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To Chief Executive Officers

17 March 2010

From Jim Fitzpatrick MP
Minister of State for Food, Farming and Environment

I write to you with regards to your Council's responsibility for regulating crematoria under air pollution legislation, or operating one or more crematoria, or in many cases both. Please disregard this letter if none of these applies.

In 2005 we set a timetable for 50% of national cremations to be the subject of mercury abatement by the end of 2012. The original deadline for 2010 was extended by two years following representations from various stakeholders.

We are now little more than 2½ years away from the deadline. Progress has been made, and I welcome the efforts of those authorities who have been active in installing abatement equipment or making arrangements to 'burden share' instead of upgrading. However, it is evident from the quarterly data my Department obtains from cremator manufacturers that much is still to be done. And, bearing in mind that it can take two or so years from preparing tender documents to commissioning new abatement plant, it is essential that any authorities who have not made decisions on whether to upgrade or burden share, and or begin the processes to achieve upgrading (where appropriate), begin to do so straightaway.

A considerable amount of publicity and guidance on this subject has been made available by my Department and by organisations such as the Federation of Burial and Cremation Authorities. Many authorities have been levying an environmental surcharge to cover the cost of these measures for several years. We will also shortly be issuing a direction to local authority regulators to add further permit conditions in order to reinforce the reporting of action being taken.

If, notwithstanding the available guidance, your officers have any queries about the above, they can contact my Department at control.pollution@defra.gsi.gov.uk.

A handwritten signature in black ink, appearing to be "Jim Fitzpatrick". The signature is stylized and somewhat cursive, with a long, sweeping underline that extends to the right.

JIM FITZPATRICK MP