

Environmental Legal Register

The following environmental legislation has been identified as being applicable to Structural Repairs Solutions Limited

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E1	Waste Management – General	<p><i>The Environmental Protection (Duty of Care) (England) (Amendment) Regulations 2003 and the Waste Management Duty of Care Code of Practice 1996.</i></p> <p><u>Enforced by the Environment Agency or SEPA.</u></p>	<p>Wastes to be stored securely.</p> <p>Controlled wastes to be disposed of to a licensed waste carrier.</p> <p>Vetting of waste carriers.</p>	<p>Disposal of waste arising from factory and office activities.</p> <p>Evidence of compliance: Documented transfer of waste from the organisation to a waste carrier signed by both parties. Retained for 2 years.</p>	<p>All waste streams are securely stored in labelled cages/containers?</p> <p>All waste carriers licence are valid and on file?</p>
E2	Waste Management - General	<p><i>Environmental Protection Act 1990: Part II ‘Waste on Land’.</i></p> <p><u>Enforced by the Environment Agency or SEPA.</u></p>	<p>Appointment of waste authorities.</p> <p>Prohibition on unauthorised disposal of waste.</p> <p>Granting of licences for treatment, keeping and disposal of any specified waste in or on specified land.</p>	<p>Use licensed carriers.</p>	<p>All waste carriers’ licences are valid and on file for all transport/waste carriers?</p>
E3	Waste Management - General	<p><i>The Clean Neighbourhood and Environment Act 2005.</i></p> <p><u>Enforced by the Environment Agency or SEPA and Local Authority.</u></p>	<p>Prohibition on unauthorised disposal of waste.</p> <p>Additional powers to agencies dealing with fly-tipped waste. Fines up to £50,000 and five years imprisonment for those found guilty of fly-tipping.</p>	<p>Use licensed carriers.</p>	<p>All waste carriers’ licences are valid and on file for all transport carriers?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E4	Waste Management – Hazardous Waste	<p><i>The Hazardous Waste Regulations 2005.</i></p> <p><u><i>Enforced by the Environment Agency or SEPA.</i></u></p>	<p>Hazardous Waste is so called because it has hazardous properties that may render it harmful to human health or the environment.</p> <p>All businesses in England and Wales that produce Hazardous Waste must:</p> <ol style="list-style-type: none"> 1. Annual registration to Environment Agency (EA). 2. No pre-notification to EA except when delivered to Scotland or Northern Ireland. 3. Quarterly returns to EA. 4. Keep consignment notes for three years. <p>If premises are not exempt, the producer must register - even if the premises produce less than 200kg of Hazardous Waste.</p>	<p>Disposal of hazardous wastes arising from factory and office activities (hazardous chemicals, solvents and solvent-based paints, inks, waste oils, oily residues, fluorescent light tubes etc.</p> <p>The Environmental Regulator tracks the movement of Hazardous Waste through a consignment note system. This ensures that waste is managed responsibly from its point of origin until it reaches a suitably licensed or exempt facility to be recovered or disposed of.</p> <p>The consignment note system needs to allow for a consignment note copy to be sent to the waste producer as proof of waste receipt.</p>	<p>Registered with the Environment agency – Premises code: “?”.</p> <p>Only classified hazardous wastes are removed.</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E5	Waste Management – Non-Hazardous Waste	<p>Landfill (England and Wales) Regulations 2002, SI 2002 No. 1559, as amended, e.g. by the Landfill (England and Wales) (Amendment) Regulations 2005.</p> <p><u>Enforced by the Environment Agency or SEPA.</u></p>	<p>New rules mean that from October 2007 non-hazardous waste must be treated before it is disposed of at a landfill site and liquid waste will be banned from any landfill.</p> <p>Treatment is defined by a three-point test, and all criteria must be satisfied for the waste to have been treated. The criteria are that the treatment must:</p> <ol style="list-style-type: none"> 1. Be a physical, thermal, chemical or biological process including sorting. 2. Change the characteristics of the waste. 3. Change the waste to reduce its volume or hazardous nature, facilitate its handling or enhance its recovery. 	<p>If you are a waste producer, you are not obliged to treat the waste yourself – many will simply buy this service from a waste contractor. However, it is good practice to complete a written declaration stating:</p> <ol style="list-style-type: none"> 1. Whether you have treated the waste. 2. The type of treatment that has occurred (if any). 3. If relevant, the amount of waste sorted out for recovery or alternative treatment. 	<p>Written statement declaring amount of waste to be treated by?</p> <p>Evidence that subsequent holder of waste has treated waste before landfill as per regulations?</p>
E6	Waste Management - Documentation	<p><i>Environmental Protection (Duty of Care) (England) (Amendment) Regulations 2003 (SI 2003/63).</i></p> <p><u>Enforced by the Waste Collection Authority.</u></p>	<p>This legislation provides powers for the relevant Waste Collection Authority to serve a notice on any person required to keep copies of transfer notes, requiring that person to provide copies of transfer notes within a specified time. This is in addition to the powers of the Environment Agency.</p>	<p>Necessary documentation controlled by procedures.</p>	<p>Duty of care collections note completed for collections.</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E7	Waste Management – Storage of Skips	<p><i>Highways Act 1980 (England and Wales)</i> <i>Environmental Protection Act 1990</i> <i>Environment Act 1995.</i></p> <p><u><i>Enforced by the Environment Agency or SEPA.</i></u></p>	<p>This legislation requires that waste in skips must be secure from access by the public. Structural Repairs Solutions Limited ensures that the site is secure from the general public and that no waste is stored outside customers' premises.</p>	<p>Security on site. Locked/secure bins.</p>	<p>Controls in place?</p>
E8	Waste Management – Movement of Waste	<p><i>Control of Pollution (Amendment) Act 1989 Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 (SI 1991/1624)</i> <i>Controlled Waste (Registration of Carriers and Seizure of Vehicles) (Amendment) Regulations 1998 (SI 1998/605).</i></p> <p><u><i>Enforced by the Environment Agency or SEPA.</i></u></p>	<p>Under the Control of Pollution (Amendment) Act 1989, and the above Regulations, it is a criminal offence for a waste carrier to transport waste without being registered.</p>	<p>Structural Repairs Solutions Limited has a Duty of Care process to ensure that any of its own contractors carrying their waste themselves hold a current carriers licence. To meet this requirement, Structural Repairs Solutions Limited shall retain a copy of all relevant current licences.</p>	<p>All waste carriers licence are valid and on file?</p>
E9	Waste Management	<p><i>Landfill Tax Regulations 1996.</i></p> <p><u><i>Enforced by Customs and Excise.</i></u></p>	<p>Tax payable for landfill waste to reflect the full environmental costs of disposing of waste to landfill.</p>	<p>Tax affects cost of disposal. Higher tax for active waste than for inert.</p>	<p>Annual waste transfer note?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E10	Waste Management – Licence	<p><i>Environmental Protection Act 1990, Part II: Waste on Land.</i></p> <p><i>Waste Management Licensing (England, Wales) (Amendment and related provisions) Regs 2005 (SI 803).</i></p> <p><i>Waste Management Licensing (Amendment) Regulations 1996 (SI 1996/1279).</i></p> <p><i>Waste Management Licensing (Amendment) (England) Regulations 2002 (SI 2002/674).</i></p> <p><u><i>Enforced by the Environment Agency or SEPA.</i></u></p>	<p>Structural Repairs Solutions Limited is required to meet all of the requirements of the licences as defined in the licence documents (Ref. EAWML/75188).</p> <p>(Waste Management Licensing legislation amended on <u>04-01-07</u> from Regs 1994, to Regs 2005 (Amendments to cover exemptions for requiring a waste management licence).</p>	<p>Under the EPA 1990, the party to whom the licence is issued has to be a “fit and proper person”. The competence needed to meet this requirement is determined through COTC qualifications held by members of staff.</p>	<p>Current COTC qualifications?</p> <p>Is Structural Repairs Solutions Limited complying with the waste tonnage limits outlined within the Waste Management Licence?</p>
E11	Emissions to Air	<p><i>Environmental Protection Act 1990: Part III Statutory Nuisance and Clean Air.</i></p>	<p>Nuisance (Noise, Dust, Smells).</p> <p>Activities not to be source of statutory nuisance.</p>	<p>Noise (waste compactor, compressors).</p> <p>Dust (waste compactor).</p> <p>Waste litter in yard.</p> <p>Smells (contaminated plastics and tins).</p>	<p>Evidence of statutory complaints?</p>
E12	Emissions to Air	<p><i>Clean Air Act 1993.</i></p> <p><u><i>Enforced by Local Authority and Secretary of State.</i></u></p>	<p>Heating oil emissions.</p> <p>The Act contains provisions relating to the control of grit, smoke and dust. The Act prohibits, subject to conditions, emissions of dark and black smoke from chimneys serving boilers and industrial plant.</p>	<p>Competent persons must service equipment regularly.</p>	<p>Evidence of regular maintenance?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E13	Emissions to Air	<p><i>The Control of Asbestos Regulations 2005.</i></p> <p><u>Enforced by HSE.</u></p>	<p>The Control of Asbestos Regulations came into force on 13 November 2006. As well as the requirement for accreditation, the Regulations introduced other changes including:</p> <ul style="list-style-type: none"> • A single control limit of 0.1 fibres per cm³ of air for work with all types of asbestos. • Specific mandatory training requirements for anyone liable to be exposed to asbestos. • A requirement to analyse the concentration of asbestos in the air with measurements in accordance with the 1997 World Health Organisation recommended method. <p>All work with asbestos containing materials, whether licensed or not, must be undertaken by trained workers following a risk assessment and in accordance with appropriate controls to prevent exposure to asbestos fibres.</p>	<p>All potential asbestos clad buildings to be investigated with samples sent for analysis to UKAS accredited laboratories.</p> <p>Maintenance of asbestos materials to be strictly controlled to ensure staff are adequately protected from any potential asbestos airborne fibres.</p>	<p>Evidence of inspection reports?</p> <p>Evidence of routine checks?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E14	Resource Consumption	<p><i>Packaging (Essential Requirements) Regulations 2003 (SI 2003/ No.1941).</i></p> <p><i>Packaging (Essential Requirements) (Amendment) Regulations 2004 (No.1188).</i></p> <p><u><i>Enforced by Weights and Measures Authorities in Great Britain.</i></u></p> <p><i>The Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (SI 2007 No. 871) entered into force on 16 March and replace the Producer Responsibility Obligations (Packaging Waste) Regulations 2005.</i></p>	<p>The qualifying criteria remain unchanged at £2 million turnover and 50 tonnes of packaging handled per year.</p> <p>Product packaging shall be minimised consistent with the safe and hygienic transport and handling of the product.</p> <p>Packaging shall be designed to permit re-use or recovery.</p> <p>Printing inks shall not involve the use of heavy metal pigments.</p>	<p>Revisions include: Provision for submitting documents and maintaining registers in electronic form; An increase in the registration fee charged by EA/SEPA from £768 to £776. (The fee for small producers).</p> <p>Supply chain.</p> <p>Potential to recycle drums, pallets, paper, cardboard, plastic containers, etc.</p>	<p>Packaging Usage figures.</p> <p>compliance?</p>
E15	Resource Consumption	<p><i>Finance Bills 1999 and 2000 Climate Change Levy.</i></p> <p><u><i>Enforced by Customs and Excise.</i></u></p>	<p>HM Government announced a climate change levy or carbon energy tax on the industrial and commercial use of energy to apply from April 2001, exempting energy from new forms of renewable energy, e.g. solar, wind power.</p> <p>Basis for charging Vehicle Excise Duty on new passenger vehicles is related to the vehicle's CO₂ emissions.</p>	<p>Energy and fuel consumption.</p> <p>Production of carbon.</p> <p>Use of finite resources.</p> <p>Administration of the fleet of company cars.</p>	<p>All vehicles and electricity data was recorded and monitored through out 2006/7?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E16	Resource Consumption	<p><i>The Waste Electrical and Electronic Equipment Regulations (SI 2006 No.3289) were laid before Parliament on 12th December 2006 and came into force on 2nd January 2007.</i></p> <p><u>Enforced by the Environment Agency.</u></p>	<p>Aims: To reduce the waste arising from electrical and electronic equipment.</p> <p>To improve the environmental performance of all those involved in the life cycle of electrical and electronic products.</p> <p>Any businesses using EEE must comply with the new regulations, meaning you must store, collect, treat, recycle and dispose of WEEE separately from your other waste. Similar to Waste Transfer Notes, you must obtain and keep proof that your WEEE was given to a reputable waste management company and treated and disposed of in an environmentally sound way.</p>	<p>Disposal is free if you were sold the equipment after 13th August 2005 or if you are replacing with equivalent EEE. This service will be delivered through the producer take-back scheme. You must pay for WEEE where you are discarding EEE purchased before 13th August 2005, or where you are not replacing EEE with an equivalent. Payment must also be made if you cannot trace the producer or their compliance scheme, or if you choose to negotiate with producers to accept the cost of treating and disposing your WEEE.</p>	<p>Choice to reuse equipment or donate before recycling.</p> <p>Evidence of contractual arrangement with ? to dispose of WEEE?</p> <p>Consignment note numbers will be used when disposing of equipment?</p>
E17	Releases to Water	<p><i>Anti-Pollution Works Regulations 1999 (SI 1999/1006).</i></p> <p><u>Enforced by the Environment Agency.</u></p>	<p>Under the Anti-Pollution Works Regulations 1999 (SI 1999/1006) The Environment Agency can serve an Anti-Pollution Works Notice on a company if they perceive that an activity is causing or may cause pollution to controlled waters. This means primary responsibility for carrying out and funding the works can be placed with the polluter.</p>	<p>Chemicals, solvents, diesel oil and other. Substances/materials used on site.</p>	<p>Evidence of risk assessments?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E18	Releases to Water	<p><i>Control of Pollution (Oil Storage) (England) Regulations 2001 No. 2954.</i></p> <p><u><i>Enforced by the Environment Agency.</i></u></p>	<p>In England, if you store oil (such as petrol, diesel, vegetable, synthetic or mineral oil) in a container with a storage capacity of over 200 litres (44 gallons) then you may need to comply with the Control of Pollution (Oil Storage) (England) Regulations 2001.</p>	<p>Deliveries of raw materials or fuels to your site should be supervised, to reduce the risk of overfill and spillage.</p> <p>Use of drip trays for fill pipes outside the secondary containment system.</p> <p>Fuels and chemicals should be stored in containers that are clearly labelled and "fit for purpose" and sited within or provided with secondary containment facilities.</p> <p>Secondary containment should provide a capacity of at least 110% of the largest vessel or 25% of the total volume being stored, whichever is the greater, and should be impermeable to the substance stored.</p> <p>Any accumulated rainwater should be removed as part of regular maintenance and inspection. If the rainwater is contaminated, then it will have to be appropriately treated or disposed of. Contaminated rainwater may be considered Hazardous Waste and, if so, will have to be dealt with accordingly.</p>	<p>Evidence of routine site inspections? Examples of contamination issues?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E19	Releases to Water	<p><i>Water Industry Act 1999.</i></p> <p><u><i>Enforced by DG of Water Services, Environment Agency and Local Authorities.</i></u></p>	<p>Request for supply.</p> <p>Charges.</p> <p>Adequate supply to support works.</p> <p>(Water industry act amended on 04-01-07 from Regs 1991, to Regs 1999).</p>	<p>Permission to use water on site.</p> <p>Energy used to produce water.</p> <p>Water consumption.</p>	<p>Water usage data is recorded and monitored?</p>
E20	Releases to Water	<p><i>Water Resources Act 1991.</i></p> <p><u><i>Enforced by Environment Agency and Secretary of State.</i></u></p>	<p>Storage of chemicals and other hazardous substances.</p>	<p>Under the <i>Water Resources Act</i> it is an offence to cause pollution of any watercourse.</p>	<p>No incidents reported. Spill kits located in proximity to open drains?</p>
E21	Land Contamination	<p><i>Environment Act 1995: Part III.</i></p> <p><u><i>Enforced by Local Authority.</i></u></p>	<p>Local authorities and the Environment Agency to identify contaminated land and to serve remediation notices. Notices served on the people who created the contamination if they can be identified. Otherwise the current owner or occupier is responsible.</p>	<p>Spillages of chemicals, solvents and other substances used on site.</p>	<p>No spillages recorded – Potential spillage from solvents, spill kits in place and staff trained in procedures?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E22	Land Contamination	<p><i>Contaminated Land (England) Regulations 2000.</i></p> <p><u><i>Enforced by Local Authority.</i></u></p> <p>(Contaminated land Regs amended on 04-01-07 from Regs 2000, to Regs 2006).</p>	<p>Interpretation:</p> <p>Significant harm is being caused or there is significant possibility of such harm being caused; or</p> <p>Pollution of surface waters and ground water is being, or is likely to be, caused.</p> <p>Remediation notices for measures to restore controlled waters to acceptable standard that have been affected by contaminated land.</p>	<p>Spillages of chemicals, solvents and other substances used on site.</p>	<p>No spillages recorded – Potential spillage from solvents, spill kits in place and staff trained in procedures?</p>
E23	Land Contamination	<p><i>CHIP refers to the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002. These are sometimes also known as CHIP3.</i></p> <p><u><i>Enforced by HSE.</i></u></p>	<p>CHIP is the law that applies to suppliers of dangerous chemicals. Its purpose is to protect people and the environment from the effects of those chemicals by requiring suppliers to provide information about the dangers and to package them safely.</p>	<p>All hazardous materials will require labelling at all times up to and during collection by an authorised waste transfer authority. Reference to European Waste Catalogue codes are required.</p>	<p>Check hazardous materials for correct identification?</p>
E24	Nuisance	<p><i>Town and Country Planning Act 1990 (TCPA).</i></p> <p><i>Town and Country Planning (Development Plan) Regulations 1999 (SI 1999 No. 3280).</i></p> <p><u><i>Enforced by Local Planning Authority.</i></u></p>	<p>Imposes controls over land-use and new development.</p>	<p>Owner must submit application for development permission to include: site, design, external appearance, land use, means of access and landscaping.</p> <p>Fees are payable.</p> <p>Local Planning Act may grant conditional approval.</p>	<p>All previous developments applications have been notified to the Council?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E25	Transport	<p><i>Road Traffic Act 1988 (EU Directive 91/441/EEC) and EU Directive 94/12/EEC.</i></p> <p><u><i>Enforced by Local Authority.</i></u></p> <p><i>Possible future enforcement of Road traffic act 1991 (C40).</i></p>	<p>It is an offence to use a vehicle if it is emitting "smoke, visible vapour, grit, sparks, ashes, cinders or oily substances" in such a way as is likely to cause "damage to any property or injury or danger to any person.</p>	<p>Owned vehicles need to be maintained properly. Outside delivery vehicles to be reported using note book?</p>	<p>All company vehicles to be monitored for maintenance and insurance?</p>
E26	Substances	<p><i>Control of Substances Hazardous to Health (Amendment) Regulations 2004 (SI 2004 No. 3386) COSHH.</i></p> <p><u><i>Enforced by HSE and HM Customs and Excise regarding import bans.</i></u></p>	<p>To protect employees and other persons likely to be affected against risks to their health resulting from exposure to substances hazardous to health.</p> <p>Control of hazardous substances amended on <u>04-01-07</u> from Regs 2002, to Regs 2004.</p>	<p>In order to protect employees and the environment, employers must use, as necessary, control measures, training plus routine exposure monitoring and health surveillance.</p> <p>The assessment records need to meet the requirements of COSHH also support environmental risk assessment in terms of the properties of hazardous chemicals present.</p>	<p>Maintain MSDS records? Conduct an annual COSHH assessment? Identify Health, Safety and Environmental risks and controls?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E27	Nature Conservation	<p><i>Wildlife and Countryside Act 1981.</i></p> <p><i>Wildlife and Countryside (Amendment) Act 1991.</i></p> <p><i>Wildlife and Countryside Act 1981 (Amendment) Regulations 1995 (SI 1995 No. 2825).</i></p> <p><u><i>Enforced by Natural England and Secretary of State.</i></u></p>	<p>To strengthen protection for, and provide “off-site” powers to ensure the conservation of, various endangered species of wildlife including wild birds.</p>	<p>To control the escape of materials from the site due to high winds and to prevent contamination to land and pollution to storm water drains.</p> <p>The installation of security fencing to control wind borne waste. Housekeeping and environmental training procedures to control and monitor contamination of land and pollution of drains.</p>	<p>Evidence of environmental awareness training?</p> <p>Evidence of routine site inspections?</p>

Environmental Legal Register

Ref	Aspect	Legislation/Enforcement	Key Requirements	Relevance/Controls	Compliance
E28	<u>NEW LEGISLATION</u> Resource Consumption	<p><i>The Carbon Reduction Commitment (CRC) is a new scheme, announced in the Energy White Paper 2007.</i></p> <p><u>Enforced by Local Planning Authority.</u></p>	<p>The Carbon Reduction Commitment (CRC) is the new name for the Energy Performance Commitment proposal on which the Government consulted in 2006. The name of the scheme has been changed to prevent any confusion with Energy Performance Certificates.</p> <p>The CRC will target emissions from energy use by large organisations whose annual mandatory half hourly metered electricity use is above 6,000MWh – focusing on those emissions outside the Climate Change Agreements (CCAs) and outside the direct emissions covered by the EU Emissions Trading Scheme (EU ETS). In addition, firms with more than 25% of their energy use emissions in Climate Change Agreements would be completely exempt.</p>	<p>CRC allowances will be issued to participants via an auction process. Within the context of the scheme cap, participants will be able to determine their own emissions targets. In order to ease participants into the regime, and to allow Government to establish more accurate data on emissions across the target sector, CRC will feature an introductory phase, with a simple fixed price sale of allowances.</p>	<p>Monitor consumption on quarterly basis. Current usage?</p> <p>Is business covered by legislation?</p>