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Latest updates from the BCS

- [Implementation of SEPA's new End-of-Waste Position](#)
- [Implementation of NRW's new End-of-Waste Position](#)
- [Cross-border supply of digestate between Wales and England](#)

Implementation of SEPA's new End-of-Waste Position

The Scottish Environment Protection Agency (SEPA) has published its new 'WAS-G-DEF-07: End-of-Waste for digestate' document. This document sets out the End-of-Waste criteria for digestate and replaces the previous position titled 'wst-ps-016-regulation-of-outputs-from-anaerobic-digestion-processes'.

As of today, Monday 26th January, Annex 4 of the BCS Scheme Rules has been updated and published to reflect this change and is available on the BCS website [here](#).

All Scheme Participants operating in, or supplying material into, Scotland are strongly advised to review the updated position and assess whether any changes are required to their processes or documentation, including in relation to accepted waste inputs.

From Monday 9th February onwards, all audits will be conducted against the new SEPA End-of-Waste position and updated BCS Scheme Rules. Operators are expected to be operating in line with any additional regulatory requirements introduced by SEPA from today. If any Scheme Participants have questions or concerns regarding an upcoming audit, they are advised to contact their Certification Body.

Implementation of NRW's new End-of-Waste Position

As covered in our December 2025 update [here](#), Natural Resources Wales (NRW) has published their new 'End-of-Waste position for digestate: GN023' document, which closely aligns with the Environment Agency's AD Resource Framework introduced in October 2025.

Alongside GN023, NRW has issued Regulatory Statement 122 (RS 122), which allows a temporary exemption in respect of the plastic limits introduced by GN023. RS 122 remains valid until December 2026 unless withdrawn earlier. RS 122 may be applied automatically to processes in Wales where required, and no registration is necessary, unlike the Environment Agency's RPS 317. RS 122 is available on both the [NRW website](#) and the [BCS website](#).

As of today, Monday 26th January, Annex 2 of the BCS Scheme Rules has been updated and published to reflect these changes and is available on the BCS website [here](#).

All Scheme Participants operating in, or supplying into, Wales are strongly advised to review the GN023 and RS122 and determine whether any changes are required to their processes or documentation, including in relation to accepted waste inputs.

From Monday 9th February onwards, all processes certified for End-of-Waste in Wales will be audited against GN023 and updated BCS Scheme Rules. If any scheme participants have questions or concerns regarding an upcoming or recent audit, they are advised to contact their Certification Body.

Cross-border supply of digestate between Wales and England

NRW and the EA have confirmed that cross-border supply of certified digestate is permissible without additional assessments, meaning material that meets the End-of-Waste criteria in one nation may be supplied into the other without additional certification or assessment. This position is covered under Part 1 of the UK Internal Market Act 2020, which provides for the mutual recognition of goods across the UK.

AD Operators are expected to comply only with the End-of-Waste requirements of the nation where their production site is located. Therefore, certified AD operators in Wales must comply with NRW's End-of-Waste position (GN023), while operators in England must comply with the Environment Agency's AD Resource Framework; material certified under these nations' standards may be supplied across the

England/Wales border using only the original nation's certification mark, provided all other Scheme requirements are adhered to.

This also applies to the use of the EA's Regulatory Position Statement (RPS) 317 and NRW's Regulatory Statement (RS) 122, which were published alongside their respective End-of-Waste positions. In the same way that each regulator has recognised certification to the other nation's End-of-Waste position for the purposes of cross-border supply, NRW and the EA have also recognised the corresponding RPS and RS. As such, digestate produced in England by operators using RPS 317 may be supplied into Wales, and digestate produced in Wales by operators using RS 122 may be supplied into England, without additional assessment or certification, provided that all other relevant Scheme requirements are met and the material continues to comply with the applicable conditions.

If you have any queries regarding the cross-border supply of material, or the application of regulatory End-of-Waste positions, please contact info@realschemes.org.uk.

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