where we can, we adopt evidence led engagement, and then take a compliance approach. If a sector is proactive, it allows us to use a more cooperative approach to compliance.

# Chemicals in C&D waste study

It remains uncertain what we will find.

There are two main risks to be aware of:



- Older materials from demolition, maintenance, refurbishment
- Non-compliant new products (e.g. made in countries that have not implemented the Conv.)

High risk waste materials for POPs include:

- XPS/EPS foams (POP HBCDD) – a known known (from 2016) that the sector should already be dealing with.
- Certain PVC (POP SCCP, future POP MCCP, or hazardous chemicals)
- Certain Plastics (POP brominated flame retardants)

# Chemicals in C&D waste study

What happens next?

- Final report available summer 2025
- External engagement starts spring 2025
- Guidance development autumn and winter 2025.
- Compliance activity in 2026

You should already be managing XPS/EPS foam properly!



# Working Together - POPs

We need Duty of Care Holders to work with us so they understand:

- which wastes these chemicals are in,
- at what concentrations
- how they are currently managed

We can then help develop practical guidance that recognises some of the challenges to environmentally sound management of POPs.

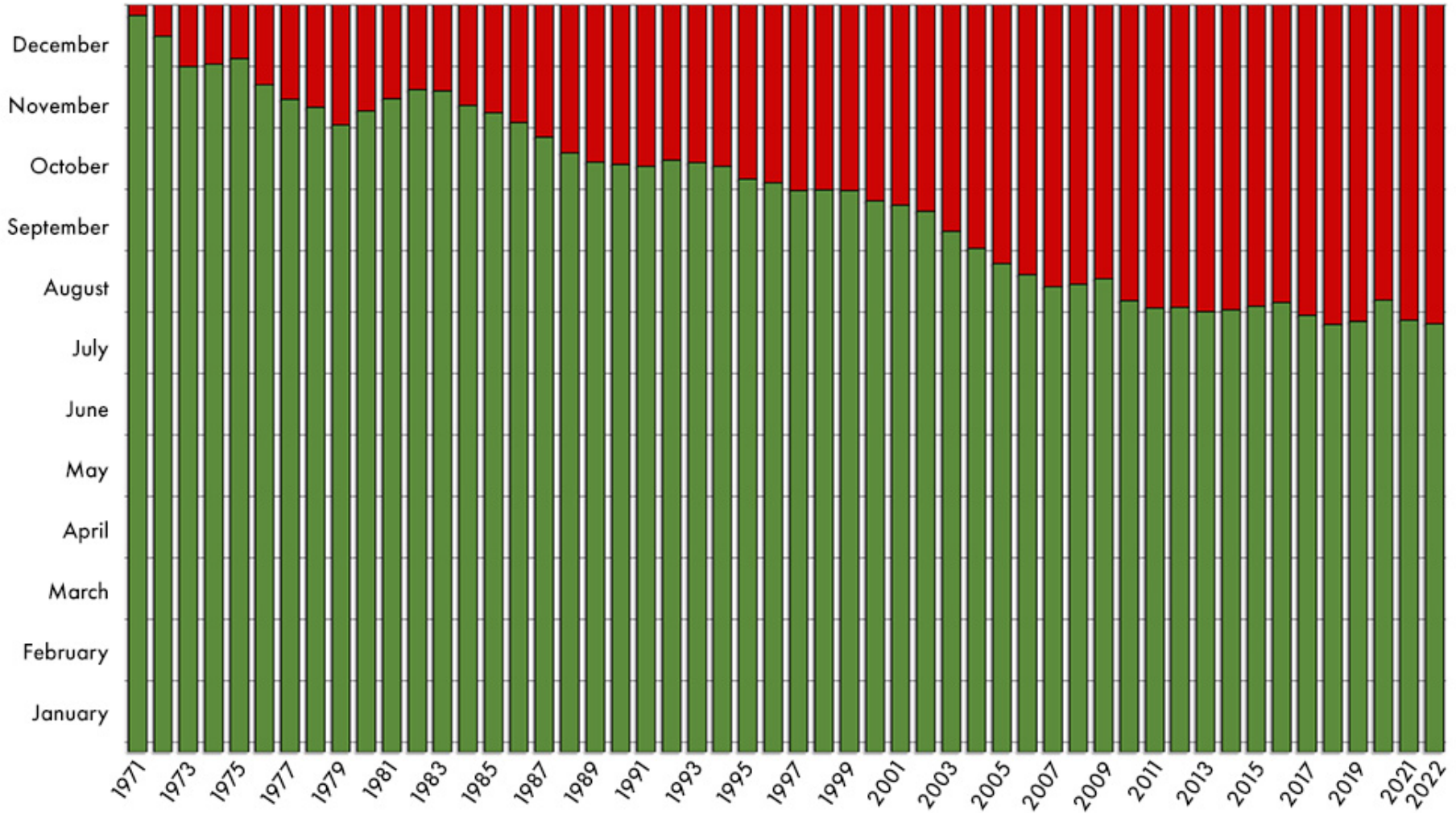


1 Earth

# Earth Overshoot Day 1971 - 2022



1.75 Earths



EARTH  
OVERSHOOT  
DAY



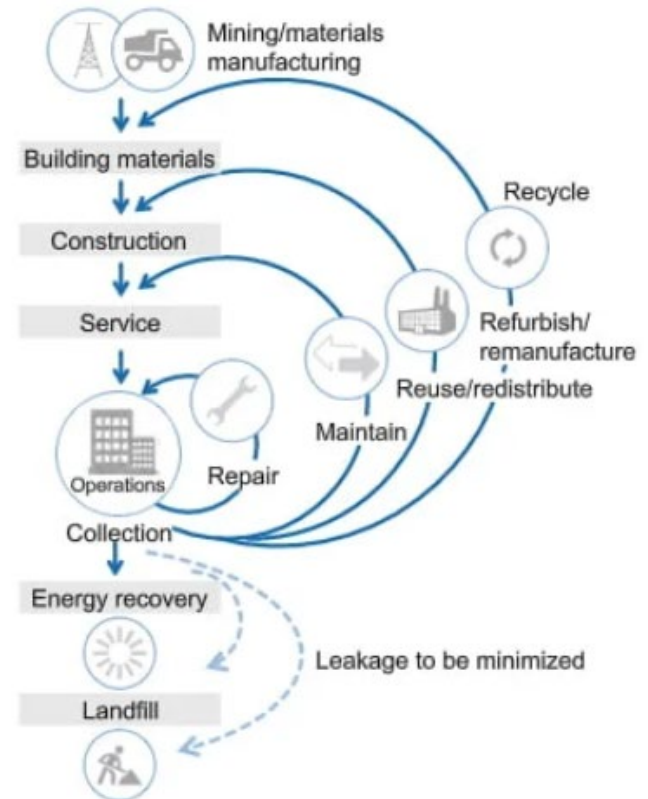
Global Footprint Network  
Advancing the Science of Sustainability

Source: National Footprint and Biocapacity Accounts 2022 Edition  
[data.footprintnetwork.org](http://data.footprintnetwork.org)

# The Circular Economy Challenge

- In a linear economy we take resources from the ground, consume then throw them away.
- In a Circular Economy we minimise resource take, maximise useful product life and turn end-of-life stuff back into products

Figure 14: Circular Economy Principles in the Construction Value Chain<sup>60</sup>



Source: Ellen MacArthur Foundation; World Economic Forum; The Boston Consulting Group



# Circular economy principles for construction



## Maximise reuse

1



- A. Reuse the existing asset
- B. Recover materials and products on site or from another site.
- C. Share materials, or products for onward reuse

## Design for optimisation

2



- A. Longevity
- B. Flexibility
- C. Adaptability
- D. Assembly, disassembly and recoverability

## Minimise impact and waste

5



- A. Use low impact new materials
- B. Use recycled content or secondary materials
- C. Design out waste
- D. Reduce construction impacts.

4



## Products as a service

3



## Use standardisation

# Summary

- We all have a Duty of Care
- We all have a responsibility for the planet
- We all need to shift towards a Circular Economy

