

NORTHERN IRELAND HAZARDOUS WASTE FORM

Report of Eleventh Meeting

9th June 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), Gillian Stewart (INI), Kate Creaner (McQuillan Envirocare), Derek Duncan (Southern Waste Management Partnership), Jim McGrath (North West Region Waste Management Group), Brian Lewis (CBI), Barry Johnson (Oil Recycling Association), Suzanne Eastwood (NI Demolition Association), Gerry Byrne (DOEHLG), Peter Christie (NI Environmental Link), Patricia Donnan (Health Estates), Harold Bennett (Wilson Waste Management), Carl Stuart (Health and Safety Executive), Joanne Thompson (Planning Service) Allison Townley (EHS, Hazardous Waste Section), Eamonn McAuley (EHS, Hazardous Waste Section), John Knox (EHS, Hazardous Waste Section).

Apologies:

Billy McClintock (Health and Safety Executive), Ken Forbes (Southern Waste Management Partnership), Shane Woods (Small Business Federation), Pamela Patterson (EHS Waste Operations Manager), Alan McElreavey (Invista): Desi Wreath (North West Region Waste Management group), Pat Corker (EHS Waste Strategy), Trevor Knipe (INI), Cecil Hamill (McQuillan Envirocare), Jason McPollin (Irish Waste Environmental Services),

1. **Introduction and apologies.**

New members were welcomed and apologies accepted

2. **Minutes of meeting and matters arising**

The minutes of the last meeting were agreed subject to the amendments paragraphs 5 (section 3.1 of the implementation plan) and paragraph 9 (Update from DOEHLG and EPA for ROI) .

3. **Review of Actions and milestones to date - Regulatory System**

EPG advised that by now all members of the Forum should have a copy of the draft regulations. They took on board comments received during the consultation period and relevant changes were made to reflect these comments. The Regulations must come into operation on 16.7.05 to safe guard against further infraction proceedings and at present EPG were waiting for Departmental Solicitors Approval before having the Regulations signed.

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Discussion ensued and Forum members were united in the fact that the lead in time was very short and this did not give members ample time to prepare for the introduction of the regulation despite EPG being aware of the introduction of the regulations last year and repeated calls from the Forum for a long lead in time (at least 3 months). Suggestion made that a letter be drafted from the Forum to the Department indicating its disappointment to the lack of lead in time.

EPG acknowledged the difficulties this will cause but advised the date for the coming into operation could not be changed for fear that NI would have infraction fines imposed. EPG said that the regulations will be signed as soon as possible and gave the Forum an undertaking that situation will be given its highest priority.

EHS advised that they plan to hold a series of seminars beginning 20th June 2005. The aim is to explain the changes to regulate Hazardous Waste in Northern Ireland post 16th July 2005. 2,500 invitations have been issued and in 2 days EHS received 216 replies. It is anticipated that specimen copies of the new consignments will be available at these seminars.

EHS advised that it anticipated the Regulations will allow for the old consignment notes to be used up to 3 months after the coming into operation of the Regulations. Fees for notes remain unchanged and old notes can be returned to EHS and new notes issued to replace the old notes. Under the new regulations, hazardous waste travelling across to GB from Northern Ireland will be accompanied by one consignment note only to its final destination and not terminate at the port of exit as is the present situation.

EHS advised that the Standard Industrial Classification code (SIC) will be made available on the EHS website. The Fixed Penalty Notices will be applied in line with EHS' Prosecution Policy.

Section 1.1D EPG reported that an announcement was made at Easter indicating that WEEE Legislation was deferred to January 2006. ELV directive has been fully transposed and by August 2005 all producers should have facilities in place to deal with ELVs. The problem is the actual licensing and registration of these facilities by EHS.

EHS sought clarification on the stage at which End of life vehicles become Hazardous Waste and was advised by EPG this occurred at the point when a certificate of destruction is issued by an authorised treatment facility.

DOEHLG to research what is the current position on ELVs in Southern Ireland.

Section 1.1E: EHS said that if members want a copy of the WM2 - just contact them and a copy will be issued.

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Section 1.1F: Forum Members have received a copy of the DEFRA Letter regarding the review of UK Management Plan for Exports and Imports of Waste. ARC21 said that it is difficult to produce and stick to timescales. EHS advised that DEFRA have sent out questions on the revision and that they may be in a position to send out consultation document by end of December 2005. EPG to respond to DEFRA letter's to indicate that the Forum is content with the proposals and to encourage them to stick to timescales set.

Section 1.2 and 1.3 EHS reported that the Annual Report had not been completed due to competing priorities.

Section 1.3C: Study to commence by December 2005.

Section 1.3D: EHS advised that the Head of Function had spoken to the Councils. Arc21 voiced their concerns that they had not received any further information from the EHS. EPG are currently amending legislation to give the councils more powers to deal with illegal dumping

ACTION

ARC21 to Draft Letter on behalf of the Forum to Environment Minister highlighting the short lead in time for the new hazardous waste regulations and the difficulties this presents

DOEHLG to find out how the Republic of Ireland deal with ELVs.

EPG to respond to DEFRA's letter indicating that Forum is content with the proposals and to encourage them to stick to timescales set.

4. Review of Actions and milestones to date - Communications and awareness

Section 2.1A INI reported that the Envirowise helplines have been established. EHS have attended seminars organised by Business in the Community and INI have started Environmental Clubs which Envirowise have attended

Section 2.2 ARC21 reported that they are subscribing to the Household Hazardous Waste Forum (HHWF). They are currently digesting the proposed regulations. ARC 21 hold a copy of the draft CIWM/HHWF good practice guide which is due to be published at end of July 2005. If members are interested ARC21 will provide a copy and all comments on this guide are welcome

H&SE advised that they are currently setting up an Asbestos Advisory Centre which should be in place by Autumn 05. The aim is to offer information and advice to householders and small contractors. ARC21 welcomed the fact that

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H&SE were taking the lead and it was important that the correct advice is given. Discussion was held on the production of the guidance leaflet on asbestos to be issued to households which was an action on EHS with support from the councils.

ACTION

H&SE/ EHS / Councils to liaise in regard to the production of the asbestos leaflet

5. **Review of actions and milestones to date - Encouraging the 4Rs**

Section 3.1 – INI advised that the Department of Finance and Personnel has indicated the landfill tax escalator money would not be given to the Agency. This money will be distributed elsewhere in NI.

Forum members were unhappy at this situation since this money had been ring fenced by the Chancellor and it was decided to write to the Environment Minister asking him to help direct these monies to fund new programmes to encourage waste reduction, reuse, recycling and recovery.

ARC21 reported that it would be the intention of the Councils to also write to the Environment Minister voicing their concerns.

Action: CBI to draft a letter to the Environment Minister on behalf of the Forum registering its opposition to the fact that the monies generated by the landfill tax escalator are being used for other programmes rather than to encourage the 4Rs.

6. **Review of actions and milestones to date – Treatment and disposal Capacity**

Section 4.1: EHS advised that draft statement on facility needs would be available by next meeting.

Section 4.2A: complete.

Section 4.2B : One application for single cell has been received. Licence has been issued to Sean Quinn site in Tandragee.

Section 4.3A : 6 Applications for Asbestos transfer station have been received by Planning Service to date..

Section 4.4: EHS is currently reviewing its data collection procedures.

7. **Update from DOEHLG and EPA for ROI**

Consultants are due to be appointed by the summer for the review of the National Hazardous Plan, with intent for a draft plan by July 2006. EPA advised that the Forum would be consulted.

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The Cork incinerator has been approved but is presently undergoing a judicial review. The Drogheda Incinerator has planning approval and is currently awaiting its EPA licence, an appeal is with the courts at present and a decision has yet be given on the one planned Dublin.

The European Court Of Justice gave a ruling in April 2005 regarding breaches of EU directives due to unauthorised landfills and other related issues.

10. **Date of next meeting**

8^h September 2005

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