



## E4e-manager Newsletter September 2011

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Dear Deb,

Welcome to the September issue of the E4e-manager Technical Newsletter.

This issue sees the usual round up of legislation updates and prosecutions as well as information about the changes to Waste Transfer Notes and a new waste recycling facility in the West Midlands.

Please also note, there is one day left to comment on environmental regulations on the Red Tape Challenge - [www.redtapechallenge.cabinetoffice.gov.uk/themehome/environment-2/](http://www.redtapechallenge.cabinetoffice.gov.uk/themehome/environment-2/)

Mandy Stoker

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### *Changes to Waste Transfer Notes*

From 1 October 2011, whenever waste is passed onto someone else, it needs to be declared on the Waste Transfer Note or Consignment Note for Hazardous Waste that the waste management hierarchy has been applied.

The waste management hierarchy is a set of options to be applied to all waste streams and sets out, in order of priority, areas that should be considered -

1. Prevention
2. Preparing for re-use
3. Recycling
4. Recovery
5. Disposal

The 2007 Standard Industrial Classification (SIC) of the person transferring the waste must also be included on the Waste Transfer Note. The 2003 SIC codes should still be used on the Hazardous Waste Consignment Notes.

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### *New Waste Facility Opens in West Midlands*

A ground-breaking new waste recycling facility that processes absorbent hygiene products such as nappies, has opened in West Bromwich.

The Knowaste facility is the first of its type in the UK and is able to process 36,000 tonnes of absorbent hygienic products each year. The pioneering technology used results in the production of plastic, paper and compost.

Currently taking in only commercial waste, Knowaste are hoping to process waste from local authorities in the future.

Depending on the success of the West Midlands site, Knowaste are planning to build a further four or five plants around the UK.



## LEGISLATION UPDATES

### **Energy Information Regulations 2011 SI 1524**

This applies to energy-related products which have a significant impact on energy consumption. It requires information to be provided to customers and includes powers of enforcement to improve the environmental performance of products.

[www.legislation.gov.uk/uksi/2011/1524/made](http://www.legislation.gov.uk/uksi/2011/1524/made)

### **Animal By-Products (Enforcement) (Amendment) Regulations (Northern Ireland ) 2011 SR 258**

This amends regulation 19 (a) (penalties) of 2011/124 so that the maximum term of imprisonment on summary conviction is three months.

[www.legislation.gov.uk/nisr/2011/258/contents/made](http://www.legislation.gov.uk/nisr/2011/258/contents/made)

### **Conservation (Natural Habitats etc) (Amendment) Regulations (Northern Ireland) 2011 SR 216**

This amends 1995/380 to meet the requirements of the Wild Birds Directive by classifying suitable sites as special protection areas.

[www.legislation.gov.uk/nisr/2011/216/introduction/made](http://www.legislation.gov.uk/nisr/2011/216/introduction/made)

### **Ozone-Depleting Substances (Qualifications) Regulations (Northern Ireland) 2011 SR 240**

This implements provisions in EC Regulation 1005/2009 by specifying the minimum training and qualifications required by anyone working with ozone-depleting substances, such as refrigeration, air conditioning and heat pump equipment and fire protection systems.

[www.legislation.gov.uk/nisr/2011/240/contents/made](http://www.legislation.gov.uk/nisr/2011/240/contents/made)

### **Controls on Ozone-Depleting Substances Regulations (Northern Ireland) 2011 SR 239**

This implements EC Regulation 1005/2009 on substances that deplete the ozone layer and provides that any breach of the EU Regulation is a punishable offence.

[www.legislation.gov.uk/nisr/2011/239/made](http://www.legislation.gov.uk/nisr/2011/239/made)



## PROSECUTIONS

### **Recycling company fined for fake Guy Fawkes bonfire**

The owner of a Devon waste company has been fined £4,000 and ordered to pay £2,302 in costs for illegally burning waste on his site on Bonfire Night.

A member of the public reported large flames and an acrid

smell coming from the waste transfer site on 5 November 2010.

The owner, Roger Sparling, when questioned stated that the bonfire was a celebration of Guy Fawke's night for his family and staff. Environment Agency officers found the smouldering remains of a very large fire. The remains of partially burnt waste products, such as metal cans, tyres and a mattress were seen.

'There is nothing wrong with burning clean wood on Bonfire Night, but when November 5 is used as an excuse to get rid of unwanted waste materials that have the potential to cause harm to human health and the environment, we won't hesitate to prosecute,' said Sarah Taylor for the Environment Agency.

'People paid good money to Mr Sparling to dispose of their waste safely and he should have done so and not just set fire to it. We would like to thank local residents who reported this incident to the Environment Agency,' said Sarah Taylor.

### **Lorry seized in illegal waste operation**

A Buxton man has had his skip lorry seized and has received a 51 week prison sentence, suspended for two years for illegally dumping waste.

Timothy Birchenough was also given a 52 week prison sentence, suspended for two years, banned from handling waste at two sites and ordered to undertake 180 hours of unpaid work. Mr Birchenough had previously received a prison sentence in 2009 for similar offences when operating the company known as Victory Skips.

Within weeks of his release from prison in 2009 he re-started his waste operation. Complaints were received from local residents about possible illegal waste operations and surveillance of the site was undertaken by the Environment Agency.

Operations on the site were observed over a period of time and vehicles, including the Victory Skips lorry, were seen to be bringing waste to the site and dumping it on the land. The waste included builder's rubble, plastic, mattresses and sofas. The waste was often burnt and metals salvaged to be sold as scrap.

Mr Birchenough never had a licence or permit to dispose of waste at his site, thus saving the costs of legally disposing of the waste. The Victory Skips lorry was removed from the site and will be disposed of by the Environment Agency.

In sentencing, the Judge, Recorder Burns, said: "You have been fined and sent to prison before for similar offences. You are not a stupid man and you know you will collide with the authorities. You knew perfectly well when you started up again, within four weeks of your release, doing the same thing. It is not necessary to send you straight to prison as that would cost the community more money and I think you can be controlled in other ways."

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