

Hazardous Waste Forum Report of Second Meeting

On 2 April 2003 at 10am in Room 8A/B, Ashdown House, 123 Victoria Street, London SW1

Forum Attendees

Ray Alderton (Defra), Colin Brown (Shanks), Faye Clamp (FSB), Roger Cresswell (Oil Recycling Association), Sue Ellis (DEFRA), Ian Fielding (LGA) Martin Gibson (Envirowise), David Fitzsimons (Oakdene Hollins), Elizabeth Hattan (Defra (Legal)), Dirk Hazell (ESA), Alex Radway (CIA), Roger Hewitt (CIWM), Stephen Horrax (Defra), Andy Howarth (Defra), Des Langford (DTI), Steve Lee (Environment Agency), Ian Mcpherson (UKPIA), Tamara Miller (DEFRA), David O'Connor (Onyx), David Pocklington (British Cement Association), Alex Radway (CIA), Rita Singh (Construction Products Association), Dr Jane Stratford (Defra), Roy Watkinson (Environment Agency), Gill Weeks (Cleanaway), Prof David Wilson (CIWM).

Apologies from Noah Myers (EIC), Gev Eduljee (SITA), Rupert Kruger (Water UK), Merlin Hyman (EIC), Jonathan Davies (EIC), John Peters (The Construction Confederation)

Actions arising/ Minutes of last meeting

1. Minutes of last meeting and the terms of reference were agreed. No other outstanding actions arising.

Update on Entec Report

2. Roy Watkinson (Environment Agency) reported on feedback from the Entec report and Agency sponsored research on public perceptions of hazardous waste.
3. Feedback had been constructive and appropriate amendments made. The final report has now been released by the Environment Agency and available at:

http://www.environment-agency.gov.uk/commondata/105385/p1484tr.pdf?lang=_e

4. The Agency funded research on the public perceptions of hazardous waste management and attitudes towards treatment and reduction will be available on the Hazardous Waste Forum website (<http://www.defra.gov.uk/environment/waste/hazforum/index.htm>). It is clear

from the research that the general public have a low awareness of the management, treatment and disposal of waste of any sort (hazardous or non-hazardous). This lack of understanding could be easily translated into fear when faced with possible new treatment facilities for hazardous waste.

Forum Deliverables and Work Plan

5. The Chairman noted that the Forum's advisory document had to be produced within six months, and so work would have to begin without delay.
6. The Forum had received papers from Professor David Wilson (CIWM) and two from ESA: documents 2.5 and 2.4 and 2.6 respectively. In addition, paper 2.2 set out some of the key issues that might be considered by the Forum, and paper 2.3 provided a general framework for the initial advisory document from the Forum, which would be relevant to all stakeholders.
7. David Wilson gave an overview of the lessons from international experience of hazardous waste management. The full presentation will be available on the HWF website (see link above). The main conclusions of particular relevance to the workings of the Forum were:
 - The need for a partnership approach involving central government, local government, waste generators and the waste management industry
 - The need to look seriously at introducing a wider range of policy instruments, from each of four categories: command and control, economic instruments, information dissemination and the voluntary approach
 - Of these policy instruments, at least some should have substantial teeth
8. In discussion the following points were made:
 - The Forum should look at best practice currently observed in Europe, principally because it gives certainty for investments in facilities for the future.
 - There are currently "tools with teeth" in the UK including voluntary policies – for example the CIA have such practices in place – 25% hazardous waste reduction by 2010.
 - Best available techniques (BAT) guidance to waste producers on waste treatment is available from a recent BREF note from Seville, and should be factored in.
 - Comparisons and guidance on best practice should be European-sourced given the common regulatory regime.
 - In terms of economic instruments, it was noted that some countries have a higher tax on landfill in contrast to other facilities, for example in Sweden landfill is subject to Euros 62 per tonne which is non-deductible and makes thus incineration cheaper than landfill.

- However, an increase in a tax on landfill could skew the market with unwanted consequences for other treatment options.
9. The Forum discussed the economics of the waste industry, and the following points were made:
- The immediate solution for the hazardous component of UK waste streams was not further taxation. A stronger market was needed. The waste management industry was relatively small and not all conditions for investment in infrastructure at acceptable levels of risk were yet in place.
 - Consolidation was still on going, and depressed prices in the sector were adding to the difficulty of planning for the long term.
 - Greater pressure was required on producers, who did not always bear the weight of compliance. Many MS were further forward with much less reliance on landfill and the availability of alternative treatment.
 - Other MS also used “direction”: for example, outright regulatory bans on certain wastes going to landfill, for example oily rags, had the practical effect that waste producers and managers devised cost-effective alternative solutions. The question was raised as to whether this approach was appropriate for the UK.
 - Nevertheless, the experience in some sectors was that we should not discount the most cost effective route and therefore letting the market decide, as long as standards were further developed as required by EU law.
 - Lessons could be learned from European partners. It was agreed that information on best practice could be sourced in a number of ways: through IMPEL by the Agency, and through FEAD (European Federation of Waste Management and Environmental Services) by ESA and, indeed, the experience of ESA’s Members operating in other Member States who were generally willing to share experience, and make their libraries available for example.

Action: Agency to investigate European experiences and approaches through IMPEL with support from ESA and FEAD.

Action: Defra to acquire guidance documents from France and Germany, with help from ESA/FEAD as necessary.

ESA Papers: Key issues (HWF 2.6) and Treatment capacity (HWF 2.4)

10. Dirk Hazell introduced this item. Key issues for ESA that need to be addressed were:
- Consideration of household hazardous waste in the remit of the Forum;
 - Survey of hazardous waste generators/regulation of waste generation;

- Improved waste statistics and tracking of wastes;
 - C&D waste and contaminated soil;
 - Analysis of scope for Stabilisation/Solidification;
 - Balance between incineration and co-incineration; and
 - Landfilling of pre-treated wastes.
11. Paper 2.4 presents a survey of ESA members and provides a preliminary assessment of treatment requirements. There were clearly still gaps in the data. In discussion the following points were made:
- Household hazardous waste was an important issue for a number of stakeholders – local authorities and the waste management industry in particular.
 - There were important decisions to be made in relation to household hazardous waste and the municipal waste stream. Separate collection was an issue, and overall should be encouraged, but care was needed that decisions on control of separate collected fractions do not inhibit the process.
 - Again there were examples of good practice from other MS, for example the sorting of hazardous waste from the municipal waste stream in Flanders.
 - The FEAD group looking at household hazardous waste reported that practices were mixed – both good and bad. It was also noted that whilst the Commission had in the past focussed on the issue, and while there were no specific proposals expected at present, compliance with the Landfill Directive made household hazardous waste a relevant issue.
12. The Environment Agency agreed that as part of the above exercise they could carry out investigative work on European best practice and report back to the next Forum.

Action: Agency will report on this and their ongoing work in Europe at the next Forum meeting.

Priority Waste Streams

13. The Chairman invited comment on the issue of priority waste streams. In discussion the following points were made:
- Priority wastes were those where future treatment capacity may be insufficient. It was not simply a question of looking at large volume waste streams, though this was a factor. Technically difficult wastes should also be considered.
 - Waste oils were important because of the impending impact of the WID on traditional recovery routes – road stone coating plants and power stations.

- C&D waste was a potential problem because of the sheer size of the waste stream.
- Contaminated soils were a priority, again because of the volumes concerned, and the pressure expected for further development of brownfield sites.
- Filter cake from effluent treatment plants needed to be assessed as many sectors, for example the chemicals sector, relied on this route for treatment and disposal. Any complications for treatment of filter cake would backfire up the chain.
- Household hazardous waste was a key waste stream, partly because of the uncertainties on volumes, and the impact of the changes to the hazardous waste list.
- It was noted that the forthcoming consultation on the Hazardous Waste Regulations should help to focus discussion on household hazardous waste, and should be discussed at the first opportunity by the Forum.

Action: It was proposed and agreed that the priority waste streams were:

- **Waste Oils**
- **Contaminated Soil**
- **Construction and Demolition waste**
- **Filter Cake from WWT**

14. As regards household hazardous waste, the Chairman noted that the Forum should take a clear view on the issue after the six months of initial work.

Forum Document and Working Arrangements

15. Defra introduced two papers – on the Forum’s suggested work plan and a draft framework for an advisory document as an output from the Forum within 6 months, which provides advice for all stakeholders on key decisions to be made, policy instruments and to plot a way forward. There were gaps in the document, for example on targets, which would need to be considered. Key points made were:

- The current draft of the framework lacks teeth and would require strengthening.
- The document should be from the Forum, and not one individual stakeholder. It should therefore be collectively agreed.
- The Forum should be clear on what it wants to achieve and consider quick wins in relation to certain waste streams.
- The Forum needed to consider how its advice should be disseminated more widely – there were issues of education, communication and presentation which are raised by the low understanding of hazardous waste issues amongst the wider population, and this related closely to the issue of household hazardous waste.

- It was agreed that sub-groups should be set up to consider the following issues in detail:
 - a. Arisings/waste prevention and minimisation chaired by CIA (Alex Radway)
 - b. Treatment options and capacity chaired by ESA (Gill Weeks)
 - c. Strategic Framework chaired by CIWM (David Wilson)
16. The first group would focus on producers of hazardous waste. Its aim should be to review and up date data on arisings – perhaps looking at key waste streams. It should consider the impacts of waste prevention and minimisation and what scope there is for more. And where possible it should consider the changes on waste producers of forthcoming legislation.
 17. The second group should consider treatment options and future capacity. It could seek further information form the waste management industry on scope for alternative treatments, e.g. stabilisation, and information on barriers to investment.
 18. The third group should focus on the advisory document, pulling together as information and conclusions from the other two groups. It should consider the key decisions that need to be made and the policy instruments that might be employed.
 19. Members of the full Forum and corresponding are invited to volunteer for membership of the sub groups, but to remain effective each should not be too large. The Chairman agreed that the Agency and ESA would be represented on each group but otherwise the Chairs of each Group would have freedom to limit the membership where necessary. Defra and the Agency would provide continuity and secretariat support.

Action: Full and corresponding members other than the Agency and ESA are invited to contact the Forum Secretariat (Stephen Horrax) if they wish to be represented on any sub group. Sub-groups to meet as necessary between main Forum meetings and report back progress.

Presentation from Envirowise

20. Martin Gibson, Programme Director of Envirowise, presented an overview of the role of Envirowise, their function in advising and promoting businesses on environmental practices, and the opportunities that exist in this area.
21. The presentation is available on the Hazardous Waste Forum website.

Waste Oils

22. The Chairman invited Roger Cresswell (Oil Recycling Association) to introduce this item. The key points made in the presentation and discussion were:

- Collection rates for waste oil in the UK are very good, but data presented to the Commission by MS is often inaccurate, so comparisons are not possible.
- Most waste oil in the UK is blended as Recovered Fuel Oil and burnt in roadstone coating plants and power stations. The WID will impact heavily on these end users, so alternative outlets will be needed.
- The Waste Oil Directive requires MS to give priority to regeneration where technical, economic and organisational constraints allow, and the UK is subject to infraction on this requirement. Currently no regeneration capacity exists in the UK.
- Further research for Defra on the economics of waste oil recovery and regeneration and the lessons from other MS should be published shortly.

Update on WEEE, ROHS and ELV Directives implementation

23. DTI reported progress. The WEEE and ROHS Directives have to be transposed by 13 August 2004. Thirty awareness-raising seminars were held around the UK last autumn. The consultation runs from 28 March to 30 May. This will be the first of three formal opportunities for stakeholders to give their views over the next 18 months.
24. The consultation gives general ideas about how the Directive may be implemented. At present there is no favoured Government option given at this stage. Preliminary ideas are how to define the scope, how to fund the activities required by the Directives, is the capacity/technology available to enable us to reach the recycling targets?

End Of Life Vehicles Directive

25. The Government's second consultation on the ELV Directive was published 7 March and the deadline for comments is 6 June. It covers most of the Directive's requirements, but a further one, covering free take back for all negative value ELVs post 2006 and recycling/recovery targets are to follow.
26. Government are aiming to transpose the Directive around the end of the summer this year. A consultation group has been established consisting of main sectors involved (car makers, salvage and dismantling companies, and car shredders), to ensure that all implications are recognised. The current consultation covers:
- Design requirements
 - Authorised Treatment Facilities (ATF)
 - Information requirements
 - Certification of destruction (COD)
 - Take back of vehicles

AOB

27. Concern was expressed about the further delay to the consultation on the Hazardous Waste Regulations. Defra agreed that the delay was unhelpful, and that pressure on Defra's legal team due to recent increases in unforeseen Bill work were the main cause. Defra would attempt to have a working draft of the Regulations available for the next Forum meeting.
28. Next two meetings: **4 June and 30 July**, both at Ashdown House.