

## NORTHERN IRELAND HAZARDOUS WASTE FORUM

### Report of Twelfth Meeting

8<sup>th</sup> September 2005 at 10:00am – Ramada Hotel, Belfast

#### Forum Attendees

David Wilson (Chairman), Richard Burnett (ARC 21), Sandy Truesdale (EPG, Department of Environment), Wendy Connor (EPG, Department of Environment), Simon Webb (EPG, Department of Environment), Noel Scott (DOE Planning) Trevor Knipe (INI), Gillian Stewart (INI), Kate Creaner (McQuillan Envirocare), Brian Lewis (CBI), Barry Johnson (Oil Recycling Association), Suzanne Eastwood (NI Demolition Association), Patricia Donnan (Health Estates), Carl Stuart (Health and Safety Executive), Niamh Drew (DOE(HLG)) Jason McPollin (Irish Waste Environmental Services), Ken Forbes (Southern Waste Management Partnership), Shane Woods (Small Business Federation), Pamela Patterson (EHS Waste Operations Manager) Allison Townley (EHS, Hazardous Waste Section), Paul McMullan (EHS, Hazardous Waste Section), Siobhan Fitzpatrick (EHS, Hazardous Waste Section), John Knox (EHS, Hazardous Waste Section).

#### Apologies:

Billy McClintock (Health and Safety Executive), Harold Bennett (Wilson Waste Management), Brian Meaney (EPA), Desi Wreath (North West Region Waste Management group), Pat Corker (EHS Waste Strategy), Cecil Hamill (McQuillan Envirocare), Jim McGrath (North West Region Waste Management Group), Peter Christie (NI Environmental Link), Derek Duncan (Southern Waste Management Partnership).

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### **1. Introduction and apologies**

New members were welcomed and apologies accepted.

### **2. Minutes of last meeting and actions arising**

The minutes of the last meeting were agreed subject to the amendments paragraphs 4 (review of Actions and milestones to date – communications and awareness) and paragraph 7 (Update from DOEHLG and EPA for ROI) .

The Chairman advised the members that the letters sanctioned at the last meeting were sent in early August and replies were distributed to the members of the Forum.

### **3. Update on the Regulations and initial implementation – including dissemination, guidance and experience to date**

EPG advised that the Regulations were made on 20/6/05 and came into operation on 16/7/05. Members of the Forum were emailed a copy and they have been placed on the EPG website.

EHS indicated they had held 5 seminars in late June to advise producers, carriers, consignors and consignees on the new regulations. They indicated that there was another independent seminar attended by Construction and Employers Federation and one planned for the Insurance Industry. Plans are being made to place “Frequently Asked Questions” on the EHS website and when this has been completed, Forum members will be advised.

Discussion then took place on the industry’s experience of the new regulations. Irish Waste, confirmed by McQuillan’s, stated that there was a bottleneck of waste going to England since 16/07/05. This has been compounded by the fact that laboratories were not sure how to analyse the waste against the waste acceptance criteria.

INI reported that the INI website has a directory of test houses and stated that there had been inquiries about setting up laboratories in NI. EHS said they would set up a link to the INI website from their website.

CBI was concerned that there may be a difference between the regulations and what some of the waste companies were telling their clients.

Irish Waste asked that details of the Waste Acceptance Criteria be included in any future guidance issued by EHS.

Arc21 was concerned that the EPG guidance issued did not give details on abandoned vehicles. EPG advised that this topic was still under discussion with EHS colleagues.

Northern Ireland Small Business Federation reported that they were aware of some equipment containing CRTs finding its way to Asia, India and Africa. EHS said that movements within the United Kingdom were subject to the Hazardous Waste Regulations (NI) 2005 and anything moving outside of the United Kingdom is subject to TFS legislation. EHS and other UK competent authorities are aware of illegal movements and the need to implement a UK wide port inspection programme to act as a deterrent. The Chairman asked that when the industry is aware of illegal movement of Hazardous Waste that EHS is informed and that this information would be dealt with in confidence. NIDA asked that any information passed was acted on quickly.

EPG advised that on the IT side of WEEE there is a good market in the UK and Ireland for reusing these goods. There is growing need for an overarching pragmatic solution to the problem and this is still being investigated.

**ACTION: EHS to provide a link in their website to the test house directory held by INI.**

#### **4. Review of Actions and milestones to date – Regulatory System**

The Chairman proposed that a 2006 Implementation Plan be prepared by secretariat/chair. It would be ready for discussion at the December meeting and published by January 2006. A rough draft will ready by the end of October 2005 and be distributed to Lead organisations with an aim to get it to the Forum prior to the next meeting to enable discussion at the meeting.

There will be discussion of the future role of the Forum at the December meeting and a paper prepared for the March 2006 meeting.

Section1.1B -EHS to review interim guidance note for acceptance of asbestos waste at separate cell on a non hazardous landfill site.

Section 1.1C – discussion still on going on the publicity campaign that will target households re disposal of asbestos.

Section 1.1D EPG confirmed that the Department is trying to licence facilities to take ELVs at Authorised Treatment Facility ( ATF). EHS confirmed that there were 4/5 licensed facilities at present. There are also other applications pending with the planning service. The target is to have 10 – 20 facilities within NI.

The starting point is the unlicensed scrap yards. EHS/Planning/WMU have planned a surgery targeting 200 scrap yards in October 2005.

Arc21 commended the Department’s work on the abandoned vehicles contract.

EPG confirmed that the release of the WEEE regulations, which had been deferred to January 2006, was facing a further delay. The expected implementation date was now June 2006. EPG were still working with all the stakeholders to ensure the smooth implementation.

Section1.1E - EHS are meeting with SEPA and EPA next week. Currently there is no recognition of the NI consignment notes in Scotland and there are negotiations on-going to draw up a memorandum of understanding on consignment note procedure. Some classification problems exist and WM2 is currently being revised and will be issued shortly.

Section1.1F- EPG/EHS are currently involved with the impending revised Waste Shipment regulations. EPG are maintaining the UK Stance but the Chairman urged EPG to ensure that NI rights were maintained and that special recognition was made of the unique land border.

Section 1.2A- EHS reported that the Annual Report on Hazardous Waste couldn’t be prepared until resources were available.

Section 1.2B – a team within EPG are taking the lead and a report will be prepared for the next meeting.

Section 1.3C: EHS believed this wasn’t an issue in Northern Ireland and was therefore not a priority. This was similar to the view held by colleagues in DEFRA. The Chairman asked Forum members to report any incidents of this nature that they were aware of to EHS.

Section 1.3D EPG advised that a consultation paper on amendments to the Waste Management and Contaminated Land Order has been issued. Members were informed that the proposals included introduction of fixed penalties issued by councils to owners of contaminated bins. Powers to be extended to include landowners if anything illegal were found on their land. They would be held fully responsible. SWMP asked about the phrase “Not knowingly permitted’ used by Landowners in the passed. EPG confirmed that this would no longer be regarded as an adequate reason to avoid punishment.

**Action : EPG to provide a report for next meeting on 1.2B. Secretariat to prepare new draft implementation plan for 2006.**

## **5. Review of Actions and milestones to date – communication and awareness**

Section 2.1A-C INI reported that of the 129 calls to the Helpline for period from April 04 to March 05. 15% of those calls were regarding Hazardous Waste and 50% was on Waste Management/ minimisation queries.

INI advised that there were 248 calls to the technical advice unit for the period March 05 to August 05 – 40% of calls were for Hazardous Waste and 100 calls were in respect of classification and guidance and technical matters.

INI advised that a new website is to be launched next week. It will contain a directory relating to Waste Minimisation/ Recycling/Disposal, case studies, Best Practice advice, details of UK wide events, tools for training and details of legal compliance. It was also noted that Envirowise had produced a guide entitled “How to minimise Hazardous Waste”.

Section 2.2 - no movement : arc21 reported that this was due to the lack of direction on implementation of the WEEE legislation. WRAP initiatives are also present, however no real movement to date. Target has slipped, Councils to report to the December meeting.

Section 4.2E Health and Safety Executive advised that they are going to launch an asbestos awareness campaign entitled “Management of Asbestos in Buildings” in November 2005. This is aimed at the commercial sector and the householder. The launch of the campaign would be accompanied by the issue of 2 guidance leaflets, a web-site and a drop in centre manned by Environmental Health Officers at the Health and Safety Executive office based in Ladas Drive Belfast. The Guidance will be based on the Health and Safety at Work Act. EHS will pass the information they have gathered on the subject to the Health and Safety Executive.

Northern Ireland Demolition Association reckoned that householders were not aware of the regulations regarding asbestos and some unscrupulous contractors had been taking advantage of the public’s naivety.

The Health and Safety Executive advised that there are many good surveys for commercial buildings but advised that the surveyors for domestic properties tended to be inexperienced and over-cautious when recognising the presence of asbestos without backing up their reports with the testing of the material.

Planning sought an assurance that the campaign would give the public a more realistic perspective on the level of risk of exposure to asbestos against those risks encountered everyday.

**Action: Councils to report to December meeting on Section 2.2**

## **6. Review of Actions and Milestones to Date – encouraging the 4 R's**

Section 3.1: INI advised that there was still a lack of funding. Loans to companies who produced a reduction in Waste were continuing at the current level.

## **7. Review of Actions and milestones to date – treatment and disposal capacity (including waste oil update)**

Section 4.1 The Chairman advised that a final draft of the statement of facility need should be ready by next week. The draft will be distributed to the members of the Forum and they will have a week to give comments. It was decided that when the draft had been firmed up that the copies would be distributed out to the Chief Executives and the Chief Technical Officers of the 26 district councils and that the three waste management sub-groups would also receive a copy to ensure that this document was included in their waste management plans. EHS would post the report on their website. EHS thanked EPA for their help.

Waste Oils update - Oil Recycling Association (ORA) said that implications of the Waste Incineration Directive would mean that from January 2006 a new outlet would have to be found for Recycled Fuel Oil (RFO). ORA wanted RFO to have a dispensation from the directive but this seems unlikely and they asked the forum to keep the pressure up to ensure that legislators saw the anomaly that RFO would be treated as a product in the Republic of Ireland while in Northern Ireland that it will be a waste.

Planning update - Planning advised that were 2 judicial reviews pending and 20 applications on stream including Civic Amenity Sites for Hazardous Waste.

**Action : EHS to issue “Statement of Facility Need” and put a copy of the report on website.**

## **8.Update from ROI**

ELV regulations not yet in place. A draft should be ready for the end of the year followed by a consultation period.

The Waste Management Plan – tenders have been received and appointment will be made in the next few weeks.

The EPA will be going to consultation in early 2006 regarding the Waste Generation capacity levels with a report drafted by the Autumn.

The judicial review by the Supreme Court on the Cork Incinerator is due by end of October and then a Licence will be issued if the outcome is favourable.

The Drogheda Incinerator judicial review is going to the Supreme Court.

The Dublin Incinerator - a preferred bidder has been identified.

The EPA is about to launch a report on illegal waste activity next week.

## **9. Date of Next Meeting**

8<sup>th</sup> December 2005.

## SUMMARY OF ACTION POINTS

ACTION POINT	Who is responsible
A link is to be provided from the EHS website to the test house directory held by INI	EHS
A report is to be provided on section 1.2B for the next meeting	EPG
A new draft implementation plan is to be prepared for 2006	Secretariat
A report is to be provided on section 2.2 for the next meeting	Councils
The statement of facility need is to be issued and a copy put on the EHS website	EHS