

# in Touch

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## Environmental

### **New Regulations to prevent pollution from batteries**

The Batteries and Accumulators (Placing on the Market) Regulations 2008 will come into force on 26 September 2008 with an aim to reduce the environmental impact that batteries have on the environment. The new Regulations partially implement the Batteries Directive (Directive 2006/66/EC) and will set strict levels of mercury and cadmium that batteries will be allowed to contain in order to reduce the levels of metal pollution associated with waste batteries. They will also prohibit batteries being put onto the market without the crossed out wheeled bin symbol in order to encourage people to not dispose of them with their general waste. All batteries going on sale in the UK (with certain exceptions) will be affected by these Regulations regardless of where they originated from.

The full text of the Regulations can be accessed from:

[http://www.opsi.gov.uk/si/si2008/uksi\\_20082164\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20082164_en_1)

Source: [www.opsi.gov.uk](http://www.opsi.gov.uk) (accessed 04/09/08)

### **Consultation on the guidance for airport operators to produce action plans under the terms of the Environmental Noise Regulations 2006**

Defra are inviting views on the next stage in the process to meet the legal requirements of the Environmental Noise Directive (END) 2002/49/EC which was transposed into English law by the Environmental Noise (England) Regulations 2006 (as amended). The Regulations aim to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, incurred due to exposure to environmental noise.

The consultation, issued on 4 September 08, is on guidance issued to operators of civil airports in England and covers their requirements, as the competent authority under the Regulations, to develop Action Plans designed to manage noise issues and effects arising from aircraft departing from and arriving at their airport, including noise reduction if necessary. It also covers the reporting of the Action Plan. Defra are specifically requesting feedback to facilitate delivery of these documents.

Specific questions that it is wished there be a focus on are:



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1. Do you agree with the approach being adopted in this document? Especially, bearing in mind the requirement of the END that we should address priorities based on the results of the noise mapping.
2. Do you agree with the issues outlined in the guidance that Airport Operators should take into account when preparing their action plans?
3. Do you agree with the process set out in the guidance for the development and adoption of the action plans?
4. Is there any additional guidance that should be included in this document that would assist with the process?

The consultation will close on 28 November 2008.

Further information about the consultation is available from:

<http://www.defra.gov.uk/corporate/consult/aviation-actionplans/index.htm>

Source: [www.defra.gov.uk](http://www.defra.gov.uk) (accessed 02/09/08)

## Regulations on Dangerous Chemicals come into force

The Export and Import of Dangerous Chemicals Regulations 2008 came into force on 3 September 2008 for the whole of the UK. These Regulations make provision for the operation of Regulation (EC) No 689/2008 of the European Parliament and of the Council concerning the export and import of dangerous chemicals, in particular their enforcement and related offences. The EC Regulations prohibit the export of chemicals and articles listed in Annex V, the use of which is prohibited for the protection of the environment and/or human health.

The full text of the Regulations can be accessed from:

[http://www.opsi.gov.uk/si/si2008/uksi\\_20082108\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20082108_en_1)

Source: [www.opsi.gov.uk](http://www.opsi.gov.uk) (accessed 04/09/08)



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## Consultation on UK report regarding plans and programmes to meet EU air quality limit values

Defra are seeking comments and information from interested parties on the UK Government and Devolved Administrations' draft report to the European Commission on plans and programmes to meet EU ambient air quality limit values.

Under the Air Quality Framework Directive (1996/62/EC), when air quality limit values (plus a margin of tolerance) are exceeded a member state must produce plans and programmes to be submitted to the European Commission within two years of the occurrence which will ensure that compliance is achieved within the required period of time. In the calendar year 2006, EU limit values for nitrogen dioxide were exceeded in certain areas of the UK and the comments received during the consultation will be considered in finalising the report for submission to the European Commission by the end of 2008.

The consultation will close on 28 October 2008.

Further information about the consultation is available from:

<http://www.defra.gov.uk/corporate/consult/air-limitvalues2006/index.htm>

Source: [www.defra.gov.uk](http://www.defra.gov.uk) (accessed 02/09/08)



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## **The Community Emissions Trading Scheme (Allocation of Allowances) Scheme**

The Community Emissions Trading Scheme (Allocation of Allowances) Scheme (“The Scheme”), setting out the conduct and terms of allocation of allowances in the UK’s auctions in Phase II of the EU ETS, was published by HM Treasury on 29 July 2008.

The Scheme sits below the Regulations governing auctions and sets out the conduct and terms of allocation, along with the detailed design of the auctions, and the requirements in order to participate. Government aims to hold the first auction before the end of the year with confirmation of the date at least two months in advance.

This version of the Scheme covers competitive bids only, which must be placed through an intermediary. Government is aiming to have the non-competitive element of the auction in place for early 2009. The Scheme sets out how to apply to become an intermediary (Primary Participant) and the terms governing that appointment.

A full copy of the Scheme is available at:

<http://www.hm-treasury.gov.uk/media/4/E/euetsscheme290708.pdf>

Source: [www.defra.gov.uk](http://www.defra.gov.uk) (accessed 05/09/08)

## **The Community Emissions Trading Scheme (Allocation of Allowances for Payment) (Amendment) Regulations 2008**

These Regulations amend the Community Emissions Trading Scheme (Allocation of Allowances for Payment) Regulations 2008 in order to create a criminal offence of wrongful disclosure of confidential information. They also make a minor amendment in order to permit allowances to be allocated to an account holder following an auction as a consequence of a review of a decision made by the person conducting an auction.

The full text of the Regulations can be accessed from:

[http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20081939\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081939_en.pdf)

Source: [www.opsi.gov.uk](http://www.opsi.gov.uk) (accessed 05/09/08)



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## Revised lists of criteria and products eligible for ECA

Defra issued revised lists of criteria and products eligible for Enhanced Capital Allowances on 16 July 2008, and these took effect on 11 August.

Enhanced Capital Allowances (ECAs) enable a business to claim 100% first-year capital allowances on their spending on qualifying plant and machinery. There are three schemes for ECAs:

- Energy-saving plant and machinery
- Low carbon dioxide emission cars and natural gas and hydrogen refuelling infrastructure
- Water conservation plant and machinery

The Capital Allowances (Energy-saving Plant and Machinery) (Amendment) Order 2008 is available from:

[http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20081916\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081916_en.pdf)

Energy Technology Criteria List is available from:

<http://www.defra.gov.uk/environment/climatechange/uk/business/pdf/ETCL2008.pdf>

Energy Technology Product List is available from:

<http://www.defra.gov.uk/environment/climatechange/uk/business/pdf/ETPL2008.pdf>

Source: [www.defra.gov.uk](http://www.defra.gov.uk) (accessed 05/09/08)



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## **Capital Allowances (Environmentally Beneficial Plant and Machinery) (Amendment) Order 2008**

This Order amends the Capital Allowances (Environmentally Beneficial Plant and Machinery) Order 2003, substituting new definitions of “the Water Technology Criteria List” and “the Water Technology Product List”.

The Order also amends some of the descriptions of the environmentally beneficial plant and machinery technology classes to reflect the names of the qualifying technology classes in the Water Technology Criteria List and the Water Technology Product List. Within the technology class of water reuse systems there are two sub-technologies, namely the efficient membrane filtration systems for recovery and reuse and the wastewater recovery and reuse systems. As the design of these systems will be tailored to the needs of the particular business, the Department for the Environment, Food and Rural Affairs will issue certificates of environmental benefit. This Order accordingly substitutes article 5(2) to provide that a first year allowance is also not available in the case of expenditure on wastewater recovery and reuse systems unless an appropriate certificate of environmental benefit is in force.

The Water Technology Criteria List is available at:

<http://www.defra.gov.uk/environment/climatechange/uk/business/pdf/WTCL2008.pdf>

The Water Technology Criteria List is available at:

<http://www.defra.gov.uk/environment/climatechange/uk/business/pdf/WTPL2008.pdf>

Source: [www.defra.gov.uk](http://www.defra.gov.uk) (accessed 05/09/08)

## **The Stamp Duty Land Tax (Zero-Carbon Homes Relief) (Amendment) Regulations 2008**

These Regulations amend the Stamp Duty Land Tax (Zero-Carbon Home Relief) Regulations 2007, which provide relief from stamp duty land tax on the first acquisition of a dwelling which is a zero-carbon home in accordance with the Finance Act 2003.

The amendments made by regulation have effect in relation to acquisitions made on or after 1st October 2007 but before 1st October 2012.



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It provides that an accredited assessor may charge a reasonable fee for assessing a dwelling and producing a certificate for the purposes of the principal Regulations.

The full text of the Regulations can be accessed from:  
[http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20081932\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081932_en.pdf)

Source: [www.opsi.gov.uk](http://www.opsi.gov.uk) (accessed 05/09/08)

## The London Waste and Recycling Board Order 2008

This Order makes provision as to the constitution and procedures of the London Waste and Recycling Board (LWaRB) established under the Greater London Authority Act 1999.

The aspiration for the LWaRB is that it will engender improvements in the environmental sustainability of waste management across London. The Board will be an eight member board to be chaired by the Mayor or his appointed deputy. The remaining seven members would be as follows:

- Four London borough councillors - appointed by London Councils
- Two independent members - appointed by London Councils
- One independent member - appointed by the Mayor

Further information is available from:  
<http://www.londoncouncils.gov.uk/Transport/lwarb/default.htm>

The full text of the Order can be accessed from:  
[http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20082038\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20082038_en.pdf)

Source: [www.opsi.gov.uk](http://www.opsi.gov.uk) (accessed 05/09/08)



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## **The Town and Country Planning (Environmental Impact Assessment) (Minerals Permissions and Amendment) (England) Regulations 2008**

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 implemented, in England and Wales, Council Directive 85/337/EEC (“the EIA Directive”) on the assessment of the effects of certain public and private projects on the environment as amended by Council Directive 97/11/EC. The EIA Directive was also amended by Council Directive 2003/35/EC.

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) (Amendment) Regulations 2000 (“the 2000 Regulations”) implemented the Directives in respect of ROMP applications (applications made to mineral planning authorities to determine the conditions to which a mineral planning permission is subject under Schedule 2 to the Planning and Compensation Act 1991 and Schedules 13 and 14 to the Environment Act 1995 made after the commencement of the 2000 Regulations (15 November 2000).

The Town and Country Planning (Environmental Impact Assessment) (Minerals Permissions and Amendment) (England) Regulations 2008 (“the 2008 Regulations”) applied the 1999 Regulations, with modifications, to ROMP applications made before 15 November 2000 which were undetermined on 22 July 2008 and contained provisions applying to all ROMP applications.

These Regulations amend the 1999 Regulations to implement the Directives in respect of applications for approval of reserved matters and applications for approval of conditions attached to the grant of planning permissions (“subsequent applications”) and applications for approval of conditions attached to the grant of minerals permissions (“ROMP subsequent applications”).

The full text of the Regulations can be accessed from:  
[http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20082093\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20082093_en.pdf)

Source: [www.opsi.gov.uk](http://www.opsi.gov.uk) (accessed 05/09/08)



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## Consultation on revised waste exemptions from environmental permitting

Defra, the Welsh Assembly Government and the Environment Agency are undertaking a review of the waste exemptions from environmental permitting. The aim of the review is to provide a more risk based and proportionate approach to the regulation of waste recovery and disposal operations, complementing the new environmental permitting regime.

The consultation includes a number of proposed measures aimed at increasing the use of exemptions for as wide a range as possible of low risk activities (including most of those operating under an Environment Agency low risk position) whilst removing or restricting the availability of the exemptions for higher risk waste operations by seeking to regulate higher risk operations through one or more standard permits.

The consultation also seeks views on a partial impact assessment and a draft set of regulations.

The closing date for responses to this consultation is **Thursday 23 October 2008**.

The consultation document can be accessed from:

<http://www.defra.gov.uk/corporate/consult/waste-exemption-review/consultation.pdf>

Further information about the consultation is available from:

<http://www.defra.gov.uk/corporate/consult/waste-exemption-review/index.htm>

Source: [www.defra.gov.uk](http://www.defra.gov.uk) (accessed 05/09/08)



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## Health and Safety

No Updates to Report



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## Course Calendar

Course Title	Duration	Date	Location	Price
Integrated Management Systems	1 Day	11 Sep	Newcastle	£280
Environmental Management Systems	1 Day	15 Sep	Dunstable/Luton	£280
CIEH Level 3 Award in Supervising Food Safety	3 Day	15 Sep	Kelsall/Chester	£550
CIEH Level 4 Award in Managing Food Safety	5 Day	15 Sep	Kelsall/Chester	£795
The New Quality Manager	2 Day	15 Sep	Manchester/Plumley	£470
IRCA OH&S MS Auditor Conversion	3 Day	15 Sep	Newcastle	£610
IRCA OH&S Auditing Principles	5 Day	15 Sep	Newcastle	£1,010
EMS Internal Auditor	2 Day	16 Sep	Dunstable/Luton	£470
Abrasive Wheels	Half Day	22 Sep	Manchester/Plumley	£120
ISO9001:2000	1 Day	23 Sep	Banbury	£280
Internal Quality Auditing	1 Day	24 Sep	Banbury	£280
Internal Quality Auditing	1 Day	24 Sep	Chester	£280
Questionnaire Design	1 Day	24 Sep	Manchester/Plumley	£319
Internal QMS Auditor	2 Day	25 Sep	Banbury	£470
Facilitating Focus Groups	1 Day	25 Sep	Manchester/Plumley	£319
COSHH	1 Day	26 Sep	Manchester/Plumley	£215
Internal QMS Auditor	2 Day	29 Sep	Chester	£470
IRCA OH&S MS Auditor Conversion	3 Day	29 Sep	Manchester/Plumley	£610
IRCA OH&S Auditing Principles	5 Day	29 Sep	Manchester/Plumley	£1,010
BRC Internal Auditing	2 Day	02 Oct	Wetherby/Leeds	£470
The New Quality Manager	2 Day	06 Oct	Dunstable/Luton	£470
CDM Regulations	1 Day	06 Oct	Manchester/Plumley	£215
Integrated Management Systems	1 Day	06 Oct	Walsall	£280



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