

**KENT PPC SUB GROUP
MEETING ON 25TH NOVEMBER 2010-12-08 10:00 TO 12:00
ASHFORD BOROUGH COUNCIL**

IN ATTENDANCE

Sue Kennedy Swale BC
Kelly Payne Medway
Brian Gibson Dover DC
Rosalyn Bower Smith Maidstone BC
John McCullough Tunbridge Wells BC
John Maidstone BC
Peter Thomason Tonbridge and Malling BC
Tracey Butler Ashford BC
Martin Cranfield Martin Cranfield Associates
Barbara Moore Tandridge DC
Julie Short Dartford BC

APOLOGIES

Sarah Hogben Thanet DC

MINUTES FROM LAST MEETING

One query was raised from previous minutes. Item 7 No 2 :The group had no recollection of any discussion re mercury abatement in crematoria

Fees and Charges -Details for next year have already been sent out. No changes / increases for next year.

Re- written guidance notes were published last month.

WASTE

A query was raised regarding what should or should not be included as exemptions. It was clarified that if waste was previously an exemption, it should appear on a permit transferred before 2013.
In addition, it is possible to have exempt waste stored at place of production.

P183/184 regs- details operations to which 1990 Act does not apply.
1990 Act also has an exclusion for waste exemptions.

Query whether they store waste or not S33 prohibits person.
If an operation produces waste and stores it temporarily, this would be included in the permit because of the potential for escape to land .It needs to be covered within the permit conditions. Need to apply good practice re storage.
EPR 2007 altered 1990 regulations.

Not many premises will have waste exemptions put on.

Confirmed that an exempt waste certificate cannot be put on a permitted site- It will be need to be included in the permit.

Amendments to general guidance were put onto the DEFRA web site in October

John Griffiths at the EA is a good source of information. Contact will be made by Sue re arranging for John to come to the group to give a presentation.

Section 33(1)A This section relates to the not depositing waste on land. Paragraph A and B, depositing of waste of land, does not apply if it is an exempt waste operation. Temporary storage is allowed .If it previously had an exemption then include it on permit, however if it did not then it does not have to be included.

Query re wood composting firm on an EA Waste Management controlled site Wood Waste Exemptions-EPR Schedule 3 section 2

The storage pile is getting bigger and dust problems are increasing.

Suggested that a copy of the Waste Management Licence should be available on EA web site and the LA can request a copy of the permit. Temporary storage of waste produced on site can take place fro up to twelve months.

Believe that there is a general trend to move low grade administration from the EA to LA's. EA want to re-grade sites such that they only deal with what they can charge for whilst LA's get the rest. EA want to completely reassess who does what .A1 processes may be converted to B. EA are trying to make everything local - even some larger processes may come down to LA's.

1st April 2011 further changes to come-need to get LA officers onto the panels that are writing legislation.

Water discharges to water courses-some very minor operations may be transferred..

CIVIL SANCTIONS

These would be ideal for LA's to utilise but currently only apply to EA. Enable the issuing of fixed penalty notices rather than having to undertake prosecution. This action would be ideal for minor offences. It is thought EA did not include LA's with this enforcement power since Councils do not a have a uniform enforcement concordat in place. The group is to highlight the issue getting it raised at IPLC and possibly also through LGA.

PAINT PRODUCTS DIRECTIVE (LACORS)

It was considered that this was more a trading standards issue. Directive applies to places which retail and manufacture paint. Should have the correct paint directive labelling

RECENT GUIDANCE

Defra website is currently very poor and out of date with a lot of cross referencing.

ANAEROBIC DIGESTION AND CARBON CAPTURE AND STORAGE

Consultation document –closes 26 November .Amendments to LA legislation. No comments being sent from group.

BUSINESS LINK

Good reference source-clear pages of basic information for industry

www.onlinebusinesslink.gov.uk

OCTOBER UPDATE AMENDMENTS

Inserted –YOU ARE GETTING PAID TO DO YOUR INSPECTIONS THEREFORE YOU MUST DO THEM.

LACORS are undertaking a pilot .They have requested expressions of interest from any LA's with respect to running all waste exemptions for their area. Martin and Tracey will investigate this further

TRAINING

Having regard to current cut backs in funding for LA training, the Pollution Group needs to be approached to request potential funding of PPC training events.

Waste is currently the main area of concern

ANY OTHER BUSINESS

TRIVIALITY

A query was raised re making an allowance in respect of very small processes. A case was raised in respect of small scale mushroom composters. Suggested they need to apply for triviality. Trivial in respect of the fact that the operation does not cause problems and are not likely to cause problems.

DEFRA advise that it is up to the LA to decide – potentially they then can criticise the decision made by the LA

BURNING WASTE

Burning waste derived fuel(112) up to 20 MW will come out of regulation. If it is identifiable as a fuel then it does not need a permit.

REVIEW OF COUNCILS

T&M Query re storage of data and use of M3 PPC module. Ashford has the system working very well, including risk rating as a result of work undertaken by Sheila Davidson. Others use an excel database.

Query re permitted status of waste water treatment works. If previously it had EA discharge consent, it would need a permit.

SWALE – Nil

TANDRIDGE-Nil

MAIDSTONE-Nil

DARTFORD-Nil

ASHFORD- Sainsbury is looking to install a temporary long term convault fuel storage vault, above ground. System comes with twin wall bunding and the system has an alarm between the walls. Martin will e-mail details of a permit to amend the existing permit.

Also query re in stack testing session at a foundry and M cert statement of confidence of result since one of three sessions being terminated.

MEDWAY – Nationwide Crash Repairs are undertaking SMART repairs (Juness Smartair localised extraction system and have introduced an inflatable spray booth in the car park .DEFRA have advised that LA's should allow this as a variation to the application. Matt has undertaken a similar permit variation previously

ANY OTHER BUSINESS

Nil

DATES FOR NEXT MEETINGS

7th April 2011 PPC sub Group - propose speaker on waste
Ashford

29th September 2011 Cluster Training –Full Day Amendments to 2010 EPR
Swale

24th November 2011 PPC Sub Group Ashford