

NORTHERN IRELAND HAZARDOUS WASTE FORUM

Report of Thirteenth Meeting held 8th December 2005 Ramada Hotel, Belfast

Attendees

David Wilson (Chairman)	Pat Corker (EHS)
Sandy Truesdale (DOE - EPG)	Simon Webb (DOE - EPG)
Lisa Holland (EHS)	John Knox (EHS)
Rosealeen Heaney (DOE – Planning)	Gillian Stewart (InvestNI)
Richard Burnett (ARC 21)	Ken Forbes (SWaMP)
Jim McGrath (NWRWVG)	Niamh Drew (DOEHLG)
Kate Creaner (McQuillan Envirocare)	
Barry Johnson (Oil Recycling Association)	
Suzanne Eastwood (NI Demolition Association)	
Shane Woods (Small Business Federation)	
Harold Bennett (Wilson Waste Management)	
Peter Christie (NI Environmental Link)	

Apologies

Billy McClintock (Health and Safety Executive), Brian Meaney (EPA), Desi Wreath (North West Region Waste Management Group), Cecil Hamill (McQuillan Envirocare), Derek Duncan (Southern Waste Management Partnership) Wendy Cooke (EPG, Department of Environment) Noel Scott (DOE Planning) Trevor Knipe (INI), Brian Lewis (CBI) Patricia Donnan (Health Estates), Carl Stuart (Health and Safety Executive), Jason McPollin (Irish Waste Environmental Services) Pamela Patterson (EHS) Allison Townley (EHS)

1. Introduction

New members were welcomed. The Chairman expressed best wishes and a speedy recovery to Allison Townley on her recent illness.

2. Minutes of the last meeting and Actions arising

The minutes were accepted subject to amendments in paragraphs 5 (review of actions and milestones to date – communication and awareness) and 6 (review of actions and milestones to date – encouraging the 4 R's).

EHS confirmed that the link to the InvestNI Test Laboratory Directory from the website has been completed.

3. Future of the Forum – Survey Responses

An analysis of the responses was distributed to the members. The findings recommended that the Forum continue in its present format and meeting schedule.

It was agreed that the Forum should continue for a further year and reviewed again. A new questionnaire would be circulated prior to the December 2006 meeting.

4. Review of Actions and Milestones and the Draft Implementation Plan for 2006

The chairman indicated that the new draft implementation plan for 2006 addressed action points carried over from the plan (drawn up in June 2004) and other issues that have arisen since it was published. The plan will require further review by November 2006 and at that stage it would also be prudent to review the terms of reference of the Forum and complete an entirely new plan.

Progress under the current implementation plan and the content of new draft implementation plan were discussed together.

Sections 1.1C and 1.1D: EPG advised that the Hazardous Waste Regulations (Northern Ireland) 2005 came into operation on 16 July 2005. DEFRA have recently issued new guidance which EPG is reviewing for Northern Ireland with the aim of publishing Northern Ireland version early in the New Year. EPG are also planning to issue a consultation paper on hazardous waste exemptions that will apply to NI.

ELV Regulations – the Directive has been transposed into NI legislation requiring all vehicles to be treated at new authorised treatment facilities from January 2006. The point at which an ELV becomes hazardous waste remains unresolved. The issue is being addressed UK wide and DEFRA and the Agencies are currently in liaison. EPG advised that they would bring a report to the next meeting.

Action Point 1. EPG to bring a report to next meeting on progress with ELV/hazardous waste interpretation.

WEEE Directive - EPG indicated the present situation was that this will not be transposed until mid 2006. They advised that some policies (namely guidance on offence, grave dangers, emergencies and transitional arrangements) have been drafted. EPG will examine these drafts and report back to the Forum at the next meeting.

NWRWVG advised that to dispose of WEEE goods from the civic amenity sites costs £300 to £400 per tonne and arc21 said that the funding for this is due to run out in June 2006. EHS undertook to gather data on costs from DCs.

Action Point 2. DOE to bring a report to next meeting on progress with WEEE Regulations and funding for DCs due to delay in implementation.

InvestNI asked about the Batteries Directive. EPG reported that the final Directive is due sometime in 2006. The Chair suggested the Agencies would need to ensure appropriate exemptions were covered in waste management licensing. Members agreed that batteries should be included in a new action point on the 2006 implementation plan and requested update on quarterly basis.

Action Point 3. EPG to keep the Forum updated on the status of the Batteries Directive.

Section 1.1F: There was extensive discussion on the review of the UK Import/Export Plan and Transfrontier Shipment of Waste Regulations, the latter of which are under review at an European level during 2006. The Forum was advised that DEFRA will be meeting on 12 January 2006 to assess the scope of the review on the TFS Regulations 1994 and the UK Management Plan for Exports and Imports of Waste. There was an opportunity to respond to a letter inviting comments to be included in the discussion.

Members agreed that a response should be sent pointing out NI is relatively small and as all landfill sites designated to take Hazardous Waste in Northern Ireland have closed, it is necessary to export all this type of waste to Great Britain. The letter will include details of the land border shared with the Republic of Ireland, the need for close co-operation with the Republic on waste issues and an overall all island approach to Hazardous Waste.

Action Point 4. Chair to finalise letter and forward to DEFRA on behalf of Forum.

It was agreed that the Forum should be circulated with the draft of the new TFS regulations as soon as it became available.

Section 1.2A: Forum members discussed the implications of the new Hazardous Waste Regulations introduced in July 2005 for compliance, including EHS progress with securing the additional resources required for regulation and enforcement and the need to review fees and charges annually to ensure the appropriate level of resources and technical competence. EHS agreed to prepare a report on hazardous waste activities in 2005 and report back to the quarterly Forum meetings on regulatory activity.

Action Point 5. EHS to report progress on regulatory activity at each Forum meeting.

Section 1.2B: EPG advised that higher penalties are now being issued, discussions with the judicial system are ongoing.

Section 1.3D: EHS reported that work is progressing on defining the roles and responsibilities between central and local government. The Fly Capture monitoring system is also progressing. Council representatives were not satisfied that enough was being done to provide a deterrent to fly tipping. Arc21 and North West Region Waste Management Group commented that there was little clarity about where the powers of the Council ended and that of the Department began, and there was pressure to use the Litter Order which was not designed for this purpose. Wilson Waste further noted that there remains a lack of awareness among producers on what are illegal activities under the new Regulations and producers rely on the waste industry for advice.

Action Point 6. Secretariat to include fly capture monitoring system in implementation plan.

Section 2.1: Communication & Awareness InvestNI reported that it is planning to continue to raise awareness on hazardous waste. It has plans with Envirowise to promote a hazardous waste event which has been delivered in the UK as part of the Envirowise hazardous waste expansion programme. The NI Wasteworks website will be updated in 2006 to contain more specific guidance on hazardous waste for business users. InvestNI are also planning to develop a catalogue of environmental case studies which could include specific studies relating to hazardous waste. It is presently compiling a list of potential case study companies and welcomes suggestions from the Forum.

ORA reported that the waste oil dynamics will change from 28 December 2005. ORA thought it worthwhile to make the changes known to producers. It was noted that EA are producing a flyer to inform producers of the changes, and ORA requested that EHS produce similar leaflets for NI.

Action Point 7. EHS to produce an advisory leaflet on management of waste oil

Section 2.1C: Waste Management Industry to report to the next meeting.

Action Point 8. Waste Management Industry to update Forum on progress with guidance to customers on management of hazardous waste at next meeting.

Section 2.1D: It was noted that the EHS and INI websites will be updated during 2006.

Section 2.2: Councils representatives have reviewed leaflets produced by HSE(NI) on household asbestos waste. The focus of the leaflets is primarily on safe removal of rather than on disposal of asbestos. NWRWMG advised that council technical officers were not consulted in the production of the leaflets. The Forum agreed that council technical officers should meet HSE(NI) to review the content and accuracy of advice contained in the leaflet.

Action Point 9. Council technical officers to liaise with HSE(NI) regarding asbestos advisory service advice.

The Forum asked the secretariat to re-examine the wording of section 2.2 to take account of the need for a collective approach regarding the collection of hazardous waste.

Action Point 10. DC representative to advise secretariat of appropriate wording for Specific Action column in section 2.2 of the Implementation Plan.

Section 3.1: InvestNI advised that the Green Technology Initiative will include a hazardous waste project. The Envirowise programme is being revised. InvestNI's technical advisory unit is to speak to businesses on hazardous waste issues.

Section 3.3: The Forum was content with deferral of action to 2007.

Section 4.1: The Forum was advised that EHS Statement of Facility Needs has now been issued as guidance to District Councils.

Section 4.3A: DOE Planning advised that 46 planning applications have been received for Council amenity sites and new applications have been received in respect of Biodiesel production. The Chair proposed that DOE Planning update the Forum on current applications at each meeting.

Action Point 11. DOE Planning to update the Forum on current planning applications at each meeting.

5. Update from ROI

DOEHLG advised that the proposed Cork Incinerator was issued with planning permission and a licence but that leave has been granted for judicial review and a date is awaited. There are two other proposed incinerators with planning and licences in Dublin and Meath however these are not for hazardous waste. The proposed Meath facility is also subject to judicial review.

The National Waste Data Report for 2004 should be published by the end of December 2005 and will be presented at intervals of 2 years thereafter. A tender has been awarded for work to commence on the Hazardous Waste Plan in January 2006 and DEHLG gave an undertaking to present work to the Forum once there was substantive information to report.

6. AOB

None

7. Date of Meetings in 2006

Thursday 9th March 2006

Thursday 8th June 2006

Appendix A: SUMMARY OF ACTION POINTS

	ACTION POINT	Who is responsible
1	EPG to bring a report to next meeting on progress with ELV/hazardous waste interpretation.	EPG
2	DOE to bring a report to next meeting on progress with WEEE Regulations and funding for DCs due to delay in implementation.	EPG/EHS
3	EPG to keep the Forum updated on the status of the Batteries Directive.	EPG
4	Chair to finalise letter and forward to DEFRA on behalf of Forum.	Secretariat
5	EHS to report progress on regulatory activity at each Forum meeting.	EHS
6	Secretariat to include the fly monitoring system on the implementation plan	Secretariat
7	EHS to produce an advisory leaflet on the management of waste oil	EHS
8	Waste Management Industry to update Forum on progress with guidance to customers on management of hazardous waste at next meeting.	Waste Management Industry
9	Council technical officers to liaise with HSE(NI) regarding asbestos advisory service advice.	DCs
10	DC representative to advise secretariat of appropriate wording for Specific Action column in section 2.2 of the Implementation Plan.	DC/Secretariat
11	DOE Planning to update the Forum on current planning applications at each meeting	DOE Planning