



E4e-manager Newsletter January 2012

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Dear Deb,

Welcome to the first Green Achiever / E4e-manager Technical Newsletter of 2012. This issue brings details about the WEEE overhaul, the most recent environmental legislation updates and information on current consultations. We also have a section on environmental guidance that has been published recently, such as questions and answers on the Renewable Heat Incentive and guidance on Green Public Procurement. We also bring you the latest round-up of prosecutions. Here's to a successful, prosperous and environmentally friendly year to you all.

Mandy Stoker

WEEE overhaul affects retailers

Large retailers will now be obliged to take back electronic items under new rules governing the WEEE Directive.

The update of the WEEE Directive by the European Government last week will mean that retailers will have to extend their takeback schemes for electronic waste. The requirements state that retailers with a floor space of greater than 400 square metres will be obliged to take back small items of WEEE free of charge, regardless of whether a customer makes a purchase or not.

The manufacturers of electrical and electronic equipment will still be responsible for financial contributions used for reprocessing. Registration and reporting for manufacturers will become easier.

Under the new Directive, collection targets from 2016 have been set. The targets are that 45 tonnes of electronic waste must be collected for every 100 tonnes sold during the previous three years.

LEGISLATION UPDATES - Northern Ireland

Pollution Prevention and Control (Amendment No. 2) Regulations (Northern Ireland) 2011 SR 402

This amends 2003/46 and allows a permit to temporarily stay in force if the permit holder dies, removes waste burning from Section 1.1 Combustion Activities and transposes EC 2009/126 Stage 2 Petrol Vapour Recovery during refuelling of vehicles.

www.legislation.gov.uk/nisr/2011/402/contents/made

Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations (Northern Ireland) 2011 SR 365

This amends 2010/160 and transposes EU Directive 2010/35 on transportable pressure equipment. This amendment updates technical provisions, conformity requirements and responsibilities of operators, to improve safety and ensure free movement of transportable pressure equipment.
www.legislation.gov.uk/nisr/2011/365/contents/made

Control of Pollution (Oil Storage) (Amendment) Regulations (Northern Ireland) 2011 SR 385

This amendment has been published to correct a drafting error in 2010/412.
www.legislation.gov.uk/nisr/2011/385/made

Nitrates Action Programme (Amendment) Regulations (Northern Ireland) 2011 SR 388

This amends 2010/411 and allows storage of poultry litter for up to 180 days in the field where the land application will take place, until 31 March 2012.
www.legislation.gov.uk/nisr/2011/388/made



LEGISLATION UPDATES - Scotland

The Control of Volatile Organic Compounds (Petrol Vapour Recovery) (Scotland) Regulations 2011

These transpose the EU Directive on Stage II Petrol Vapour recovery during refuelling of motor vehicles at service stations (2009/126/EC).
www.legislation.gov.uk/ssi/2011/418/introduction/made

CONSULTATIONS - Northern Ireland

Waste Management In Northern Ireland the Department of the Environment has put out to consultation the proposals on a revised Waste Management Duty of Care Code of Practice. Article 5 of the Waste and Contaminated Land (NI) Order 1997 imposes a Duty of Care on anyone who handles controlled waste. The proposed Code of Practice will provide practical guidance to anyone subject to the Duty of Care.
www.doeni.gov.uk/index/information/foi/recent-releases/publications-details.htm?docid=8469

GUIDANCE

Lighting technology Overview The Carbon Trust has published guidance for businesses about choosing energy efficient light bulbs without compromising the light emitted. It also highlights the cost savings involved.
www.carbontrust.co.uk/publications/pages/publicationdetail.aspx?id=CTV049

Renewable Heat Incentive The Department of Energy and Climate Change (DECC) have published Question and Answers on the recently introduced Renewable Heat Incentive (RHI). This includes eligibility for the scheme, how to apply and the technologies covered.
www.decc.gov.uk/assets/decc/what%20we%20do/uk%20energy%20supply/energy%20mix/renewable%20energy/policy/renewableheat/1393-rhi-faqs.pdf

Green Procurement The European Commission has recently published a new edition of Buying Green, which gives guidance on green public procurement. This edition highlights the current policy framework, updated guidance on how to be green at each stage of the procurement process and

examples of how this has worked within the EU.
<http://ec.europa.eu/environment/gpp/pdf/handbook.pdf>



PROSECUTIONS

Recycling company fined £190,000 for nuisance

A recycling company that has caused years of nuisance to a South London neighbourhood has been fined £191,262.

Metal and Waste Recycling Ltd, based in Deptford, was ordered to pay £75,000 for each of two offences relating to operating without an environmental permit and £14,247 in legal costs and a £15 victim

surcharge.

The company ran a recycling company from the site, which included a scrap metal business despite being unlicensed to do so since 2009. Many complaints from local residents were logged, since as early as 2005, with the Environment Agency calling a public meeting in 2008 to discuss the site's issues.

The majority of the complaints were about noise, with issues being raised about loads being tipped onto or picked up from the ground and cranes pushing and scraping metal into piles.

Noise assessments for the site were carried out by the Environment Agency with the conclusion that the site's operations were taking place at noise levels that were likely to cause nuisance to local residents.

Despite the noise levels being assessed, the company continued to operate the scrap metal business.

Environment officer Michael Real said: "I'm very pleased that the court has recognised the problems this site caused for nearby residents. I investigated the site, visited the residents and heard for myself the noise that they had been living and continued to live with. The scrap metal activities really did affect their quality of life over a long and sustained period.

"We always seek to work with companies to help them operate within the law and we could not have done more than in this case. The company abused the generosity given to them by circumventing a deliberate breach of the law since October 2009. Although prosecution is the last resort, this company left us with no choice but to take the matter to the courts. This shows how seriously we take these matters and demonstrates that we will not allow unscrupulous companies to operate outside of the law.

Company fined £20,000 for illegally storing waste

A Midlands-based skip hire company were fined £20,000 for operating a waste transfer site without an environmental permit and failing to ensure that waste transfer notes were completed correctly on three occasions.

The company was ordered to pay £14,000 for the illegal waste operation, £2,000 for each of the three record-keeping incidents, £4,410 in costs and a £15 victim surcharge.

The skip-hire site is based on the side of Titterstone Clee Hill, parts of which are designated a Site of Special Scientific Interest. It is also at the boundary of the Shropshire Hills Area of Outstanding Natural Beauty.

The company was observed handling waste and keeping skips at the site despite both verbal and written warnings asking them to remove waste from the area.

Speaking after the case, the Environment Agency officer in charge of the investigation said: "We take waste crime very seriously as it can have negative effects on the local area and community. For this reason we did not hesitate to take action against the company involved."

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email: deb@greenachiever.co.uk

phone: 01743 343403

web: <http://www.e4e-manager.co.uk>