

Northern Ireland Hazardous Waste Forum

Report of Seventh Meeting

4th June 2004, at 10.30am – Ramada Hotel, Belfast

Forum Attendees :

David Wilson (Chair), Richard Burnett (ARC 21), James Graham (EPG, Department of the Environment), Gillian Stewart (INI), Noel Scott (Planning Service, Department of the Environment), Patricia Donnan (Health Estates, Department of Health & Social Services), Cecil Hamill (McQuillan Envirocare), Jim McGrath (North West Region Waste Management Group), Harold Bennett (Wilson Waste Management), Brian O'Neill (EPG, Department of the Environment), Sandy Truesdale (EPG, Department of the Environment), Jason McPolin (Irish Waste Environmental Services), Barry Johnston (Oil Recycling Assoc), Niamh Drew (DOEH&LG Ireland), Billy McClintock (Health & Safety Executive NI), Suzanne Eastwood (NI Demolition Association), Aideen Kelly (EHS Hazardous Waste Section), Patricia McPeake (EHS Hazardous Waste Section), Allison Townley (EHS Hazardous Waste Section), Eileen Black (EHS Hazardous Waste Section), Pamela Patterson (EHS Waste Operations Manager), Andrew Moag (Enviros).

Apologies from :

Desi Wreath (North West Region Waste Management Group)
Nigel Martin (ARC21)
Trevor Knipe (INI)
Jason Kearney (DOEH&LG Ireland)
Peter Christie (NI Environment Link)
Pat Corker (EHS Waste Strategy)
Brian Meeney (EPA Ireland)
Brian Lewis (CBI)
Ken Forbes (Southern Waste Management Partnership)
Joanne Thompson (Planning Service, Department for the Environment)

Introductions and welcome new members

1. MINUTES OF MEETING AND MATTERS ARISING

Amendment to the minutes of the last meeting : Re-word Section 9 – rest of minutes agreed – EHS apologised for late circulation of reports

Coolant – Year 2003 figures produced – requested from the previous HWF.

Action Plan – Chair informed group that the Action Plan has now got 4 sections and urged everyone to concentrate on the whole plan. With co-disposal ending 16 July '04 – advisory document should be published before this date.

2. ACTION PLAN SECTION 1 REGULATORY SYSTEM

Update on Landfill Regulations:

- WAC – As a result of the consultation, WAC will apply from 2005. Ground Water Directive requirements will be reflected in the Regulations. Site specific assessments will be required but this will not be an issue as there will be no hazardous waste sites. There will be more stringent leachate limits for Cadmium and Mercury. Policy will be

reviewed in two years and risk assessment has not been excluded. The amended regulations will be in place by 16th July 2004.

- Chair informed forum – DEFRA forum were informed at last meeting that WAC Regulations are due to come into force on 15th June 2004, guidelines to be published immediately thereafter.
- Industry enquired if limits were set re WAC Regs and if guidelines would be produced – it was confirmed that the EHS Licensing team were producing guidelines.

Action : EHS to enquire re status of WAC guidelines, Forum members to be informed by e-mail along with these minutes

Update on Hazardous Waste Regulations:

- Scotland have amended their Special Waste Regulations, which are due to come into force on 1st July 2004, they still refer to terminology of special waste. DEFRA have produced two pieces of legislation which was circulated to DEFRA Hazardous Waste Forum members at the last meeting. There will be one piece of legislation called the List of Waste Regulations 2004 which will provide the list of wastes on the EWC list deemed as hazardous, any future changes to the EWC List at EC level will then only require the List of Waste Regulations to be amended – NI would prefer to follow this route. The second piece of legislation, the Hazardous Waste Regulations will provide the system of control. DEFRA are going out to consult at the end of July and EPG have indicated their wish to stay in step with DEFRA's programme.

Action : EPG to ask DEFRA to include NI in consultation on List of Waste Regulations if they are to cover Northern Ireland and ensure there is appropriate consultation

It is hopeful that there will be mutual recognition of consignment notes throughout UK. NI have unique requirements to England, Wales and Scotland which need to be included in new Hazardous Waste Regs. Consultation would need to be published by Autumn for legislation in '05. The Chair requested the Forum receive an early draft of the Regulations for Northern Ireland or a presentation of the main contents of the draft regulations at the next meeting.

Action : EPG to provide Forum with draft Regs or presentation at next meeting

Update on ELV Regulations and WEEE Regulations:

- ELV – final producer responsibility for ELV Regs – UK wide – will be issued before end of June. The NI specific and the UK wide guidance is still to be issued – it was noted that in England and Wales guidance is produced by Central Government whilst in Northern Ireland it is the EHS.
- WEEE Regulations – out to consultation before end of June, basically on transposition of producer responsibility aspects. NI treatment Regs are also due to be consulted on which will amend Waste Management licensing on separately collected WEEE. It is hoped that WEEE legislation will be transposed in NI by end of 2004

Waste Management Industry raised the question on enforcement issues surrounding offences against WAC, with uncertainty in the industry being a big issue. A representative of the Licensing team should be invited to the Forum to give guidance on possible breach of licensing conditions. Chair enquired reference timescales for Contaminated Land Regulations. EPG informed the group that the timescale would be 18 months to 2 years from the time EPG start looking at the Regulations taking into account any financial implications.

Industry raised concerns re brown field sites – and the possibility of a single license to cover Planning, EHS and any other bodies involved in the redevelopment of these sites. EHS suggested that eco-toxicity may become a major problem after July '04 regarding the removal of waste from brown field sites as many contaminated soils could be classified as hazardous. The Chair requested Contaminated Land issue on agenda for Sept meeting.

Action : EPG for next meeting – to report on scoping exercise and timetable for introduction of Contaminated Land Regulations

Comments on Section 1 of Action Plan

Chair asked for High Level Comments

1.1B WAC dates need to be provided

Action : EPG to give an update on dates

3. ACTION PLAN SECTION 2 COMMUNICATION AND AWARENESS RAISING

Action : EPG to provide update on timing for Agricultural Waste issue

Chair stressed that it is imperative after 16th July '04 for the new regulations coming in 2005 that we must move quickly to get the implementation plan produced with clear guidelines and dates. Funding issues were highlighted to EHS and INI. The Action Plan should provide advice etc on how to deal with hazardous waste. EHS suggested that if an Implementation Plan was available then this would help with costings. One point of contact issue to be discussed and how enquiries will be directed.

4. ACTION PLAN SECTION 3 ENCOURAGING HAZARDOUS WASTE REDUCTION, REUSE, RECYCLING

No additional comments were made.

5. ACTION PLAN SECTION 4 ENSURING PROVISION OF CAPACITY

Presentation on capacity needs report

Final Draft report circulated – produced by Enviros – contents of report were discussed by Andrew Moag of Enviros. Chair thanked Enviros for their report

General discussion re report findings.

DOE & LG Ireland informed Forum that although Ringaskiddy Incinerator has the potential capacity of 100,000 tonnes, objectors are currently taking court action. The ROI National Waste Prevention Programme has been announced by the Minister, the current National Hazardous Waste Management Plan Committee has been subsumed into the new committee

Action : DOE & LG Ireland to check the Dublin facility and solvent blending issue

Discussion ensued on the differences of classification of wastes between ROI and NI

Action : DOE & LG Ireland to provide EPA figures for asbestos also classification of bonded asbestos

Action : EHS & DOE to look at differences in figures

Forum looked at figures for asbestos (bonded and fibrous), contaminated land/soils. There would appear to be enough waste to make a case for at least one stabilization facility.

Chair raised the BPEO issue (between planning service and councils), and the requirement to publish the Action Plan and Capacity Needs report on the Website, also highlighted the need for collaboration between NI & ROI. Enviro stated that district councils have waste management plans and would the report be incorporated into these or if it is the Department's responsibility. ARC21 suggested that amending the waste management plans would be very lengthy as they have to go through public consultation. EHS believed that it should be stated in the Waste Management Plans.

Chair enquired from Industry what plans are in place post 16th July 2004 for hazardous waste, is the situation under control? Is it being managed? Can it be kept under control? Chair was informed that Industry have alternatives post July '04.

Action : EHS to issue letters to consignors/waste companies to enquire what their intent will be for their waste post July '04.

EHS informed the Forum that Wilson Waste Management already hold a licence to operate as a transfer station for asbestos waste. Industry informed the Forum that application has been made also by other companies to operate transfer stations. Planning Service advised Forum of general planning issues surrounding current applications – currently seeking legal advice, but that the current thinking is that planning permission will probably not be required for single cell applications. This maybe an IPPC issue for EHS. Planning Service were commended for their approach to this issue

Chair asked for a task force to be set up – comprised of the capacity needs sub-group, initially to meet on a monthly basis which will be reviewed after 2-3 months – group members : Wilson Waste, McQuillan Envirocare, Irish Waste, Oil Recycling Assoc., Arc 21, DOE H&LG Ireland, NI Demolition Assoc. Contaminated Land has been highlighted as another potential priority waste stream.

ORA rep. circulated report on Waste Oils and gave a brief outline on findings.

Chair commented on interest shown by cement industry, and asked the Industry Reps for comments for paragraph 4.2E on asbestos and waste oils

Action : Forum to provide amendments to 4.2E

Action : EHS to add bullet point to 4.2E re contaminated soils

6. FINALISATION OF ACTION PLAN

Chair urged Forum members to provide comments (which need to be closed and complete with any suggestions) to EHS by Friday 18th June, any further communication can be made by e-mail with the intent to publish the Action Plan by the end of June or the beginning of July. EHS to investigate timings for publication – the Minister for the Environment is scheduled to announce the Waste Management Advisory Report on 29th June and if everything is in place, there may be an opportunity to refer to the Action Plan at this event. Implementation Plan to be published by Autumn 2004

Action : EHS to progress on Implementation Plan

The BPEO on asbestos waste is in draft form and will be circulated within 2 weeks

**Date of next meeting : Wednesday 8th September
At Ramada Hotel, Belfast**