



E4e-Manager Newsletter May 2011

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Dear Deb,

This month's newsletter brings you the latest in regulation updates as well as information about future regulation changes. We have also included recent prosecutions for flouting environmental legislation. In addition, further to last month's newsletter we bring you more information about the implicated changes in legislation for hazardous waste owing to the implementation of the Waste (England and Wales) Regulations 2011. Don't forget you can come and meet us at [SustainabilityLive](#) on Wednesday 25th May at the NEC, Stand M22.

Mandy Stoker



Hazardous Waste

Following the implementation of the Waste Framework Directive there have been changes to the Hazardous Waste Regulations as seen in the Waste (England and Wales) Regulations 2011 and Waste (Miscellaneous Provisions)(Wales) 2011 Regulations.

The changes made to the way in which hazardous waste is managed are -

- Mixing of hazardous waste can only be carried out if you hold an appropriate permit allowing you to do this and the activity must comply with Best Available Techniques (BAT).
- A new hazardous property (H13 sensitising) has been introduced and will need to be used when assessing hazardous waste.
- There are changes to the record keeping requirements, in particular for brokers.

These changes come into force on **29 March 2011**.

The following will come into effect from **28 September 2011** -

- The consignment note has been amended and the multiple consignment procedure has been simplified.
- The waste hierarchy must be considered and applied in a priority order when hazardous waste is transferred.



REGULATION UPDATES

Scotland

Wildlife and Natural Environment (Scotland) Act 2011 came into force on 7 April 2011 and amends several previous acts. It introduces tougher powers against wildlife crimes and stricter control measures on animal snares and training of operatives. Landowners may be accountable if their

employers take or kill wild animals.

<http://www.legislation.gov.uk/asp/2011/6/introduction/enacted>

Northern Ireland

Waste (Northern Ireland) Regulations 2011 SR 127 came into force on 8 April 2011. It requires businesses to apply the waste management hierarchy, introduce a two-tier system for waste carriers, applies the waste prevention programme, broker/dealer registration and amends other legislation.

<http://www.legislation.gov.uk/nisr/2011/127/regulation/1/made>

Landfill (Amendment) Regulations (Northern Ireland) 2010 SR 101.

Amends 2003/496 in order for regulation to apply to landfill sites in Northern Ireland that closed after 16 July 2001. Came into force 15 April 2011. <http://www.legislation.gov.uk/nisr/2011/101/made>



FUTURE REGULATION UPDATES

Site Waste Management in Northern Ireland

Certain construction and demolition projects in Northern Ireland will soon be required to prepare a Site Waste Management Plan (SWMP).

The Department of the Environment Northern Ireland (DOENI) consulted on the proposals to make SWMP a legal requirement for companies involved in construction, demolition and excavation. The consultation closed on 11 March 2011 and The Site Waste Management Plans (Northern Ireland) 2011 are expected to come into force in summer 2011.

To view the Consultation Paper, please refer to -

www.doeni.gov.uk/index/information/foi/recent-releases/publications-details.htm?docid=7867

Controlled Waste Regulations

Defra and the Welsh Assembly are proposing to introduce the Controlled Waste (England and Wales) Regulations 2011 to replace the Controlled Waste Regulations 1992. It is due to come into force in October 2011.

The current regulations list different types of waste which local authorities can charge to collect but not to dispose of. The proposed changes include -

- giving local authorities the power to charge for the disposal as well as collection of waste from non-domestic properties
- reclassifying waste from certain properties as commercial and not household waste
- retaining local authorities' discretion to decide when to charge depending on local circumstances
- providing free disposal to charity shops and reuse organisations
- retaining local authorities' duty to collect waste from certain organisations for public health protection
- restructuring the controlled waste regulations to make them easier to use.

It will not change the charges for waste collection from domestic properties.

To view the Consultation Paper, please refer to -

www.defra.gov.uk/corporate/consult/controlled-waste-regs/



PROSECUTIONS

Waste company fined for breaching regulations

The owner of Westcombe Waste, a Somerset waste transfer company, has been ordered to pay

almost £10,000 for failing to install anti-pollution equipment at their site.

Westcombe Waste Ltd receives waste at their site near Somerton from an associated skip-hire company, Westcombe Waste Management. Both companies are run and owned by the same family.

In order to reduce the risk of pollution, the site's Environmental Permit requires the operator to ensure that all transfer waste is sorted on an impermeable hardstanding with sealed drainage, a silt trap and oil interceptor. The permit also states that all waste handling should be carried out in a building. These stipulations are to reduce the risk of pollution and to prevent any noise and dust, which may be a nuisance to surrounding houses.

The site was inspected in 2008 by The Environment Agency and was found not to have building, drainage or hardstanding in place despite waste being accepted and handled on site. Complaints had been received by local residents about the noise.

In 2009 the company were given six months in which to comply with the requirements but they failed to do so within the time limits. The work has since been completed.

Westcombe Waste Ltd was fined £5,015 and ordered to pay £4,982 costs after pleading guilty to the two offences under the Environmental Permitting Regulations 2007.

Skip Hire company fined for burning waste

A Wolverhampton based skip hire company have been ordered to pay more than £45,000 for unlawfully burning waste.

Bilston Skip Hire Services, a household, commercial and industrial waste transfer station was fined £40,000 plus costs of £5,000 for two offences of burning waste at their site in Monmore Road, Wolverhampton.

Despite warnings, the company continued to burn over a 12 month period. The Environment Agency and West Midland Fire and Rescue Service were called to the site on a number of occasions. The fires that were witnessed burning were mainly scrap wood and caused unnecessary nuisance to neighbours and local businesses.

The charges were brought by the Environment Agency under Regulations 12 and 38(1)(b) of Environmental Permitting Regulations 2007 and Regulation 38(2) of Environmental Permitting Regulations 2010.

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email: ajs@e4environment.co.uk

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