



Department
for Environment
Food & Rural Affairs

Defra POPs Team
Seacole Building
2 Marsham Street
London SW1P 4DF

Telephone: 03459
335577
helpline@defra.gov.uk
www.gov.uk/defra

19 May 2023

Dear Consultee,

Consultation on proposed amendments to The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000

I am writing to invite views on a draft of the proposed Statutory Instrument (SI) to amend the Polychlorinated Biphenyls (PCBs) Regulations, using powers in section 2 of the Pollution Prevention and Control Act 1999.

An amendment was made to the PCBs Regulations in 2020 and following stakeholder engagement since this amendment came into force, Defra has been made aware of a need for further clarity in the references to certain PCB-containing equipment as detailed within the PCBs Regulations. This relates to which PCBs-containing equipment needs to be removed from use by 31 December 2025.

Through this consultation we are seeking confirmation from stakeholders that the proposed amendments to the PCBs Regulations, captured in the draft SI which accompanies the consultation, will clarify the requirements for removal of PCB-containing equipment by the end of 2025.

This consultation will run for 6 weeks from 19 May to 30 June 2023. We feel this amount of time is appropriate and proportionate, given the consultation is on a short SI containing a small selection of precise legislative changes which are technical in nature and relate to a small number of stakeholders.

The following documents may be found on [Citizen Space](#), alongside the consultation:

- the consultation document
- an annex containing the draft proposed SI
- the privacy notice for this consultation

We welcome your views and comments on the proposals. If you wish to obtain a copy of this consultation, please contact the Defra POPs team at: pops@defra.gov.uk

Responses

To submit your consultation response please complete the consultation questionnaire provided through Citizen Space (Citizen Space is an online consultation tool).

Responses or additional information or documents can be sent to:

Consultation on proposed amendments to The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000

Consultation Coordinator
Second floor Foss House
Kings Pool
1 to 2 Peasholme Green
York YO1 7PX

Responses should be received by 30 June 2023.

Confidentiality and data protection

Please find the Consultations Privacy Notice uploaded alongside this consultation.

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office. Representative groups are asked to give a summary of the people and organisations they represent and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA).

We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential.

If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all

circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

This consultation is being conducted in line with the [Cabinet Office Consultation Principles](#).

If you have any comments or complaints about the consultation process, please address them to:

Consultation on proposed amendments to The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000

Consultation Coordinator

Second floor Foss House

Kings Pool

1 to 2 Peasholme Green

York YO1 7PX

Or email: consultation.coordinator@defra.gov.uk

Thank you for your help in this matter. If you have any queries, please contact us as above.

Yours Faithfully,

Sally Read

Policy Advisor

POPs and Chemicals in Waste team

Department for Environment, Food and Rural Affairs