

Environmental and Waste Management Group

November/December 2017 Newsletter



LEGISLATION & REGULATION

UK and Irish regulators united on tackling resource efficiency and waste management

The UK and Ireland's environmental regulators have strengthened their collaboration on driving resource efficiency and tackling criminality within the waste industry, following a summit in Edinburgh in November hosted by SEPA.

The meeting involved the Chief Executives from each of the five agencies - the Environment Agency (EA), Natural Resources Wales (NRW), the Northern Ireland Environment Agency (NIEA), Ireland's Environmental Protection Agency (EPA) and SEPA - and reinforces the extensive partnership working underway on key regulatory issues, such as Duty of Care and cross border transport of waste.

(Read more: sepa.org.uk)

The Water Environment (Miscellaneous) (Scotland) Regulations 2017

These Regulations amend the Water Environment (Controlled Activities) Scotland Regulations 2011 (CAR) to improve clarity & introduce new rules applicable to certain activities authorised under CAR.

The Regulations amend existing General Binding Rules (GBRs) 3, 9 to 13, 15, 17 to 20, 23 and 24, and inserts new GBRs 25 to 28. The Regulations come into force on 01 January 2018.

Further information on the Regulations and amendments are available on the [NetRegs website](#).

Agreement over Waste Framework Directive revisions

Agreement on WFD revisions with new recycling targets has been reached between the European Council and the European Parliament. The agreed revisions form a major part of the Circular Economy package.

New recycling and landfill diversion targets have been set in the revisions although precise deals are unlikely to emerge until later. Extra time for landfill diversion targets are understood to have been agreed for some member states while recycling targets will be substantially above current rates of 50% by 2020 and will be set for 2025 and 2030, again with some country specific allowances.

(Read more: letsrecycle.com)

GUIDANCE & CONSULTATIONS

Consultation on the proposed Control of Mercury (Enforcement) Regulations 2017

This consultation (now closed) sought views on the government's proposed approach to implementing the requirements of EU Regulation 2017/852 on mercury, which will be contained within the UK Control of Mercury (Enforcement) Regulations 2017.

The EU Regulation, which is itself directly applicable in the UK, controls imports and exports of mercury between the EU and non-Member States, restricts the use of dental amalgam, sets requirements for the storage and disposal of mercury, and restricts the creation of new mercury-added products or new manufacturing processes involving from the 1 January 2018.

The consultation on the UK Regulations closed on 21 November 2017. (Read more: netregs.org.uk)

Scotland aims to simplify regulation

The Scottish Environmental Protection Agency's (SEPA) Consultation Hub has been awash with new consultation documents over the last few months, proposing changes that will fundamentally alter the way in which business and industry is regulated in Scotland.

Both the Scottish Government and SEPA have expressed a desire to introduce a more simplified, consistent and comprehensive approach to environmental regulation, but is that achievable in fairly short order and with the existing resource constraints still in place? We should have the answer by the end of 2018, following the planned implementation of several legislative developments. (Read more: mrw.co.uk)

INCIDENTS AND PROSECUTIONS

HSE to take lead of investigation into death of five workers at Birmingham recycling plant

[HSE has announced](#) (14 December) that it will be assuming primacy from West Midlands Police of the investigation into the death of five workers at a metal recycling plant in Birmingham in July 2016. HSE will now be leading the investigation into whether any health and safety laws were breached.

Five workers aged between 40 and 56 were killed when a wall collapsed on them at the site in the Nechells area of the city. (Read more: letsrecycle.com & bbc.co.uk)

Recycling Company Fined After Worker Suffers Head Injuries

A Maidstone based recycling company has been fined after a 34-year old worker suffered life threatening head injuries. Folkestone Magistrates' Court heard how, on 30 September 2015, the 34-year old employee of Countrystyle Recycling Ltd instructed another colleague to use a telehandler to move paper at the company's site in Maidstone, Kent.

The telehandler was left running while the employee left the cab unattended, the boom of the telehandler was elevated and was lowered by another employee who entered the cab of this vehicle. The boom struck the head of the injured person as he was standing below this raised boom. The injured person suffered serious brain injuries and has not returned to work since this incident. (Read more: ciwm-journal.co.uk & hse.gov.uk)

Engineering firm sentenced for legionella risk

An engineering firm has been fined after failing to adequately control the risk of legionella bacteria arising from the use of a tunnel wash associated with a powder coating process.

Wolverhampton Magistrates' Court heard how De-Met Colourcoat Ltd employees and contractors were exposed to the risk of legionella bacteria due to the failure of the company to put in place effective management arrangements to control that risk arising from the tunnel wash at its powder coating plant. An investigation by HSE found that the company had no controls in place for the management of risk of legionella bacteria in the water system. (Read more: hse.gov.uk)

Five firms charged after Legionnaires' disease outbreak

Five companies have denied safety and health breaches relating to an outbreak of Legionnaires' disease in Edinburgh, Scotland. Four people died and a further 92 were infected during the outbreak in 2012.

The source of exposure is most likely to have been a cluster of cooling towers at a site on Wheatfield Road, in the city's Gorgie area. HSE served four enforcement notices on three companies during its investigation; however, it was never confirmed that the disease originated from any of these cooling towers and the Crown decided at the time not to prosecute. The new charges are unrelated to the deaths and concern instead the maintenance and cleaning of the cooling towers at the premises, which allegedly exposed people to the risk of Legionella between 2009 and 2013.

(Read more: ioshmagazine.com & edinburghnews.scotsman.com)

Wood waste firm fatally failed to monitor work at height on trailer

A wood waste company has been fined £216,000 after a worker died after falling 4 metres from a trailer platform while unsheeting the unit at the firm's South Yorkshire site.

Sheffield Crown Court was told on 13 November that R Plevin & Sons had failed to carry out an adequate assessment for sheeting and unsheeting trailers at the site in Hazlehead. No automatic sheeting was used and workers, including the deceased, Paul Littlewood, were exposed to fall risk.

An HSE investigation found that the only measure to prevent access to the platform attached to the front of the "walking floor" trailer unit was a wire rope, which was normally fasted to a post on the platform with a carabiner and was hanging loose when the incident happened on 30 June 2014.

(Read more: ioshmagazine.com & hse.gov.uk)

Suspended sentences handed to recycling directors for shredder death

The managing director and former operations director of a recycling firm have been handed prison sentences, and the company fined £800,000, after failing to prevent an operative from being drawn into a conveyor, along the line through a trommel and into an industrial waste shredder.

Latvian Karlis Pavasars was working for Mid-UK Recycling at the firm's Barkston Heath site near Ancaster in Lincolnshire when the incident happened on 19 July 2013. Mr Pavasars, an agency worker, was cleaning near a conveyor that fed the shredder when the recycling line was started up and he was drawn in. He was identified by DNA from his toothbrush after parts of his body were found in the shredding machine. HSE investigators found that the fixed gate that prevented access to the conveyor had been removed weeks before the incident, allowing workers free access to the area. Managers were aware that the gate was not in place a few days before the incident.

(Read more: ioshmagazine.com & hse.gov.uk)

Company director receives suspended prison sentence after lorry touches overhead power lines

The director of a London-based waste contractor has been fined and handed a suspended sentence after a lorry contacted 132kV overhead power lines in North London.

Southwark Crown Court heard how, on 10 June 2013, Hanly Waste Services Limited had been contracted to construct a bund (an earth hill) on a farm, directly underneath overhead power lines. A lorry tipping on top of the bund came into contact with the overhead power lines, causing arcing which damaged both the wires and the lorry. Fortunately, the driver was unhurt, although contact with power lines can result in death. HSE's investigation into the incident found that the company put no controls in place to prevent vehicles coming into contact with the overhead power lines.

(Read more: hse.gov.uk)

Recycler exposed workers to 20X dust limit

A plasterboard collection and recycling company has been sentenced after employees were exposed to dust up to 20 times the legal limit at its site in Bedfordshire.

A routine inspection of the premises carried out by two HSE inspectors in September 2015, found a catalogue of safety failures. Luton Magistrates' Court was told that Plasterboard Recycling Solutions had failed to control exposure to plasterboard dust, which coated floors, walls, ledges and machinery at the site. HSE said the company had not segregated pedestrian workers from moving vehicles and plant, had failed to guard machinery adequately and had left unsupported plasterboard stockpiles leaning against buildings.

A follow-up occupational hygiene survey found the concentration of dust exceeded workplace exposure limits. (Read more: ioshmagazine.com & hse.gov.uk)

Company fined £3m following death at recycling site

A principal contractor has been fined a total of £3m following the death of a worker at a site in Wales.

Porvi Construcciones y Contratas was sentenced alongside Befesa Salt Slags following the incident on 14 July 2015, at the plant in Fenns Bank, just inside the Welsh border. Befesa was also fined £75,000 for failing to adequately supervise and monitor the demolitions activities. An HSE investigation found that the hopper was not supported before it was cut from the structure, there was no edge protection for safe working at height and Mr Canal's harness was not being used.

Befesa were also fined £150,000 following the separate investigation two workers who developed Hand Arm Vibration Syndrome (HAVS), incidents that were not reported to HSE. (Read more: hse.gov.uk)

Recycling company fined after worker loses arm

A plastic recycling company director has received a 10 week prison sentence after a worker's arm was amputated.

Wrexham Magistrates' Court heard how a Clark Technologies Wales Ltd employee was injured whilst he was cleaning out the plastic washing plant at their recycling facility on Deva Industrial Park, Deeside. An HSE investigation into the incident found that no safe system of work existed for operation of the machine and the site had not appointed a competent person to provide health and safety advice. (Read more: hse.gov.uk)

Company fined £80,000 for polluting brook with hazardous chemical

Firth Rixson Metals Ltd has been ordered to pay a fine of £80,000 after pleading guilty to polluting a watercourse in Glossop. The Environment Agency (EA) prosecuted the company after over 600 litres of a solution of hydrochloric acid, caustic soda and water polluted nearby Shelf Brook.

This had a significant impact to the brook, resulting in 199 dead brown trout within a 500 metre stretch, with invertebrates also affected over two kilometres. The fins and eyes of the fish were noted to have a burnt appearance. EA officers attended the area and found dead fish. Samples taken from the brook and a drain leading from the Firth Rixson Metals site into the brook were found to contain a highly alkaline liquid, made up of various metals, at elevated levels. (Read more: gov.uk)

OTHER TOPICS OF INTEREST

Countries reporting highest recycling rates challenged by new research

A new report published by environmental consultancy Eunomia Research & Consulting Ltd with the support of the European Environmental Bureau (EEB) reveals that the world's leading recycling nations may be "overstating" the level of real recycling they are achieving.

[Recycling – Who Really Leads the World? \(Issue 2\)](#) is an update to the [Eunomia publication](#) (launched in March 2017) that ranked countries by reported recycling rates and then, using publicly available waste data, calculated adjusted recycling rates for the top 10 on a like-for-like basis to provide truly comparable recycling rate figures. Although recycling rates reported by each country establishes a top three of Germany (66%), Wales (64%) and Singapore (61%), Eunomia says its updated report looks in more detail at what is included in these reported recycling rates, and uses new research to create a revised recycling rate league table. (Read more: ciwm-journal.co.uk)

Inaugural HSE Energy Conference to explore 'The Future of Gas'

HSE, supported by the Institution of Gas Engineers & Managers (IGEM), will host the '*Safety Excellence in Energy*' conference on 15 February 2018 in Leeds.

The energy system in the UK is changing as it pushes to decarbonise and achieve its emission reduction targets. The role of gas in this emerging low carbon energy system is becoming clearer and is likely to be more complex than today. There are challenges to be faced in managing the risks related to introducing alternative gasses into the UK's gas grid to safely enable energy storage, the integration of renewables, hydrogen and the production and use of bio-gas from biomass. To address these challenges HSE is hosting '*Safety Excellence in Energy: The Future of Gas*'.

(Read more: hse.gov.uk)

Researching bacteria for waste remediation

The Environmental Services Association Education Trust is funding a world-leading project at the University of Cambridge that combines research into novel uses of bacteria for remediation of waste materials with the training of PhD students and other scientists in this developing field.

The project began back in 2009 when the Trust agreed to support a doctoral student studying the use of a bacterium to break down waste glycerol from biodiesel production. Manufacture of biodiesel from plant oils generates a litre of glycerol as a by-product for every ten litres of biodiesel, but this glycerol is contaminated with soaps and other compounds, and is usually quite strongly alkaline, making it difficult to utilise. The research involves exploiting a bacterium to try to make useful products from the waste glycerol. (Read more: letsrecycle.com)

Floating offshore wind leaders set out vision for the future

Industry bodies RenewableUK and Scottish Renewables held the UK's first dedicated floating offshore wind conference in November in Glasgow, with a rallying cry for the sector to work together to build the next generation of floating offshore wind farms in UK waters, and to secure the lead in future export markets for this innovative technology.

The UK is home to the world's only floating offshore wind farm (Hywind Scotland), and it has one of the largest pipelines of floating offshore wind projects in the world. If these projects are delivered successfully, the UK will have one-third of the world's entire floating wind capacity, providing a once-in-a-generation opportunity to lead the roll out of this technology across the globe.

(Read more: renewableuk.com)