

## WHAT IS BPEO ?

The concept of Best Practicable Environmental Option (BPEO) was first introduced in 1976 by the Royal Commission on Environmental Pollution (RCEP). Cautioning that removal of pollution from air could result in increased pollution of land and water, the RCEP advocated an “optimum combination of available methods of disposal so as to limit damage to the environment [as a whole] to the greatest extent achievable for a reasonable and acceptable ... cost”. The RCEP’s 12th Report (1988) proposed a formal definition and procedure for BPEO, as:

“the outcome of a systematic and consultative decision-making procedure .... the option that provides the most benefit and the least damage to the environment [across air, water and land] as a whole, at acceptable cost, in the long term as well as in the short term.”

BPEO was included in Part 1 of the Environmental Protection Act 1990 as a basis for the authorisation of processes under the Integrated Pollution Control (IPC) regime – the only reference to BPEO in UK primary legislation.

The application of BPEO to waste planning first emerged in the Government’s strategy document Making Waste Work: A Strategy for Sustainable Waste Management (1995), which contained an explicit statement on the importance of BPEO as a key policy imperative, alongside the proximity principle and the waste hierarchy. Subsequent policy and planning guidance have reinforced this message:

- Planning Policy Guidance 10 (PPG10) states that “the selected policies [must] represent the best balance of social, environmental and economic costs and benefits, after full consideration of the BPEO and the principles of sustainable development.”

- Waste Strategy 2000 states that decisions on waste management should be based on a local assessment of BPEO, and that account should be taken of the waste hierarchy, the proximity principle, and self-sufficiency.
- However, draft Planning Policy Statement 12 (PPS12) states that local planning strategies for waste management should be based on a BPEO assessment at the regional level.

BPEO involves the analysis of alternatives. The preferred option is that which minimises harm to the environment as a whole, taking account of what is affordable and practicable. The Environment Agency has produced Horizontal Guidance Note H1 in relation to the application of BPEO in the authorisation of PPC processes, while in the field of waste planning PC-based life cycle analysis tools such as WISARD have been developed and made available to Local Authorities. Hybrid tools to identify the “Best Practicable Planning Option” have also been developed, in which environmental criteria are assessed alongside social and economic factors important in planning processes.

## WHAT ARE THE KEY ISSUES ?

Contained within the RCEP’s definition of BPEO are two conceptual weaknesses in its reference to a single option having validity over both the short and long term. There is often no single measure or package of measures which represents a “best option”. Various combinations of unit processes can produce similar social, environmental and economic outcomes. The preferred option is generally one that can be delivered in the prevailing political climate. Furthermore, what might be preferred in the short term could be obsolete or ineffective in the long term, not least because of changes in waste composition. Conversely, options that are not “practicable” can be made so by applying targeted economic instruments such as environmental taxes.

The role of BPEO in waste policy has not been adequately clarified, in particular its interaction with the waste hierarchy, self-sufficiency and the proximity principle. A preferred strategic solution at local scale may not offer optimum environmental or cost benefits at regional scale. A rigid interpretation of the waste hierarchy will constrain a BPEO assessment by typically closing off options such as incineration or landfilling, both of which are essential components of a balanced waste strategy. Although a “preferred” option will be generated from among the alternatives constructed, it may nevertheless be sub-optimal compared to a less constrained combination of options.

The imposition of Best Value recycling targets on Local Authorities has had a similar effect. BPEO is limited to an assessment of management options for residual municipal waste. While service providers have to justify why residual waste needs to be incinerated or landfilled, no such analysis of social, environmental and economic outcomes has informed the setting of Best Value targets on total waste arisings. If Government is relying on formal targets and trading schemes to move the UK away from its historical dependence on landfilling, then BPEO will necessarily be overridden in the decision-making process.

BPEO has evolved into a highly technical exercise, necessitated by the need to quantify harm to the environment. The complexity of the numerical analysis mitigates against its ready assimilation into the local decision-making process. Moreover, the environment is but one material consideration along with others such as employment, visual impact, and local amenity considerations. Given the political dimension of decision-making by local planning committees, it is debatable whether a BPEO analysis is seen as decisive in granting planning permission for a waste facility. Regardless of whether a BPEO has been identified through a robust process of assessment, an alternative that attracts greater political acceptability will tend to win out.



BPEO has undoubtedly promoted greater awareness of life cycle issues and the connections between waste policy and the management of natural resources. However, the complexity of present-day waste management systems (particularly with an international trade in recyclables) can never be fully captured through life cycle modelling. Consequently, a BPEO assessment is inherently open to challenge, as well as to accusations that BPEO can be manipulated as an “objectors’ charter”. One environmental group encourages the public to “use BPEO to your advantage” in order to prevent the construction of incinerators.

# WHAT IS SITA UK'S POSITION ?

**1** Waste planning in the UK suffers from “paralysis by analysis”, in large part due to Government policy that BPEO should be central to the planning process at all levels. The insistence in strategic and planning guidance for a BPEO analysis on every waste stream, at all spatial scales, at every operational location and on every waste process is a serious impediment to the timely development of waste management infrastructure.

**2** There are fundamental points of conflict within the definition of BPEO itself, and between BPEO and other concepts central to UK waste planing, such as the proximity principle, the waste hierarchy, and target-setting. In allowing these to operate alongside each other without first analysing their interfaces and linkages, Government has created a planning framework with in-built tensions and contradictions.

**3** We recommend that BPEO be removed from the UK's strategic and operational planning structures and procedures. In future, local authorities will be required to perform Strategic Environmental Assessments (SEA) on their waste management plans, a more rounded assessment than BPEO. The consultative-deliberative process will be enhanced through SEA. Other policy instruments and tools (green taxes, trading permits, producer responsibility, target-setting) are better placed to drive the UK's waste agenda.

**4** If the BPEO concept is to be retained, it should revert to its origins as a guiding principle in the regulation of site-specific process emissions. Confining BPEO to PPC processes must in turn lead to a reappraisal of the role of the Environment Agency in the arena of waste policy.

SITA UK is the leading provider of resource and waste management services in the UK today. A division of the multi-services group, SUEZ, SITA offers a wide range of solutions to the public and private sector through consultancy services, waste and recyclable collections and treatment facilities.

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