



House of Commons
Environment, Food and Rural
Affairs Committee

The draft National Policy Statement for Hazardous Waste

Eleventh Report of Session 2010–12

Volume II

Additional written evidence

*Ordered by the House of Commons
to be published 6 September 2011*

Written evidence

Written evidence submitted by the Infrastructure Planning Commission (IPC)

EXECUTIVE SUMMARY

1. The Infrastructure Planning Commission (IPC) welcomes the publication of the draft National Policy Statement (NPS) on Hazardous Waste.

2. Whilst we do not consider it appropriate for us to comment on the substance or merits of Government policy, the IPC considers that the draft NPS on Hazardous Waste is fit for purpose. We consider that, generally, the draft NPS provides a sufficiently clear statement of Government policy.

3. However, while we consider that the draft NPS is fit for purpose, we have identified a small number of areas where we think it could be improved to achieve greater clarity. These are set out in paragraphs 5–8 below.

4. The IPC will be responding in similar terms, and making further points of detail, to the Department for Environment Food and Rural Affairs in relation to their consultation on this draft NPS. We would be glad to assist the Committee with any further information if requested to do so.

INTRODUCTION

1. The IPC was established on 1 October 2009, under the Planning Act 2008 (the Act), to examine applications for development consent for Nationally Significant Infrastructure Projects (NSIPs), including hazardous waste infrastructure developments above the thresholds specified in the Act.

2. The Localism Bill seeks, amongst other matters, to amend the Act regarding decision-making. If the Bill is enacted in its current form then in future all decisions will be taken by the relevant Secretary of State.

3. Under these likely future arrangements the Government will continue to set policy through draft and designated NPSs and the Examining authority will consider applications in accordance with this statement, taking account of other relevant factors as set out in statute and policy. It follows from this separation of powers that it would be wrong for the IPC to comment on Government policy. Our comments in both written and any oral evidence to the Committee will therefore be restricted to the clarity with which policy is set out in the draft NPS and other aspects of its fitness for purpose, addressing the second of the four areas of the Committee's scrutiny of this draft NPS.

4. The IPC considers that the Appraisal of Sustainability associated with the draft NPS lies behind the policy, rather than forming any part of the draft NPS itself, and it would not therefore be appropriate for us to pass any comment on it.

SUGGESTED AREAS FOR IMPROVEMENT

5. It is important for the draft NPS to avoid using language which risks creating tensions with relevant statutory provisions. For example in paragraph 4.1.2 “the policy presumption in favour of granting consent” could not override the IPC's duty to approach a decision as required by s.104 of the Act and any other duties imposed by law. Therefore this wording is not appropriate. The Committee may wish to propose more appropriate wording with consideration to the emerging National Planning Policy Framework.

6. We welcome the emphasis in the draft NPS on effective engagement between applicants, regulators and permitting authorities such as the Environment Agency and the Marine Management Organisation. However, Section 4 of the draft NPS contains a wide range of terminology to characterise the relationship between the IPC, the applicant and these consenting bodies at various stages of the infrastructure planning process eg the IPC is to “seek advice”, “liaise”, “consult”, and “cooperate”. In some cases such a relationship would be in conflict with the Act or create tension with or confusion in relation to the IPC's engagement with such bodies, at legally defined points in the process. Therefore consistent and legally accurate wording should be used to describe the respective duties of and relationships between the IPC and others bodies in section 4. A list of these areas of concern, alongside other minor points, will be supplied to the Department for Environment Food and Rural Affairs in response to their own consultation on this draft NPS.

7. In paragraph 4.7.7 applicants are encouraged to submit applications for Environmental Permits and other necessary consents at the same time as applying to the IPC. However, the general conclusions from IPC discussions with other consenting bodies to date, and experience with cases so far are that this may not be sufficiently early, and that applications for any necessary consents outside the Development Consent Order should, where possible, be made prior to the application for development consent being submitted. This will allow time for the IPC, applicants and regulators to resolve any differences and/or to enable those bodies to be in a position to make meaningful representations to the IPC/Examining authority, should an application be accepted for examination.

8. We also note that despite the potential trans-boundary impacts arising from some possible hazardous waste NSIPs there is no reference in the draft NPS to the requirements placed upon the IPC, and the UK Government,

deriving from the Espoo Convention. We would refer the Committee to the published IPC Advice Note 12 in this regard.

26 August 2011

Written evidence submitted by Whitemoss Landfill Limited

EXECUTIVE SUMMARY

The Hazardous Waste NPS, although essentially a planning document, must address the complex nature of the hazardous waste stream and therefore the policies and regulations that are needed to manage hazardous waste, with the need at least to include the role of other interested parties. Particularly there needs to be input from the Environment Agency who assess sites from a technical point of view and issue the necessary Permit and thereafter regulate and monitor a facility. Also there needs to be liaison with the waste industry; as it is recognised that they are best placed to make investment decisions and identify locations for these facilities. It is suggested therefore that the Infrastructure Planning Commission (IPC) take a holistic approach and have representatives from all interested parties who would provide an input when assessing an application for a Nationally Significant Infrastructure Project.

Do the General Planning Principles set out in the proposal for a National Policy Statement for Hazardous Waste form a coherent, appropriate, proportionate, and practical framework within which the Infrastructure Planning Commission (IPC) and other planners can assess future planning applications for hazardous waste infrastructure?

1. Yes. The General Planning Principles as set out do form a coherent, appropriate and proportionate framework. However, the practical aspect of the draft NPS is questionable. The Assessment Principle set out in 4.20 Consideration of Hazardous Waste Landfill Facilities states that “the Applicant must demonstrate that waste to be deposited at any proposed new hazardous waste landfill facility cannot be managed in an alternative way higher up the waste hierarchy.” It is proposed that the waste producer should be the “applicant” to determine whether the waste can be managed in an alternative way, because the waste must still be classified and assessed in accordance with the relevant waste Directives and Regulations.

2. Further, the recently published Government Waste Review, June 2011, particularly in the section relating to landfill makes a statement on page 70, paragraph 242, where it gives the reasoning why landfill will still be required, not least of which includes “waste for which the alternatives to landfill are not justified by economic cost, or environmental and resource benefits.” Given that the NPS, in Principle 2 states that it “looks to the market to provide the infrastructure to implement the strategy” and “because the waste industry has the greatest level of expertise in hazardous waste management issues and is best placed to consider where facilities are needed.” The NPS must consider the economic market forces which the waste industry operates within, in preparing the principles by which the strategy will be implemented.

Are the sustainability and environmental criteria outlined in the draft Hazardous Waste NPS appropriate, proportionate and practical?

3. Yes. The sustainability and environmental criteria outlined in the draft NPS are appropriate, proportionate and practical. No further comment on this point is made.

Have issues or principles which should have been included in the draft Hazardous Waste NPS been left out?

4. It is the combined Planning and Permitting regimes which will control a Nationally Significant Infrastructure Project (NSIP), as they currently do with the present network of waste management facilities. It is the role a waste management facility plays with respect to the area it serves which will make it a Nationally Significant Infrastructure Project or not. There should be a set of criteria, including the capacity of the facility, by which an application should be judged. It is the Environment Agency who currently state in a facility permit what the annual capacity of that facility is. This is not an “expected” figure but a threshold limit. Consideration should be given to the role the Environment Agency plays in regulating and monitoring hazardous waste infrastructure, which seems to be lacking in the draft NPS.

5. There is a requirement for reliable and detailed waste arisings data to make decisions for the need (capacity and number) of hazardous waste management facilities. Currently there is poor collation of data on waste arisings; however this could be resolved by the combined efforts of the Environment Agency and the waste industry. In accordance with the pertinent planning policies and principles the location of hazardous waste NSIP must be sited within a defined area related to the anticipated waste arisings. This requires a good understanding of the individual hazardous waste streams and their tonnages arising, as well as the processes required in recycling, treating or disposing of the waste, which it is acknowledged the waste industry is best placed to do.

6. Hazardous waste is a complex waste stream with a management network to match and is controlled by the numerous planning policies and permitting regulations which are enforced. A case in point is the current network of a limited number of dedicated strategic hazardous waste landfill sites, which are both nationally

and regionally significant waste management facilities, based on a set of criteria, the need for which has been identified. It is suggested that the Nationally, Regionally and Sub-Regionally Significant Waste Management Facilities Report 2008, undertaken by Urban Mines for 4NW, be referred to. Although this report was prepared specifically for the NW region, the scope and objectives and conclusions and recommendations can be applied to other regions. The report outlines criteria by which a proposal for the development of a waste management facility may fall into either a sub-regional, regional or national facility classification.

7. It is recognised that the current hazardous waste landfill sites provide a strategic network of disposal facilities, the need for which is outlined in the Government Waste Review. These facilities have been developed through market forces and have been sited where a need for them has arisen and continues to exist, therefore they are strategically located and their sphere of influence extends beyond the region in which they operate.

August 2011

Written evidence submitted by The Chartered Institution of Wastes Management (CIWM)

The Chartered Institution of Wastes Management (CIWM) is the professional body which represents around 7,000 waste management professionals, predominantly in the UK but also overseas. The CIWM sets the professional standards for individuals working in the waste management industry and has various grades of membership determined by education, qualification and experience.

CIWM welcomes the Strategy for Hazardous Waste Management and believes the NPS completes the strategy and gives a well balanced and sensible approach to hazardous waste management. The Institution also welcomes the EFRA committee inquiry and has sought views from its members within the CIWM Hazardous Waste Special Interest Group, whose feedback helped form this response.

EXECUTIVE SUMMARY

1. In general CIWM is broadly supportive of the NPS and policies set out therein. CIWM agrees that a market led approach to providing hazardous waste infrastructure is the only practical means for delivery of appropriate facilities and the achievement of national self sufficiency. The guidance on the assessment of applications appears appropriate and comprehensive.

2. The document could be improved by making it clear that this national policy statement differ from others as it only deals with hazardous materials. As such the protection of the environment and the prevention of harm to human health must always be the first consideration when developing facilities. Although this principle is highlighted in some areas of the document it seems to be lost in others.

3. The recent M1 scrap yard fire has highlighted the irrational way in which “waste” facilities/ projects are often considered by communities, although generally not official planners. There is often an assumption that facilities dealing with waste are higher risk than other industrial facilities, as demonstrated by the call for a blanket ban on waste facilities with hazardous materials being located by motorways, despite the fact that a normal motorway services petrol station containing more hazardous material is acceptable to the community.

4. In a similar way, the NPS appears to follow the common public perception that hazardous wastes are entirely negative, without providing strongly enough the context that hazardous wastes arise because many of the goods and services that society demands result in some limited quantities of hazardous waste as a byproduct. If society wants the benefit of these goods and services, including for example modern electronics and most forms of transport, then we need hazardous waste infrastructure, in exactly the same way that if we want the benefit of air travel, then we need airports. It is stated on page 36 that “aerodromes can have important economic and social benefits”—in exactly the same way, so can hazardous waste infrastructure.

5. There is a need for a more rational public discussion of hazardous waste facilities. However, at present without the IPC approach sensible dialogue will be challenging and the development of hazardous waste infrastructure seriously hindered.

6. CIWM would like to see some consideration of renewal of planning permissions for existing (time limited) sites, which does not seem to have been dealt with specifically. There is potential for an inconsistent approach to arise, with extensions being dealt with locally while new sites would be dealt with nationally. The majority of existing hazardous waste landfill are due for such a renewal in the next three to five years and the majority (probably all) will be more than 100,000 tonnes per annum capacity sites.

DETAILED COMMENTS

Annex 4—Appraisal of Sustainability Non Technical Summary

Table 1: Hazardous Waste NPS Objectives

7. NPS2 states that the objective is:

“To provide a robust hazardous waste infrastructure network, which applies the waste hierarchy and drives the management of hazardous waste up that hierarchy.”

8. CIWM believes that the words “except where the best environmental outcome is shown to be a deviation from the hierarchy” should be included. This is set out clearly in Section 3.1 Summary of Need (Box) but is not consistent throughout the various documents. CIWM would like to stress that there will be occasions where the environmental benefit is greatest by opting for secure destruction/disposal over any recovery or recycling. This is particularly true for many of the hazardous materials that are discarded by industry. The NPS and its supporting documents need to be very clear that diversion from the hierarchy is allowed where there is an environmental benefit.

Paragraph 2.3.7

9. CIWM assumes and seeks clarification that the NPS on Hazardous Waste sits within the National Planning Policy Framework and therefore the presumption for sustainable development is as is in the National Planning Policy Framework.

Question 1. *Do you think this draft Hazardous Waste NPS clearly establishes the need for such infrastructure for those considering developing proposals for nationally significant infrastructure projects for hazardous waste?*

10. Yes, CIWM feels that the document clearly establishes the need for infrastructure. CIWM concurs that hazardous waste quantities are likely to increase as an increasingly cautious approach is taken by scientists and regulators.

Section 3.1 Summary of Need (Box)

11. The required removal of the Landfill Directive waste acceptance criteria derogations, as laid out under Principle 6 of the Strategy for Hazardous Waste Management in England,¹ should be included in the section dealing with the need to meet legislative requirements. This will almost certainly be a key driver for increased hazardous waste management and treatment capacity.

Paragraph 3.2.2 Figure 2

12. The NPS for Hazardous Waste is for England only and does not apply in Wales. However, the document uses data for England and Wales when establishing the need for large scale infrastructure in Part 3. This could lead to unnecessary challenge. CIWM suggests that the data be disaggregated to show arisings for England only.

Question 2. *Do you think that the types of infrastructure outlined by the draft Hazardous Waste NPS capture the need for nationally significant infrastructure to help implement the Strategy for Hazardous Waste Management and drive the management of hazardous waste up the waste hierarchy? If not, what else should be included?*

13. CIWM agrees that the types of infrastructure outlined by the draft Hazardous Waste NPS are valid and capture the present need for nationally significant infrastructure. However, the Institution feels that there must be consideration for new and emerging treatment methods, which may provide more sustainable solutions in the future. The NPS should include sufficient flexibility to accommodate new treatment methodologies as they come forward.

14. The Institution feels that one emerging infrastructure need has been overlooked in this section: a recycling facility for lithium batteries, both from electronics and more significantly from hybrid and battery powered vehicles. Whilst for the former there is an immediate need, but not the volume to trigger NSIP; for the latter there is not an immediate need, but when the need arises in seven to eight years time there is likely to be sufficient volumes to be considered an NSIP.

Paragraph 3.4.3

15. CIWM notes that Article 3(1) of the Directive on the Disposal of Waste Oils (87/101/EEC),² regarding the prioritisation of regeneration of waste oils was not transposed across into the new Waste Framework Directive (2008/98/EC).³ The regulatory driver for oil regeneration may therefore no longer exist, although CIWM recognises that there may be other drivers.

Paragraph 3.4.4

16. References to “facilities” should be removed so that the document consistently refers to “capacity”. The statement about APC residue arisings should be clearer. CIWM believes the use of the following from the Strategy for Hazardous Waste Management⁴ document should be included into the NPS so it is clear that the 172,00tpa is not a year on year increase:

¹ <http://archive.defra.gov.uk/environment/waste/topics/hazwaste/documents/policy.pdf>

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31987L0101:EN:HTML>

³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008L0098:EN:NOT>

⁴ <http://archive.defra.gov.uk/environment/waste/topics/hazwaste/documents/policy.pdf>

17. *“Analysis of the EfW plant under construction shows a further 77,000 tonnes per annum of APC residues are expected to arise in England, needing treatment. A further set of EfW plant have planning approval which indicates that arisings of APC residues would increase by at least a further 95,000 tonnes per annum (total further arisings 172,000 tonnes) if all the plant come on stream.”*

18. Following the publication of the Waste Policy Review, CIWM is concerned there may be other factors besides restrictions on landfill disposal as noted in Para.3.4.4. CIWM asks have recent changes to PFI funding and LATs been accounted for when calculating future arisings.

Paragraph 3.4.6

19. CIWM feels that this section could be made clearer with some revision. Paragraph 3.4.1 and the subsequent section headings, set out a series of waste types. Paragraph 3.4.6 then considers thermal desorption, which is a specific process. This is contradictory to the principle laid out in paragraph 2.5.5 that neither the Government, nor the Hazardous Waste Strategy will *“prescribe the exact technologies to be used in bringing forward the necessary infrastructure.”*

20. CIWM has some concern that the need for thermal desorption facilities has been overestimated due to over optimism in respect of the types of wastes suitable for thermal desorption and the fact it is considered in isolation. Paragraph 3.4.6 seems to imply that thermal desorption treats a large proportion of contaminated soils, where as in reality it can be used to treat a relatively small proportion that have a high organic content. In addition, mobile thermal desorption plant is often used for larger projects, which addresses some of the capacity gap.

21. The estimated capacity gap may well be valid when the large and varied contaminated soils, oily wastes and sludges waste stream is considered but thermal desorption is one potential solution for a portion of this waste stream. The need for thermal desorption capacity may therefore be lower than this analysis suggests as a combination of treatments will be required to tackle this waste stream. CIWM suggests that paragraphs 3.4.6–3.4.7 are combined under a new title of *“Contaminated Soils and Oily Wastes”* or something similar and the capacity gap considered as a whole.

22. The Institution is also aware of enforcement issues in relation to contaminated soils receiving the appropriate treatment. CIWM recognises that the NPS in combination with the Hazardous Waste Strategy could promote better use of the recovery options, such as thermal desorption and soil washing, to improve standards of hazardous waste management in accordance with the waste hierarchy. However, there needs to be parallel enforcement, in what must be one of the most difficult enforcement areas. The EA must be adequately resourced to carry out its role as the environmental regulator.

Paragraph 3.4.7

23. This paragraph states that a portion of the 175,000 tonnes of soil contaminated by asbestos or organic substances may be treatable by a combination of soil washing, bioremediation and thermal desorption. Asbestos contaminated soils cannot be treated with these methods.

Paragraph 3.4.11

24. *“At present decommissioned [oil and gas] structures are routinely sent to Norway for recycling...”*

CIWM is aware of at least one facility, located at the Swann Hunter yard, which is operational and decommissioning large oil structures.

Question 3. *Do you think the draft Hazardous Waste NPS adequately sets out for the Infrastructure Planning Commission the key assessment principles to inform the assessment of future hazardous waste infrastructure development applications?*

25. CIWM believes that the draft NPS includes and considers the relevant principles for the assessment of future hazardous waste infrastructure development.

Question 4. *Do you think the draft Hazardous Waste NPS adequately sets out for the Infrastructure Planning Commission how it should consider alternatives when it comes to particular projects?*

26. The guidance set out is consistent with the EIA Regulations and in this respect is appropriate.

Question 5. *Do you think the draft Hazardous Waste NPS gives appropriate guidance to decision makers on how they should assess the need to consider “Good Design” for hazardous waste infrastructure?*

27. Yes this issue is addressed in all the relevant sections of the document.

Question 6. *It is a requirement of the Planning Act 2008 that an NPS must include an explanation of how the policy set out in the statement takes account of Government policy relating to the mitigation of, and adaptation to, climate change. Do you think the draft Hazardous Waste NPS adequately fulfils this requirement?*

28. Yes

Question 7. *Have all the potential environmental impacts of hazardous waste development and options for their mitigation been identified in the Assessment Principles and Generic Impacts part of the Hazardous Waste NPS (this is Part 4 and Part 5)?*

29. The NPS provides a comprehensive overview of possible environmental impacts of hazardous waste development. The options for mitigation are correct but do not include all possible options as this will be a site specific consideration.

30. CIWM welcomes the distinction made between the planning and pollution control systems and the statement that the IPC should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Paragraph 4.10.2

31. CIWM fully agrees with the text:

“Modern, appropriately located, well-run and well-regulated, waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health. The detailed consideration of a waste management process and the implications, if any, for human health is the responsibility of the pollution control authorities.”

32. However, the Institution has concerns about the text that follows:

“Perceptions of the health risks associated with hazardous waste infrastructure may exceed any actual risks and could lead to anxiety and stress. Where relevant, applicants should carry out an assessment of community anxiety and stress and how this is to be managed.”

33. CIWM is concerned that there is little guidance on perception which is one of the most difficult areas that hazardous waste (or other waste) developments have to face. CIWM sees a need for guidance in this area and is willing to discuss with Government how this might be taken forward. Guidance is also required on how stress will be assessed in these circumstances. If there are not clear guidelines and such an assessment is not carried out to the satisfaction of the local community, legal challenges could arise.

Paragraph 4.13.1

34. CIWM has some concerns about what evidence will be required to fulfill the requirement to demonstrate that the facility is treating waste at the most appropriate point on the hierarchy. The forthcoming “Guidance on Applying the Waste Hierarchy to Hazardous Waste” will hopefully provide clarity on what will be required and should possibly be referred to in this document.

Paragraph 4.16.1

35. Clarification may be required on which thermal treatments are suitable for the treatment of APC residues.

Paragraph 4.20.1

36. The following statement should again reference the relevant guidance on what evidence is required to demonstrate the decision:

37. *“Hazardous waste landfill is the lowest option on the hierarchy and should be considered only for those wastes where there is no suitable alternative treatment. Applicants must demonstrate that waste to be deposited at any proposed new hazardous waste landfill facility cannot be managed in an alternative way higher up the waste hierarchy.”*

38. It is the view of CIWM that for the purpose of planning only generic waste streams should be identified. It is for the pollution control regime to determine the specific waste streams that may be accepted. The requirements under the Waste Regulations 2011⁵ for producer declaration in respect of satisfying the waste hierarchy will provide adequate control that should not be duplicated in the planning system.

Question 8. *Do you think the draft Hazardous Waste NPS considers all the significant impacts of hazardous waste development? If not, what do you think is missing and why? (This is Part 5.)*

39. CIWM is satisfied that Part 5 of the Hazardous Waste NPS considers all the significant impacts of a hazardous waste development. However, the Institution is confused by the specific references to insect infestations (section 5.6). Hazardous wastes do not normally attract insects.

⁵ <http://www.legislation.gov.uk/ukdsi/2011/9780111506462/contents>

Paragraph 5.9.7

40. CIWM has concerns about the following text contained, regarding developments proposed in a nationally significant area:

*“..consideration of such applications should include an assessment of:
the need for the development, including in terms of any national considerations, and the impact of consenting, or not consenting it, upon the local economy;”*

41. This is not a landscape consideration and considerations of the need for the project and impacts on the local economy have been referred to in earlier parts of the document and should not need to be re-considered under “Landscape and Visual Impacts”.

Paragraph 5.12.6

42. CIWM is also concerned by the following text:

“Hazardous waste management facilities should be subject to whole-life costing to ensure that they benefit the local, regional and/or national economy.”

43. There is currently no guidance on how whole life costing should be carried out and CIWM questions its appropriateness and the need for its inclusion when considering socio-economic impacts.

Question 9. *Do you think that the Government should formally approve (“Designate”) the draft Hazardous Waste NPS?*

44. CIWM believes that the draft Hazardous Waste NPS should be formally approved following consideration of the comments provided above.

Question 10. *Do you believe that the appraisal identifies the likely significant sustainability effects associated with the draft Hazardous Waste NPS? If not, what effects do you feel are not correctly identified and why? (See Section 8 of the AoS report.)*

45. CIWM is not in a position to answer this question.

Question 11. *Do you believe that the appraisal identifies the reasonable alternatives to the policy contained within the draft Hazardous Waste NPS? If not, what others should have been considered and why? (Section 7 of the AoS report.)*

46. CIWM is not in a position to answer this question.

Question 12. *Do you believe that any further measures are necessary to prevent, reduce or offset likely significant effects of the draft Hazardous Waste NPS? If so, what further mitigation do you think should have been covered in the AoS?*

47. CIWM is not in a position to answer this question.

Question 13. *Do you believe that the AoS correctly describes the cumulative impacts that may occur? If not, what is missing? (Section 8.10 of the AoS report.)*

48. CIWM is not in a position to answer this question.

Question 14. *Do you consider the monitoring proposals set out in Section 9 of the AoS to be appropriate and sufficient to monitor the significant effects of implementing the draft Hazardous Waste NPS? If they are not sufficient, what measures do you think should be adopted?*

49. CIWM is not in a position to answer this question.

Question 15. *Do you agree with the conclusions and recommendations of the Report of the Appraisal of Sustainability of the draft Hazardous Waste NPS?*

50. CIWM is not in a position to answer this question.

Question 16. *Do you have any further comments on the AoS Report or the appraisal described therein?*

51. CIWM is not in a position to answer this question.

Question 17. *Do you agree with the preferred option, which is to produce a Hazardous Waste NPS that allows for market led infrastructure development with no specification of location or suitable technologies? If not, please provide information as to why.*

52. Yes CIWM agrees with the preferred option and furthermore strongly supports market led infrastructure development. The Government is correct in its approach of staying technology neutral.

Question 18. *Do you consider that the costs and benefits stated in the Impact Assessment are valid for your business? If not, please provide whatever evidence you can to enable a more accurate assessment to be made. Any information you provide will be used in the Impact Assessment that will be produced following consultation*

53. CIWM is not in a position to answer this question.

Question 19. *Do you consider that the split of applications against the type of Panel commissioned to deal with it is likely to accurately reflect the nature of applications coming from the Hazardous Waste sector? If not, please provide information as to why*

54. CIWM is not in a position to answer this question.

Question 20. *Do you agree with the assumption in the IA that there are no transitional costs that would fall on business from this proposal? If not, please provide information as to why*

55. CIWM is not in a position to answer this question.

Question 21. *Do you have any comments on the fee estimates in the Impact Assessment?*

56. CIWM is not in a position to answer this question.

Question 22. *Do you have any comments on the assessment of the impact on small and medium enterprises?*

57. CIWM is not in a position to answer this question.

Question 23. *Do you have any data on costs for ship recycling facilities?*

58. No.

Question 24. *Are you able to provide any information on the number of applications that you expect to submit for consent approval over the next five years?*

59. No—CIWM is not in a position to answer this question.

Question 25. *Do you have any comments on the Habitats Regulations Assessment Report on the draft Hazardous Waste NPS?*

60. CIWM is not in a position to answer this question.

Question 26. *Do you have any comments on the Equalities Impact Assessment Report for the draft Hazardous Waste NPS?*

61. CIWM is not in a position to answer this question.

August 2011

Environment, Food and Rural Affairs Committee

The Environment, Food and Rural Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Environment, Food and Rural Affairs and its associated bodies.

Current membership

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George Eustice (*Conservative, Camborne and Redruth*)
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Committee staff

The current staff of the Committee are Richard Cooke (Clerk), Lucy Petrie (Second Clerk), Sarah Coe (Committee Specialist—Environment), Rebecca Ross (Committee Specialist—Agriculture), Clare Genis (Senior Committee Assistant), Jim Lawford and Susan Ramsay (Committee Assistants), and Hannah Pearce (Media Officer).

Contacts

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List of additional written evidence

(published in Volume II on the Committee's website www.parliament.uk/efracom)

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| 3 | Chartered Institution of Wastes Management (CIWM) | Ev w3 |