

THE SOIL AND GROUNDWATER TECHNOLOGY ASSOCIATION

SAGTA REPORT 38 EFFICIENT MATERIALS AND WASTE MANAGEMENT

Introduction

SAGTA's March 2010 workshop considered the current state-of-play on issues associated with materials and waste management. The timing of the workshop was 18 months on from the launch of CL:AIRE *Definition of Waste: Development Industry Code of Practice* (CoP).

Objectives for the workshop included:

- Review progress on the implementation of the CoP
- Consider current perspectives on the refinement and developments of the CoP
- Identify and exchange developments in associated processes that support the CoP
- Establish and exchange perspectives in the role of the Definition of Waste Code from the view point of industry, regulators and practitioners.

SUMMARY OF KEY ISSUES

Role of Materials Management Plans and Site Waste Management Plans

Following the CoP is a voluntary action and it requires production of a Materials Management Plans (MMP). Additionally, there is a legal requirement on larger projects to produce a Site Waste Management Plan (SWMP).

For remediation projects, the MMP and SWMP contain much common information. In principle, process efficiencies could follow if the two documents were combined. However, in practice this may be difficult to achieve for a number of reasons:

- SWMP include a wider range of construction wastes, not just excavated soils
- The SWMP is a legal document with a required format that will need to be followed
- SWMP cover the lifecycle of a project while MMP cease at point of declaration by Qualified Person.

In addition in 2009 DEFRA launched '*The Construction Code of Practice for the Sustainable use of soils on Construction Sites*'. This provides additional and complementary guidance for soil management, focussing on maintaining the functionality and quality of topsoil.

Workshop conclusion: Alignment rather than integration of these three documents may be the best possible efficiency gain.

Stockpiling materials for long periods of time

Stockpiling materials, including those with an intended use, for any significant length of time (CoP refers to 12 months) requires a form of regulatory agreement on waste storage.

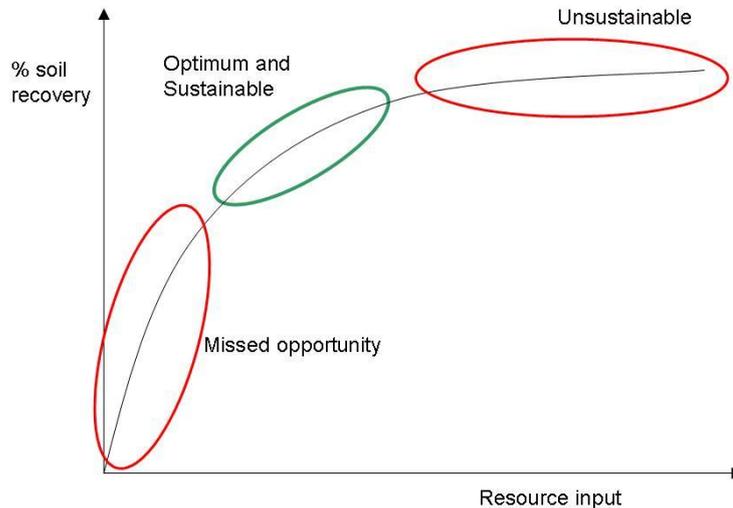
Workshop conclusion: There may be a role to use the town and country planning applications to cover temporary storage of useable materials such that they satisfy the requirements of the CoP and so are not waste.

Sustainability of zero waste targets

Zero waste targets are communicated by several industrial sectors as an ambition.

Workshop conclusions: It is important the land remediation sector recognises and communicates the challenges of a zero waste target and the need to consider waste management options in a holistic and sustainable way.

The following workshop graphic illustrated this point



(Based on a Figure presented by Ian Heasman of Taylor Wimpey UK Ltd)

In illustration, there are at least two waste streams for which landfill is the Best Practicable Environmental Option. For example:

- Asbestos-contaminated soils
- WAC-failing tarry wastes

These waste streams are subject to landfill tax as a financial disincentive to discourage the use of landfill.

In the case of WAC-failing soils the alternative of thermal treatment methods with higher carbon footprints than disposal to landfill.

It was considered that the market is still not performing at optimum for producing recycled materials and that opportunities still exist. The constraint created by planning and local objections was considered a factor in the limited set-up of facilities.

Non-wastes classification as by-products

Workshop issue: The issue of whether non-wastes, declassified by the CoP, are by-products and subject to regulation under REACH remains an area of uncertainty. Environment Agency feedback shared on day indicated that EA has no current intention to regulate declassified non-wastes under the REACH regulations.

Applicability of CoP beyond England & Wales

Workshop note: The CoP is only supported by the Environment Agency and so applies in England and Wales. It is also the England & Wales interpretation of how the European Waste Framework Directive and relevant case law can be interpreted. Other European countries may take a varied view.

The equivalent Scotland position is documented in following 'Land remediation and waste management guidelines' and can be found on SEPA web-site using following link.

http://www.sepa.org.uk/waste/waste_regulation/idoc.ashx?docid=567836f1-dfa6-4d13-a6d0-0b07f4b2d614&version=-1

Competency amongst Contractors

Workshop issue: Regulators and consultants are considered to be well trained on the requirements of the CoP. This is positive up-take for industry. EA resources are in place to support process. There is a requirement for the Contractors to raise their awareness of the CoP and a role for clients to encourage its use.

SUMMARY OF WORKSHOP PRESENTATIONS

The European Perspective highlighted that in Europe there was agreement that excavated soil may be waste, and that soil destined for landfill was waste, but for all activities in between there were starkly different approaches by different Member States' Progress of the Waste Framework Directive (WFD) was explained including transposition by Dec-10. The CoP will need to reflect the changes in the WFD, including exclusions, by-product definitions and end of waste criteria.

The UK Industry Role in Development of the CoP presentation explained how waste can cease to be waste prior to backfilling hence removing the need for permitting associated with its use as a recycled material. In respect of following the CoP for the movement of materials between sites in Cluster projects, the initiative offers a step-change opportunity for the sector to deliver better value remediation designs.

CoP Lessons Learned to Date reminded members of the process and benefits that can be offered and provided an updated on numbers of qualified persons registered (101) and other relevant progress including number of declarations (36).

An Environment Agency update explained how the CoP was developed instead of a universal WRAP quality protocol for contaminated soils. It is considered to represent a modern regulation approach by the EA with benefits to both landowner and regulator. The next phase of CoP development is nearing completion. Direct transfer of naturally uncontaminated soils will be facilitated by CoP2. Direct transfer of contaminated soils will be achievable but essentially aligned with the existing CoP support of Cluster sites. Declassification of treated soils at Fixed Soil Treatment Facilities will also be achievable following a Cluster approach as a series of different two site Clusters. There will be a need to update EA position statements on web-site.

The logistics of operating a **Soil Treatment Centre in Scotland** were presented. The centre is located in Glasgow to serve remediation works associated with the Clyde Gateway and Commonwealth games activities. Declassification to be achieved following SEPA guidelines based on splitting treated output into different product streams including modified bio-remediated fines with geo-technical characteristic similar to bentonite.

A SAGTA Member's Case Study explained the challenges of storing waste where it was anticipated that stockpiled materials were remain in-situ for over three years and thus be subject to waste regulations.

A second SAGTA Member Case Study highlighted further the challenges of materials management predictions. One lesson learnt was to anticipate bulking out of materials by up to 20% following excavation and re-compaction in your materials management calculations