

Environmental and Waste Management Group

April 2017 Newsletter



LEGISLATION

The Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2017

This Order specifies the standard rate and lower rate for Scottish landfill tax for disposals on or after 1st April 2017. The standard rate is £86.10 and the lower rate is £2.70. Tax is to be calculated by reference to the weight and types of material disposed of.

This Order came into force on 01 April 2017. You can view the full text of the Order [here](#).

GUIDANCE & CONSULTATIONS

HSE Sector Plans

These sector plans detail what HSE are doing to help Great Britain work well. They cover health and safety performance, the top three strategic priorities for the next 3 – 5 years, and proposed actions to implement same. They include health priorities informed by the [Health and Work strategy](#), focusing on work-related stress, musculoskeletal disorders and lung disease.

Workplaces have been split into 19 sectors, based on industry type and risk profile, and include a specific [sector plan for waste and recycling](#). This sector covers wide-ranging activities associated with the collection, handling, transfer, sorting and processing of waste.

To help make further improvements, HSE are inviting comments on their strategies and plans from the wider health and safety community, before publishing later in 2017. (Read more: [hse.gov.uk](#))

Waste & recycling industry guidance

The [Waste Industry Safety and Health Forum](#) (WISH) have recently renewed their website.

[HSE have announced that](#), as part of this process, WISH have assumed responsibility for the series of “Waste” Guidance documents that were previously located on the HSE website. The updated and rebranded ‘WISH Waste’ series of guidance can now be found within the ‘Guidance’ section of the WISH website. (Read more: [ciwm.co.uk](#))

Skip hire and waste transfer

Workplace transport accidents are one of the most common causes of serious accidents and fatalities in the waste management industry. Significant among them are accidents that relate to [transport related lifting operations](#).

Lifting operations typically involve hoists fitted to refuse collection vehicles, lifting equipment fitted to skip loaders, lifting equipment on hookloader vehicles, skips and other containers. There are no national standards for the manufacture of skips and containers. However, a number of commonly used industry standards exist which are produced by and available from the [Container Handling Equipment Manufacturers Association](#) (CHEM). CHEM represents a number of manufacturers and suppliers providing equipment to the waste industry. Its members adopt, where appropriate, the standards outlined in a range of documents they produce.

Guidance on skip and container safety in waste management and recycling has been produced in consultation with the [Waste Industry Safety and Health Forum](#) (WISH). It does not aim to be comprehensive but gives examples of good practice within the industry. (Read more: [hse.gov.uk](#))

Consultation opens on charging illegal sites landfill tax

A consultation on whether to bring illegal waste sites within the scope of landfill tax in England and Northern Ireland has been officially launched after being announced earlier this month as part of the Spring Budget.

The consultation, issued by HM Revenue & Customs on 20 March, sets out the reasons for targeting illegal waste sites and considers how to define an illegal waste site, the persons liable for the tax and how to quantify the amount of tax due. (Read more: [letsrecycle.com](#))

New 'Guidance for Pollution Prevention'

The new series of Guidance for Pollution Prevention (GPP), formerly known as Pollution Prevention Guidelines (PPG), is now available. GPPs provide environmental good practice guidance for the whole of the UK and environmental regulatory guidance directly to Scotland, Wales and NI.

The following GPPs have been released, with more to be added to the series in the coming months:

- [GPP 2: Above ground oil storage tanks](#)
for above ground oil storage, excluding oil refineries and distribution depots (January 2017);
- [GPP 5: Works and maintenance in or near water](#)
for construction or maintenance works near, in, or over water (January 2017);
- [GPP 24: Stables, kennels, catteries](#)
for managing and operating stables, kennels and catteries (January 2017).

(Read more: [GPP Pages on the NetRegs website](#))

Environment Agency updates 'IsItWaste' tool user guide

'IsItWaste' is a self-assessment tool to help to determine whether material is likely to be waste or not, and is based on the 'by-products' (Art 5) and 'end-of-waste' (Art 6) parts of the Waste Framework Directive (2008/98/EC).

[The user guide](#) provides details on accessing the tool; the information required to use it; and how do a self-assessment. It should be noted that, although step 6 (completing the questionnaire) will provide an indicative outcome, it cannot be sent to the EA's 'Definition of Waste Panel' for an opinion because this is currently suspended.

New online resource for the forestry sector

A new website that provides up to date advice to businesses operating in the forestry sector has recently been launched.

The Forestry and Water Scotland initiative aims to reduce diffuse pollution risk by improving good forestry practice. Their new website provides guidance on best practice, case studies, online tools and more. For more details, visit the [Forestry and Water Scotland website](#).

New SEPA guidance on food waste management in Scotland

SEPA has published new guidance on Food Waste Management in Scotland, which sets out obligations along the chain of food waste management in order to achieve high quality recycling.

This chain of management includes the waste producer, collection service provider, food waste treatment facility and final user of the food waste derived compost and/or anaerobic digestate. (Read more: [Food Waste Management in Scotland](#))

NEW NetRegs Case Studies and Videos Topic

A new topic has been created on the NetRegs website dedicated to case studies and video clips. All of the videos are organised by environmental topic and all of the case studies by sector. Case study topics include:

- [Combined Heat and Power](#)
- [Construction](#)
- [Education](#)
- [Fishing and Aquaculture](#)
- [Food and Drink Manufacture](#)
- [Recycling and Reprocessing](#)
- [Retail and Wholesale](#)
- [Transport](#)

New case studies and sectors will be added over the coming months (Read more: [NetRegs.org.uk](#))

INCIDENTS AND PROSECUTIONS

Thames Water ordered to pay record £20m for river pollution

Thames Water Utilities Ltd (Thames Water) has been fined an unprecedented £20,361,140 in fines and costs for a series of significant pollution incidents on the River Thames.

The prosecution saw six separate cases, which caused widespread, repeated, sustained and avoidable pollution at a number of sites from 2012 to 2014, brought together in one hearing at Aylesbury Crown Court. It is the biggest freshwater pollution case in the [Environment Agency's](#) 20 year history. (Read more: [ciwm-journal.co.uk](#))

Huge recycling site fire finally extinguished

A fire that broke out at a waste storage site has finally been extinguished – 15 days after it started.

For over a fortnight, people living near Siteserv Recycling, at Llandow Trading Estate in the Vale of Glamorgan, had been told to keep their windows and doors closed and to stay out of the smoke after an estimated 2,000 tonnes of rubbish caught fire. (Read more: walesonline.co.uk)

Major fire at recycling hub

Five crews from Taunton, Bridgwater and Wellington were mobilised after the fire broke out in a single storey building at Viridor Commercial Waste Recycling Facility in the Crown Industrial Estate in Taunton on 10th March. (Read more: somersestlive.co.uk)

Battery causes explosion in waste truck

East Northamptonshire Council is pleading with residents to take more care when disposing of batteries following an explosion and fire in the back of a waste collection truck. Collection crews reported an explosion that rocked the vehicle and that could be heard at the end of the street as they travelled along Grumbold Ave in Raunds 14 March. (Read more: letsrecycle.com)

Ruthless fly-tipper jailed following European arrest warrant

A fly-tipper who left a trail of waste across the Devon countryside has finally been brought to justice, when he was sentenced to 20 months in prison.

Martin McDonagh, 23, failed to turn up at Plymouth Crown Court and was made the subject of a European Arrest Warrant following the sentencing hearing. Judge Ian Lawrie described him as a “persistent offender who showed a ruthless determination to dump waste wherever it suited.” (Read more: ciwm-journal.co.uk)

Wind farm safety criticised after two workers killed in a fortnight

The deaths of two wind turbine technicians in two weeks at separate sites in Scotland has prompted Unite the Union to call for action to improve workers’ welfare and safety on wind farms.

Unite Regional Co-ordinating Officer Steve Dillon said: “In recent years there have been far too many deaths and injuries involving wind farms. These installations are usually in remote locations and there is a concern that these tragedies have not received the same focus if they had occurred in more populous areas. Swift action needs to be taken to improve workers’ safety and wellbeing and to understand how these incidents occurred. The Health and Safety Executive needs to bring together all concerned to learn the lessons and improve safety and welfare in this sector.” (Read more: ioshmagazine.com)

Woman dies following recycling lorry collision

A woman has died after her car and a recycling vehicle collided in Carmarthenshire, Wales on 6 April. A 28-year-old man has been arrested in connection with the collision. The identity of the operator of the vehicle has not been divulged, but it has been confirmed that the vehicle was not connected with Carmarthenshire council operations. (Read more: letsrecycle.com)

Recycling company fined after worker crushed

Arrow Recycling Ltd has been fined after a worker was left fighting for his life after being crushed by about 400kg of cardboard.

Wolverhampton Magistrates' Court heard how Parvez Ahmed, 49, had been working on the recycling site in Smethwick, West Midlands on 22 April 2016 when he was crushed under bale stacks of falling cardboard. Mr Ahmed suffered a cracked skull and a brain haemorrhage from the incident and was placed into a coma for ten days in hospital. An investigation by HSE found the company had failed to establish a safe way to stack bales. This resulted in unstable and heavy bales which eventually fell causing the injuries to Mr Ahmed. (Read more: hse.gov.uk)

Quarry firm's bid to recover fine from safety consultant goes to trial

A quarry operator's legal bid to recover £200,000 in damages from its health and safety consultant – the sum it was fined following a worker's fatal accident – can proceed to a full trial in the Scottish courts, a judge has ruled. D Geddes (Contractors) Ltd was fined £200,000 at Forfar Sheriff Court on 12 February 2015 after employee Joseph Troup was killed while working at its premises at Hatton Mill Quarry in Angus, Scotland.

Lord Tyre's [written judgement](#) was delivered on 14 March, after lawyers acting for Geddes and its former consultant, Neil Johnson Health & Safety Ltd had both submitted their initial pleadings. In a highly unusual case, the judge's decision means that Geddes will have the chance to recover the fine it received for a criminal act. While recovering damages from third parties is commonplace in civil litigation, only a few cases have attempted to argue that damages are recoverable after a crime has been committed. (Read more: healthandsafetyatwork.com)

OTHER ITEMS OF INTEREST

Resource Efficiency Waste Prevention Implementation Fund

Specialist support grant funding is available to Scottish SME's working in:

- food and drink;
- construction;
- commercial and industrial waste.

Funds up to a **maximum of £100,000** are available for waste prevention measures. For more details, visit the [Resource Efficient Scotland website](#).

Biffa pays £10k to remove fly-tipped waste from its own site

Waste management firm Biffa has highlighted the "scourge" of fly-tipping after spending two weeks and around £10K removing fly-tipped waste from the boundaries of its own locally-based Clifton Hall site in Swinton. The company invested its specialist resources and expertise into the clear up following recent complaints from drivers and nearby residents. (Read more: ciwm-journal.co.uk)