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Additional guidance from the Department for Environment, Food and Rural Affairs, and from the Welsh Assembly Government

AQ13 (05)

Crematoria/burden sharing

General feedback

The steady flow of AQ notes from Defra and the Welsh Assembly Government is intended to help you carry out your LAPPC and LA-IPPC regulatory work. We are always trying to improve our communications and find new/better ways of working in partnership with local authorities, so please feed back to us if you have any comments generally or specifically about AQ notes or anything else. Comments to carl.woodward@defra.gsi.gov.uk, with "comments" in the title please.

Crematoria

This focuses on one element of AQ1(05).

This AQ note brought mercury controls into PG5/2(04). One particular provision was that a condition should be included in all permits for existing crematoria which requires the operator to notify the local authority regulator by no later than 31 December whether he/she will be opting for installing mercury abatement equipment or for sharing the cost of abatement fitted by other crematoria. This is the so-called 'burden sharing' system.

We did not, however, make clear that we envisaged that **this variation should be made as soon as possible after publication of the AQ note**. We realise that most crematoria are operated by the local authorities which regulate them (although the functions tend to be separated even if within the same LA department), and as a result LA regulators may have concluded that there was no rush to insert this condition. However, feedback from operator representatives is that this legally-enforceable condition will help focus operators' attention on the decisions that need to be made. If not enough crematoria have made the decision by the end of this year and a 50% reduction of mercury emissions cannot be demonstrated then, the alternative option of only targeting those crematoria with the highest number of cremations will come into play.

It is recommended, therefore, that a condition along the following lines is inserted asap into all relevant permits, by means of a simple variation:

"[the operator] shall notify [the authority] in writing by no later than 31 December 2005

whether he/she will either:

- a. be installing mercury abatement equipment prior to 31 December 2012 or
- b. be participating in arrangement to share the cost of such abatement fitted by other crematoria.

Where the answer is

- a. the operator should specify what if any date has been decided to complete the upgrade.

Where the answer is

- b. the operator should provide evidence of what sharing arrangements have been put in place."

If you have any queries on this, please contact Phil Pope on 020 7082 8391 or Mike Etkind on 020 7082 8420. The contact in Wales is Ross Hunter on 029 2082 3473.

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