

Environmental and Waste Management Group



May 2019 Newsletter

LEGISLATION, REGULATORS, GUIDANCE & CONSULTATIONS

Standard Rules: environmental permitting

Following a period of consultation, the Environment Agency (EA) has now published new and revised documentation on standard rules environmental permits. The documents cover a range of activities including metal recycling, vehicle storage, depollution and dismantling, non-hazardous household waste amenity sites and the use of waste to manufacture timber or construction products. (Read more: gov.uk)

Prime Minister warns of incineration tax if poor recycling performance continues

Prime Minister Theresa May has repeated a warning that the government will consider the introduction of a tax on the incineration of waste if recycling targets are not met.

Recycling rates have stagnated in the UK, with the UK annual household recycling rate climbing by just half a percentage point to 45.7% in 2017 according to the most recent data from DEFRA (still some way from its EU target of 50% by 2020). Meanwhile, the amount of waste treated at energy-from-waste facilities is continuing to soar, with the 2016 figure of 7.3 million tonnes almost four times the 1.9 million tonnes treated in 2014.

Last year DEFRA mooted the tax in its resources and waste strategy. It said that incineration currently plays a “significant role in waste management in the UK, and the government expects this to continue”. However, it added: “Should wider policies not deliver the government’s waste ambitions in the long-term, we will consider the introduction of a tax on the incineration of waste.”

The Treasury has also said an EFW tax would be considered if other efforts to boost recycling fail. (Read more: mrw.co.uk)

Scottish Climate Change action

Amendments to the Climate Change Bill have been lodged by Scottish Ministers to set a legally binding target of net-zero greenhouse gas emissions by 2045 at the latest with Scotland becoming carbon neutral by 2040. In addition, the tougher proposals would require Scotland reduce emissions by 70% by 2030 and 90% by 2040 – the most ambitious statutory targets in the world for these years. (Read more: gov.scot)

Scottish offshore wind summit

Trade unions, offshore wind developers and supply chain companies have agreed to take urgent action to ensure more Scottish companies benefit from the awarding of contracts for offshore wind projects. At a summit held by the Scottish government's Finance Secretary and Energy Minister, the industry representatives agreed that collective action was needed to ensure supply chain companies are well positioned to benefit from upcoming offshore wind projects. (Read more: gov.scot)

Guidance for Pollution Prevention (GPP): Micro-breweries and micro-distilleries

GPP29 provides an overview of relevant environmental regulations to be complied with by micro-breweries and micro-distilleries and provides good practice advice to help minimise environmental impacts. (Read more: netregs.org.uk)

Updated guidance on Polychlorinated biphenyls (PCBs): registration, disposal, labelling

The EA has updated its guidance on when you can use PCBs and equipment, products or materials containing them, and how to register, label and dispose of them. (Read more: gov.uk)

Waste electrical and electronic equipment (WEEE) public registers

The EA has provided a regular update of its registers of electrical and electronic equipment (EEE) producers, approved exporters, approved authorised treatment facilities and producer compliance schemes. (Read more: gov.uk)

EC appoints consortium to align wind power industry safety standards

The European Commission has selected a consortium, headed by consultancy Eclareon, advisory firm the Renewables Consulting Group (RCG) and industry advocate WindEurope, to carry out a study that will highlight areas where safety and health standards on wind energy projects could be harmonised. (Read more: ioshmagazine.com)

Nuclear Decommissioning Authority: Business Plan 2019 to 2022

Following a period of consultation from December 2018 to February 2019, the NDA's Business Plan 2019 to 2022 has now been published following consideration of feedback on the draft. (Read more: gov.uk)

INCIDENTS AND PROSECUTIONS

Sentencing Council impact assessment

The average fine handed to organisations found guilty of safety offences has risen since the new sentencing guidelines were introduced, according to figures published by the Sentencing Council. In particular, there has been a considerable increase in fines for larger organisations.

The Sentencing Council's Health and Safety Offences, Corporate Manslaughter and Food Safety & Hygiene Offences Definitive Guideline came into force on 1 February 2016. Its report on the findings from an assessment of the guideline's impact and implementation revealed that in the ten months before the guideline was introduced, convicted companies were fined £40,500 on average for safety

and health offences. According to an analysis of data from the Ministry of Justice's Court Proceedings Database, around two-thirds were fined less than £20,000 and only 17% were ordered to pay more than £60,000. In the ten months after, financial penalties rose by an average of 447.4% to £221,700. Only 31% of organisations received a fine below £20,000, while fines exceeded £60,000 for more than half (51%). (Read more: sentencingcouncil.org.uk)

Comber man given £325,690 confiscation order and community service for waste offences

Between November 2015 and April 2016, officers from the Northern Ireland Environment Agency (NIEA) investigated a site in Comber, where an estimated 3,942 tonnes of non-inert, non-hazardous controlled waste was infilled without a waste management or appropriate exemption being in place for the waste. The outcome in this case demonstrates the strength of NIEA's commitment to pursuing those who damage our environment for their own financial gain. (Read more: daera-ni.gov.uk)

Company to pay £150k to charity following pollution incident

Following a pollution incident in summer 2015, a Stoke-on-Trent food ingredient manufacturing company has donated £150k to help restore reaches of the upper River Trent under an Enforcement Undertaking. Additionally, the company has carried out extensive improvements to its site and paid a significant proportion of the EA's cost associated with the incident.

An Enforcement Undertaking is available to the EA as an alternative to prosecution or monetary penalty when taking enforcement action. It is a legally-binding voluntary agreement proposed by a company (or an individual) when the EA has reasonable cause to suspect that an environmental offence has occurred. Enforcement Undertakings for environmental offences were introduced under the Environmental Civil Sanctions (England) Order 2010. (Read more: gov.uk)

Recycling company sentenced after worker injured on site

Waste management company Suez Recycling and Recovery has been fined £144,000 and ordered to pay costs of £32,000 after a worker hurt their back in 2016 while manoeuvring gantry steps weighing almost a tonne. The company had reportedly ignored workers' previous concerns about the procedure for manually moving the steps.

HSE inspector Sharon Butler said: "Incorrect manual handling is one of the most common causes of injury at work. If a suitable safe system of work had been in place prior to the incident, the injuries sustained by the employee could have been prevented." (Read more: hse.gov.uk)

Environment Agency uses new powers to tackle illegal Birmingham waste site

The EA took the action following an investigation into TP & G Specialists Limited which revealed that the company were operating without an environmental permit and causing emissions such as dust and smoke which were affecting neighbouring properties. The restriction order, granted by Birmingham Magistrates Court, is the first of its kind – restricting access to the site and prohibiting waste from being accepted on to the site for the next six months. (Read more: gov.uk)

OTHER TOPICS OF INTEREST

Gas emissions at lowest levels since 1890s

Latest figures from the Department for Business, Energy & Industrial Strategy (BEIS) reveal that the UK's greenhouse gas emissions fell by 3% in 2018 from 2017, and the UK's emissions are now estimated to have decreased by a total of 44% since 1990, with emissions levels in the country at their lowest since the 1890s.

The government has attributed the decrease to the UK's reduction in coal usage in favour of gas and renewable sources. The largest emissions reductions came from the energy supply and power sector, which decreased its CO2 emissions by 7% since 2017. Just 5% of the UK's electricity now comes from coal power, while electricity from low-carbon sources like renewables and nuclear is at a record high of 53%. (Read more: airqualitynews.com)

UK smashes coal-free power record

The government's Department for Business, Energy, and Industrial Strategy (BEIS) has confirmed that the electricity grid clocked up 650 hours of coal-free generation during the first quarter of 2019, marking a new record. The figures are more than was achieved during the whole of 2017. The UK has delivered a string of coal-free days during the summer months in recent years, but the scale of coal-free generation during the winter month is a first for the country's grid. (Read more: navartis.co.uk)

Millions of breeze blocks to be made of recycled sewage waste

Ash from incinerated sewage at Thames Water's Beckton plant in London is being used to create millions of breeze blocks. Solid waste from sewage is already incinerated on site and used to generate electricity, but rather than landfilling the resultant ash material, it can now be turned into an aggregate for breeze blocks to be manufactured under a deal with an external contractor. (Read more: newcivilengineer.com)

Lease agreed for 'UK first' waste-to-hydrogen plant

Energy-from-waste firm Waste2Tricity has announced plans to develop the UK's first industrial-scale plant capable of converting waste plastics into hydrogen. The proposed £7m plant in Cheshire is intended to treat up to 25 tonnes of waste plastics a day that would otherwise go to landfill or incineration. (Read more: peelenvironmental.co.uk)

Port authority seeks permit to store thousands of tonnes of waste in protected area

The Milford Haven Port Authority (MHPA) has made an application to Natural Resources Wales for an environmental permit to operate a waste storage and transfer station at Pembroke Dock. The company wants to allow businesses using the port to temporarily store waste on site before it is exported for energy recovery. MHPA is seeking permission for the storage of up to 60,000 tonnes of

refuse derived fuel, 5,000 tonnes of solid derived fuel, and 15,000 tonnes of wood at the site. (Read more: letsrecycle.com)

National Brownfield Forum

Finalised National Brownfield Forum notes from its March 2019 meeting can be downloaded directly via CL:AIRE [here](#).

Clarifying the classification of waste soils in construction webinar

The construction industry research and information association (CIRIA) is promoting a lunch time / early afternoon webinar on 19 June exploring both the legal requirements and the common misunderstanding that people have with respect to the classification of waste soils in construction projects. It will also discuss the potential changes in EA's priorities from 2019 onwards. (Read more: ciria.org)

National Safety and Health Conference (NSHC)

Only two weeks left until bookings close for the 44th NSHC, taking place on Thursday 13 June 2019 at the Crowne Plaza Sheffield. The theme is 'looking after the worker' and features an inspiring line-up of field experts who will deliver useful, interactive and thought-provoking sessions to help look after and protect workers and volunteers. Aimed at the public sector, this conference is led by four IOSH Groups, including the EWMG. (Read more: iosh.co.uk)

IOSH 2019

For the practitioners, the leaders and the innovators in safety and health; the global conference for safety and health professionals, 16-17 September 2019. (Read more: ioshconference.com)