

Some Lessons Learned from Corby

Roger Braithwaite

Director

 zero environment Ltd

tel: 01926 62 49 66 fax: 01926 62 49 26

roger@zeroenvironment.co.uk

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First – the ‘Title’

- “Corby contaminated land case – the Expert Witness view”
- Industry
- Pollution
- Waste
- Regeneration
- Pollution
- Effect

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Expert

S

In a nutshell

- Built a railway
- Found ironstone
- Other minerals (holes)
- First iron making 1910
- Became largest in Europe

“Now and then a great commercial or industrial undertaking takes hold of the mind of the people and becomes a symbol of enterprise, high courage and progress. Corby, in its particular way, typifies the spirit of industrial resurgence”

So - about me

- I am an alien
- Always been a bit anti-establishment
- Taught my children that most people are idiots
- Recently gave the annual lecture to the Geological Society at Birmingham University

Comedy Risk Assessment Protocols

(Acronym pure accident)

Background

- Pupil Public Health Inspector tiny RDC in Yorkshire
- (tha can allus tell a Yorkshire man but tha can tell 'im nowt!)
- Required 5 'O' Levels
- Thick sandwich!

....

- Became an EHO in the 70s.
- Known in Europe as the “Trained generalist”
- Always been non academic (absolutely hate exams)
- Suspicious of men in white coats (boffins)

Always seen our job as the voice of common sense

- The essential link between the men in white coats and the –
- JCB driver
- The foundryman
- The slaughterman
- The fishmonger or the
- Pancake flipper

BUT!

**NEED TO
UNDERSTAND
THE BIGGER
PICTURE**

So what sort of experts required for Corby?

- Epidemiologist
- Foetal development specialist
- Toxicologist
- Then what?

The other side – Expert 1

- Managing Director & Principal Environmental Scientist of nationally known firm.
- Environmental Chemist (Edinburgh) – Chartered Chemist
- Chartered Environmentalist
- Member Chartered Institution of Waste Management
- Registered Principal Environmental Auditor
- Society of Chemistry Industry Environment Committee
- CBI Environmental Liability Working Group
- ESA Regulation Committee
- EA Landfill Regulation Group
- UK representative on the Landfill Working Group of the Fédération Européenne des Activités du Déchet et de L'Environnement
- Head of UK delegation on CEN/TC/292 Comité Européen de Normalisation Technique - Committee for development of standards for the characterisation of waste

Cont

- Editor of book on the harmonisation of leaching and extraction tests
- Author of chapter on leaching tests in a book on the chemical analysis of contaminated land
- Provided technical and editorial support on WMP 26
- Previously Head of Waste Research Unit at Medical Sciences Division at AEA Harwell
- Researcher for the DOE on the investigation and remediation of Contaminated Land
- Over 25 years as a specialist in providing technical advice on environmental issues with particular experience in the environmental impacts of land contamination.
- Specialist in the assessment of risks associated with investigation, remediation and development of contaminated sites and developed risk assessment methodology in the UK
- Tutor and lecturer

Expert 2

- Director of Analytical Services at the IOM
- First Class Honours Degree Geology St Andrews
- PhD Earth Sciences Cambridge
- Masters in Environmental Sciences Strathclyde
- Taught at Birmingham University 7 years before becoming head of mineralogy at IOM
- Responsibility for all laboratory services
- Member of DEFRA Expert Panel on Air Quality Standards
- Member of the Scottish EPA East Region Board
- Extensive experience in air quality / toxicology / chemical risk

Cont

- Reviewed air quality guidelines for 96 substances
- Preparing summary criteria documents for 12 substances for the EU Scientific Committee on Occupational Exposure Limits
- Currently assessing the health impacts of air pollution in central Scotland for the Scottish Executive
- Has reviewed the health effects of exposure to:
 - incinerator emissions
 - smoke exposure following a fire at a chemical plant
 - exposure to emissions associated with smoky flaring at an ethylene plant

Me?

- Sanitary inspector with 5 'O' levels –
“trained generalist”-
drains, rats, take-aways & Mr Trebus

What could I possibly
have to offer?

What was required?

- **Epidemiologist** – key
 - Louise Parker, Professor of Paediatrics & Medicine at the Canadian Cancer Society. Chair in Population Cancer Research, Halifax (Nova Scotia).
- What chemicals might be there? **Process specialist**

Cont

- Could those chemicals have an impact?
Toxicologist – Dr Bojan Flax, Pathologist & Toxicologist, Specialist in Toxicity & Carcinogenicity of environmental & industrial chemicals and pollutants, and
- **Foetal Development specialist** Dr David Penman, Consultant Obstetrician & Gynaecologist, Specialist in Foetal Medicine.

Cont

- How were those chemicals dealt with?
Engineering / waste and remediation specialist
- Were processes followed?
Another process specialist
- Could the chemicals actually reach? **Air pollution specialist** – Dr Tony Cox MBE

Me?

- Process
- Engineering waste & remediation
- Process – including?

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“The Toxic Soup”

BUT WHAT ABOUT

Contaminated
Land?

The Judge

“He was a down to earth but relatively outspoken person who spoke as he thought.”

“She tended in her reports to be somewhat perfunctory”

“.... This cannot be right and that coupled with her somewhat perfunctory views as to the facts of CBS’s performance somewhat undermines any confidence one may have in her views where they seriously differ from the other experts’ views”

• • • •

“He obviously had great experience over the 1980s and 90s in how local authorities should manage and deal with waste and contaminated material. He was obviously appalled at the way CBC conducted itself; that feeling clearly manifested itself in the way in which he gave evidence. As is clear from this judgement he was right to be appalled.”

