

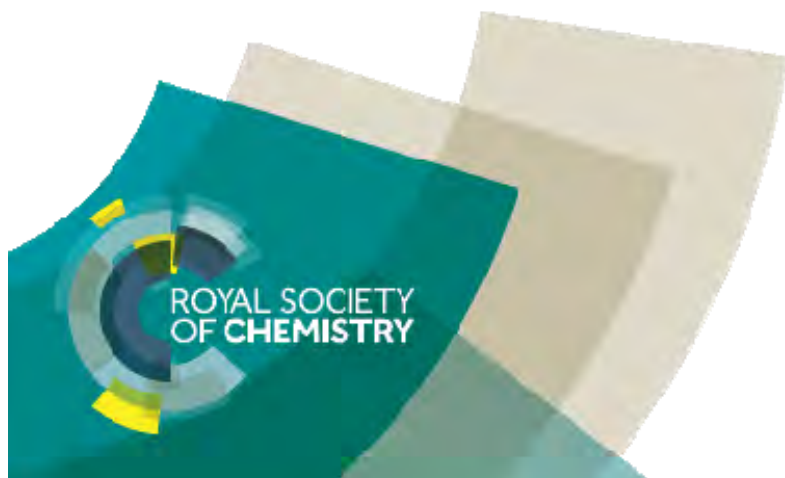
Chemicals Regulation and Future Environment Policy post EU-exit

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Foods and Processes (ACNFP)

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Royal Society of Chemistry

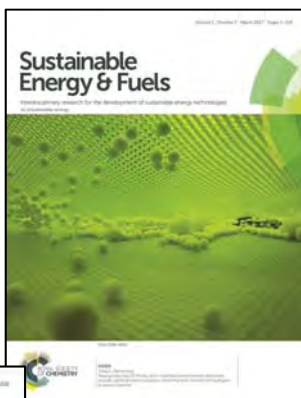
– a truly international society



>52,000 members worldwide

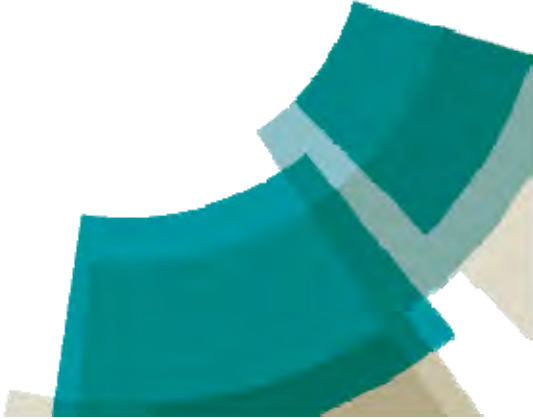


Environment Journals



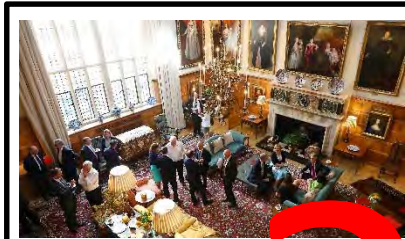


Overview

- Environmental Policy back-drop (England)
 - RSC work on ‘Chemicals Regulation’
 - RSC work on ‘Environmental Principles’
 - Qu: Northern Ireland perspective?
- 

Uncertain and Unprecedented Time in Policymaking

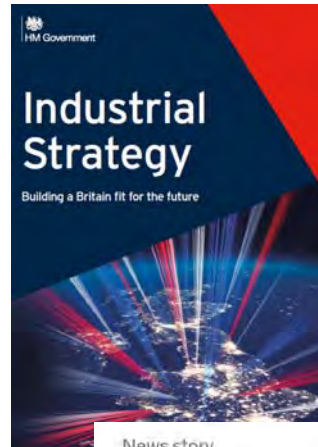
INOPERABILITIES
European Union
(Withdrawal) Act 2018



Brexit White Paper
July 2018



**THE FUTURE
RELATIONSHIP BETWEEN
THE UNITED KINGDOM AND
THE EUROPEAN UNION**



News story

Have your say on the UK's future trade negotiations

Members of the public and businesses can now have their say on the UK's prospective trade agreements. Online consultations close on 26 October 2018.

Published 18 September 2018

From: [Department for International Trade](#) and [The Rt Hon Liam Fox MP](#)



Online consultations on the UK's prospective trade deals are open until 26 October 2018



Building our
Industrial Strategy



HM Government

A Green Future: Our 25 Year Plan to Improve the Environment



Environmental Principles and Governance after EU Exit

Overview

When we leave the EU, we will be able to build on the successes achieved through our membership, and address the failures, to become a world-leading protector of the natural world. We have also published the 25 Year Environment Plan, which sets out this Government's ambition for this to be the first generation that leaves the environment in a better state than that in which we inherited it. These good intentions must be underpinned by a strengthened governance framework that supports our environmental protection measures and creates new mechanisms to incentivise environmental improvement.

*****Since this consultation was launched, the European Union (Withdrawal) Act 2018 has received Royal Assent (26th June, 2018).**



25 Year Plan for the Environment (England)

Prime Minister's words

“This is a national plan of action, with international ambition.”

“As well as setting an example for others to follow, we will also bring the United Kingdom's international influence to bear in pursuit of a cleaner and safer world.”



Themes of the 25 Year Plan

- Clean air
- Clean and plentiful water
- Thriving plants and wildlife
- Reducing the risks of harm from environmental [*natural*] hazards
- Using resources from nature more sustainably and efficiently
- Enhancing beauty, heritage and engagement with the natural environment
- Mitigating and adapting to climate change
- Minimising waste
- Managing exposure to chemicals
- Enhancing biosecurity



Themes of Interest to RSC members

- **Clean air**
- **Clean and plentiful water**
- Thriving plants and wildlife
- Reducing the risks of harm from environmental [*natural*] hazards
- Using resources from nature more sustainably and efficiently
- Enhancing beauty, heritage and engagement with the natural environment
- Mitigating and adapting to climate change
- **Minimising waste**
- **Managing exposure to chemicals**
- Enhancing biosecurity



Strategies *to date* – 25 Year plan

Clean Air Strategy

Resources & Waste Strategy

Chemicals Strategy

– linked to EU Exit and Regulation

– chemicals in the environment

Water strategy?



Future of Chemicals Regulation post EU-Exit



RSC Priority - EU Exit and Regulation Relating to Chemicals

22 Feb 2017

RSC were invited to give oral evidence to the House of Commons Environmental Audit Committee inquiry into [the Future of Chemicals Regulation](#) after the EU Referendum



House of Commons
Environmental Audit Committee

The Future of Chemicals Regulation after the EU Referendum

Eleventh Report of Session 2016–17

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 25 April 2017*



Informing Government and Society EU Regulations relating to Chemicals

At least 300 EU regulations and directives relevant to the UK chemicals sector.

A) Manufacture, Import & Export of Chemicals as 'Substances' and 'Products' > 100 regulations and directives

- **Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)** (Regulation (EC) No 1907/2006)
- Classification, Labelling & Packaging (CLP) Regulations ((EC) No 1272/2008)
- Prior Informed Consent (PIC) ((EU) 649/2012) – implements the Rotterdam Convention
- Plant Protection Products
- Biocidal Products
- etc. etc.

B) Environmental Chemicals Pollution Prevention & Control

- many standards, directives and regulations relating to chemicals in air, land, water and waste.
- e.g. EU Ambient Air Quality Directive
- EU Water Framework Directive
- EU Waste Framework Directive



UK-REACH?

CLP, PIC, Pesticides, Biocides



ENVIRONMENT

England
Wales
Scotland
Northern Ireland



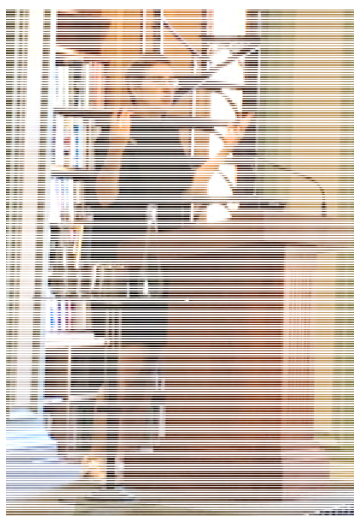
Air
Land
Water
Waste

RSC Workshop on EU Exit

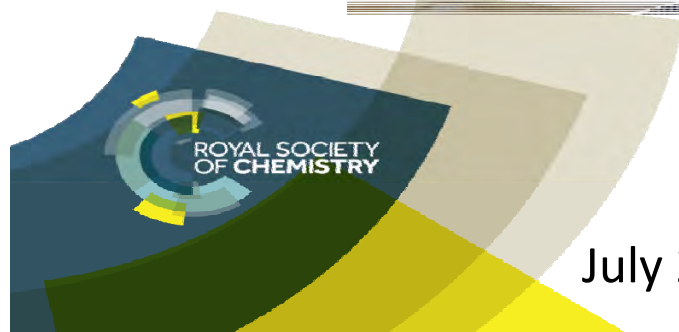
Science and the Development of Chemical & Environmental Policy

Burlington House, London.

Mary Creagh
– Chair of the
House of Commons
Environmental
Audit Committee

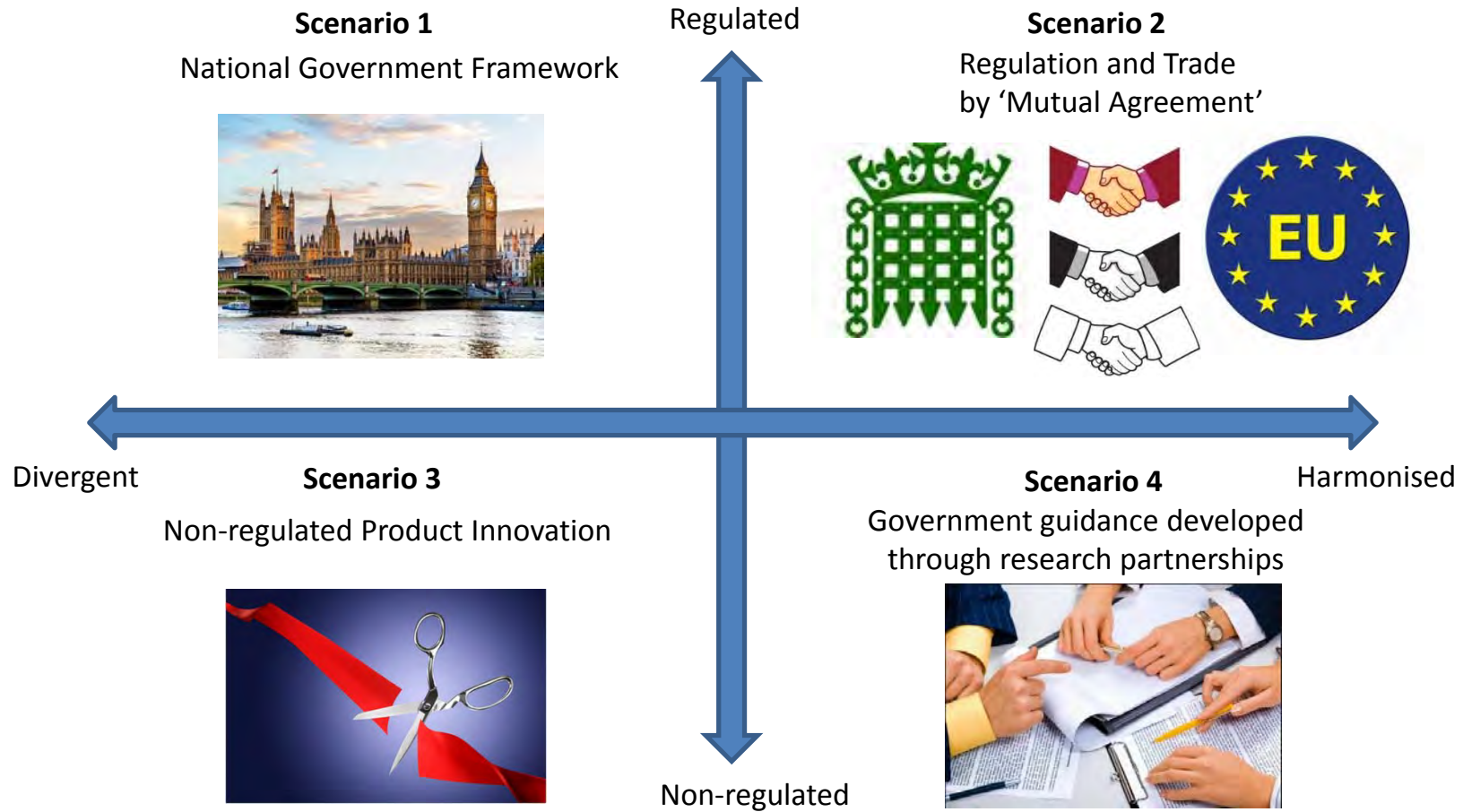


Defra
HSE
EA



July 2017

UK Chemicals Management - Alternative Pathways for Environmental Policy & Regulation





House of Commons
Environmental Audit Committee

The Future of Chemicals Regulation after the EU Referendum

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Second Phase – October 2017

Our key messages:

- i. It is critical to establish how **regulatory decisions** will be made in the UK, including how we will **access data** and how **expert scientific input** will feed in

- ii. what **legal relationship** the UK will have **with EU bodies**, such as ECHA.

Association to EU Agencies

Our ask:

'Full and uninterrupted partnership with the
European Chemicals Agency from 30 March 2019'

as per

European Medicines Agency

European Aviation Agency

Common Rulebook?

Brexit White Paper
July 2018



THE FUTURE
RELATIONSHIP BETWEEN
THE UNITED KINGDOM AND
THE EUROPEAN UNION

Legal association agreements



Share Data and Expertise
→ harmonised decisions



Environmental Principles & Governance – Defra Consultation

Environmental Principles (England)

- Create a new [statutory statement of environmental principles](#), drawing on current international and EU environmental principles.
- There is no single, agreed definition of environmental principles.
Examples: Rio Declaration (1992) & Treaty for the Functioning of the EU (TFEU)
- This consultation is seeking initial views on which principles to include for England.

NB. Environment (Wales) Act 2016



RSC Environment & Regulation Collective Workshop – June 2018



Principles for the Management of Chemicals in the Environment – a Thought Starter

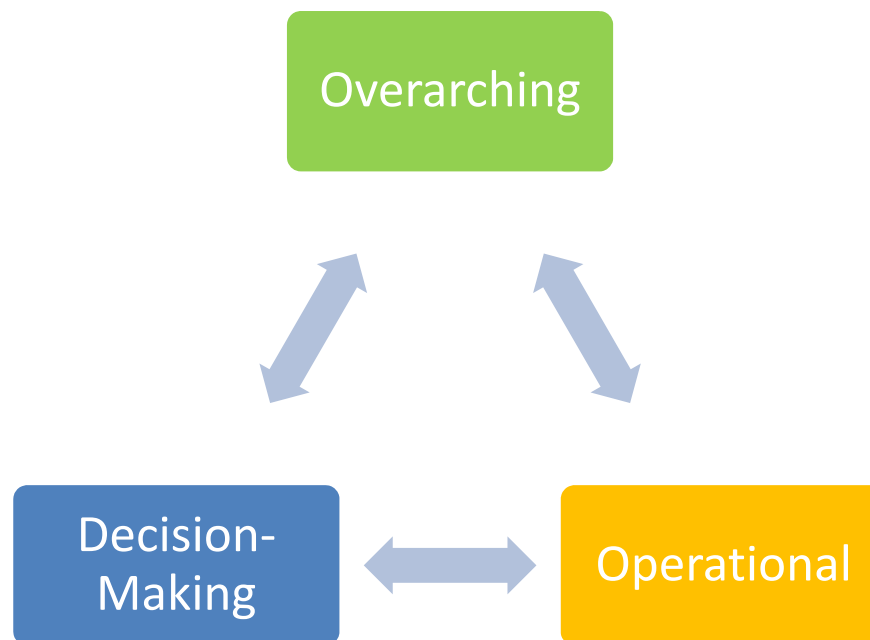


Presented at Defra's
UK Chemicals Stakeholder
Forum – London July 2018



http://www.rsc.org/globalassets/04-campaigning-outreach/tackling-the-worlds-challenges/environment/rsc_principles_for_chemicals_in_the_environment.pdf

Three Types of Principlesoverseen by good governance



Overarching Principles



1. Integration principle

Environmental protection requirements must be integrated into the definition and implementation of all policies and activities. (Rio principle 4; TFEU Article 11)

2. Sustainability principle

The needs of the present generation should be met without compromising the ability of future generations to meet their own needs. (Rio principle 3)

3. Global Partnership Principle

We shall co-operate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem (and preserve health & wellbeing of citizens) (Rio principle 7, TFEU article 191(4))

4. Capacity Building Principle

We shall continue to improve scientific understanding through exchange of scientific & technical knowledge, across agencies, nations and globally. (Rio principle 9)

Decision-Making Principles



5. Precautionary principle

Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation. (Rio principle 15; TFEU Article 191(2)).

6. Risk & Impact Principle

An environmental and human health risk and impact assessment shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision by the national competent authority.
(Rio principle 17)

7. Mutual Recognition principle

It should be considered as to whether the decision being taken is in agreement with the nature of decisions taken in other nations, where mutual interests require harmonisation e.g. for trading or collaboration purposes.

8. Innovation principle

Whenever legislation is under consideration, its impact on innovation should be assessed and addressed.
(European Policy Strategy Centre; new principle based on EU developments)



We propose here that the **innovation principle** should not be applied in isolation but in concert with the **precautionary principle**, **mutual recognition principle**, and **risk & impact principle**.

These 'decision-making principles' should operate in a mutually inter-dependent way, and also considering the principles in TFEU article 191(3) .

9. Citizens 'Right to Know'/Transparency & Inclusivity principle

Multi-level and multi-sector stakeholder engagement, accountability and empowerment should underpin environmental policy development, including involvement of citizens in decision-making. [Foundation EU policy – Citizens 'Right to Know']

Operational Principles



10. Pollution prevention principle

Reducing or eliminating pollution at source based on taking an integrated approach to environmental protection. (TFEU article 191(2)).

11. Polluter pays principle

The costs of pollution control and remediation should be borne by those who cause pollution rather than the community at large. (Rio principle 16; TFEU article 191(2)).

12. Rectification at source principle

Environmental damage should be rectified, compensated or treated at or as near to source as practicable and waste should be dealt with as close as possible to where it is produced (TFEU article 191(2)).

13. Impacts on other regions principle

Resources can be exploited pursuant to a national environmental policy, however the responsibility is with the originator of the policy to ensure that activities do not cause damage to the environment of another geographical region or in areas beyond the limits of national jurisdiction. (Rio principle 2).

Next step – environmental law

Environmental Principles and Governance Bill –
presented to Parliament

Aims:

To set up a **new statutory environment body** to hold the government to account on environmental standards

Establish **‘principles’ in law**

Establish **governance mechanisms**



EU Exit Deal or No Deal

Regardless of the outcome of the negotiations and the overarching principles that form the basis for future policy, the following four elements relating to scientific data and expertise will be critical for our future chemical and environmental regulations

- ? 1) **Chemical Safety Assessment Frameworks**
- ✓ 2) **Data** (and a new IT/database system Defra/HSE).
- ? 3) **Scientific Expertise**
- ? 4) **International scientific collaboration**



Chemical Sciences – Our Role?

Our community has views on how environmental policies are set and how data are generated and interpreted for the benefit of society

All of the aims, themes, policy areas and strategies in the 25 year plan and future chemicals and waste strategies need to draw upon

- Scientific data
- Scientific advisory mechanisms
- Evidence-informed decision-making

Continue to Be a Voice for Science in Policy

How can RSC Members be involved?

Join our Environment & Regulation Collective

12 December 2016

Our programme manager for Environment & Regulation, Dr. Camilla Alexander-White, explains that both nationally and internationally chemistry as a discipline is crucial to forming and enforcing regulations, particularly those that protect the environment and human health.

We know that our members have a wealth of knowledge and experience across this area. That is why we have set up a new mechanism called the **Environment & Regulation Collective (EnReC)**. Any Royal Society of Chemistry member with expertise in areas related to chemicals and environmental regulation is invited to join. This is your opportunity to work with us to help inform and shape our activities in this area, including those at the interface between chemistry, environment and regulation.



Picture: © Shutterstock

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Acknowledgment



This work has been developed in consultation with members of the Royal Society of Chemistry 'Environment & Regulation Collective'.

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Thank you
for listening

Science and Stormont 2018

Please get in touch to share your
perspectives from Northern Ireland

8 October 2018
Belfast, United Kingdom

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rsc.li/stormont2018

