

**SEA FISH INDUSTRY AUTHORITY**

**Seafish Technology**

**REPORT ON LEEDS CONFERENCE**

**DEVELOPMENTS IN POLLUTION CONTROL LEGISLATION**

**Internal Report No. 1396**

**February 1990**

**W. Iart**

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**SUMMARY**

This one day conference was attended by approximately 40 delegates, most of whom came from industries with effluents discharging into the air and aquatic environment.

The seven speakers described developments in pollution control. These ranged from changes in pollution legislation to companies taking on board 'green issues' as a part of their image. The effect of these changes should be improvements in the information available to the public on environmental matters. Structural changes within Her Majesty Inspectorate of Pollution (HMIP) were also described. The report summarises the main points made by each speaker.

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**DEVELOPMENTS IN POLLUTION CONTROL LEGISLATION**

**1. THE INTEGRATION OF POLLUTION CONTROL : AN OVERVIEW**

Dr. Nigel Room: Lecturer in Environmental Management, University of Bradford.

This speaker discussed the concept of Integrated Pollution Control. This concept can have different meanings for different people. The author produced seven definitions:-

(1) An integration of the technical assessment of the discharge media, i.e. the plant operators assess their total input into the environment rather than separating the discharges into the various media. The outcome of such an assessment would seek to minimise the impact of a discharge through discharging into the least sensitive medium.

(2) Integration of pollution control within plant production. This approach seeks to minimise pollution through addition of pollution abatement apparatus, as for example, Cullen Turner were persuaded to add effluent treatment works or adopt less polluting processes at their proposed plant at Boston.

We are, therefore, faced with a range of options for defining integrated pollution control. These range from simply looking at the whole output of the plant and making a technical assessment of what can be done to minimise the effects, to putting the company onto a fully environmentally aware footing.

Definition number 4 is the most urgent option, in the short term, which most agencies and companies will need to consider.

In this definition, we have the concepts of BPEO: Best Practical Environmental Option, BATNEEC: Best Available Technology Not Entailing Excessive Cost.

BPEO

Requires companies to assess their pollution streams, providing an audited trial on how it arrives at a decision on which disposal option- air, water or land, it wishes to use. This is carried out in parallel with negotiations with HMIP, NRA and/or Local Authorities.

BATNEEC

This applies to scheduled sites and those subject to approval by HMIP. It considers the land, air and water discharges. Application of this principle must draw on best available technology and will be linked with standards for emission controls. This concept succeeds BPM, Best Practical Means which concerned only the air environment.

BPEO has its origins in the Royal Commission proposals on environmental pollution. The 'Green Bill' does not take legislation quite as far as the Royal Commission proposals.

## 2. POLLUTION PREVENTION

Mr. Michael Gittings, Chief Environmental Health Officer, Leeds City Council.

This speaker opened by reference to a 'Health for all by the year 2000' declaration by the WHO. He considered that Local Authorities would be pro-active rather than responsive in attempting to meet these goals.

The definition of pollution which the speaker used was :-

"Pollution of the environment refers to the release from any process of substances capable of causing harm to man or any other organism."

This must be considered to be a very broad definition and in order to even start to take action on pollution prevention, one would have to be very well informed.

The speaker discussed the practical requirements which the Local Authorities are going to be required to meet under 'Integrated Pollution Control' these include; compiling emission inventories, setting up action plans, setting up monitoring networks, even recommending pollution abatement technology. His conclusion was that there would be a 'long slow progress' towards integrated pollution control. In the Environmental Protection Bill (Green Bill), there will be two levels at which certain processes will be controlled:-

- (i) National Control via HMIP
- (ii) Local Control with advice from HMIP

Another feature of the Bill includes the offence of statutory nuisance and the classification of offensive trades. This is perhaps indicative of the importance which the government attaches to the visible effects of pollution.

The speaker discussed the problems of assessing the environmental impact of pollutants on the health of local people. He considered that local indicators of health need to be considered more carefully.

His final conclusion was that the environmental protection bill would result in improvements in Local Authority prevention and control of pollutants, but the following points must be considered:-

- (i) Implementation must be uniform.
- (ii) Technical data bases need improving.
- (iii) Interpretation of data, particularly when considering small sample sizes.
- (v) Communication between agencies and dischargers was required.



The decision upon whether an EIA is required is made by the local planning authority. A plan of the site with a brief description of the process must be sent to the Local Planning Authority. An appeal can be lodged with the Secretary of State if the Local Planning Authority decide to require an EIA, and the developer disagrees with that decision. The Secretary of State has to reply within three weeks. If an EIA is required by the Secretary of State, reasons must be given to indicate grounds for this requirement before an EIA is given. Amongst these are :-

- Intensive livestock production units
- Salmon farming : >100 tonnes/annum
- Land drainage
- Sand and gravel extraction

If consent to discharge is required from the NRA then an EIA is a likely requirement.

The Department of the Environment lays down specific guidelines for the contents of EIA's. These are as follows:-

- (a) Description of the development.
- (b) Data necessary to identify the main effects upon the environment.
- (c) Description of the likely significant effects on :-

- Humans
- Soil
- Water/Air
- Climate
- Landscape
- Cultural Heritage

It was suggested that there should be standards for post graduate training. This would help prevent difficulties experienced with badly written and researched EIA's; for example the Boston Steel Mill experience.

Dr. Speakman considered that this will result in a much less field-based role than the Inspectorate has had in the past. However he considers that it would be difficult to fulfil all of the above roles, particularly the investigation of pollution incidents from behind a desk.

Dr Speakman was quite candid about the HMIP's staff and organisational problems. There has been considerable upheaval with the amalgamation of the various organisations and this has been compounded by a shortage of staff.

### Discussion

**Q. Will HMIP become 'a one stop shop' for discharges into air and water?**

A. Yes. HMIP will pass on information on proposed discharges into the water course to NRA and the water PLC's for sewerage discharge.

For discharge into surface water HMIP cannot agree to emission including air emission which would infringe Environmental Quality Standards for the waters.

**Q. Solid Waste?**

A. There will be no Statutory Authority for HMIP for disposal of solid waste. All aspects of waste disposal would be set up by Local Authorities. There will be a separation between those who run the sites and those who police them.

However they may be called upon to write reports on hazardous waste disposal sites.

bought and sold. Thus traders could buy and sell slices of the sewage work's operating capacity. It might give those traders who are able the incentive to build their own treatment works.

This would, in my view, form a useful basis for disposing of wastes similar to domestic sewage i.e. those with a high biological oxygen demand. However with increasingly stringent controls on disposal of sewage sludge at sea (to be phased out by 2000) under the EEC municipal sewage directive, there will be an increased incentive to improve the quality of sewage sludge to enable it to be used for agricultural purposes. It, therefore, seems likely that all discharges whose effluent streams contain persistent pollutants will be required to have an effluent treatment works. Although the proposed permits scheme may provide the incentive for some operators of the discharge it maybe necessary for all discharges to be improved in the long term.

In order to implement these concepts, NRA propose to develop a programme as described below:

**New or Proposed Developments influencing Water Quality Management in Yorkshire**

- 1 **Statutory Environmental Quality Objectives**
- 2 **New Chemical and Biological Classifications**
- 3 **Public Consultation on EQOs**
- 4 **Consistency in monitoring and compliance testing - effluents and environmental quality standards**
- 5 **National Enforcement Policies**
- 6 **More List I and List II substances, Red List**
- 7 **North Sea Action Plans**

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