

02/02/15 15:10

Comment Receipt

Event Name	Waste classification and assessment - Technical guidance WM3
Comment by	CIWM (Tina Benfield)
Comment ID	WM3_
Response Date	02/02/15 15:10
Consultation Point	Waste classification and assessment - Technical guidance WM3 (View)
Status	Draft
Submission Type	Web
Version	0.1

Your details

When we come to analyse the results of this consultation, it would help us to know if you are responding as an individual or on behalf of an organisation or group.

Please select from the following options: Responding on behalf of an organisation or group

Please tell us if you would like to (tick all that apply):

- Receive an email acknowledging your response
- Receive an email to let you know that the summary of responses has been published

Please tell us how you found out about the Waste Classification and Assessment – Technical Guidance WM3 consultation: From the Environment Agency

Q1) Is the information on hazardous property assessment in Appendix C correct and clearly presented? No

If no, please tells us which information you think is incorrect, explaining what the error is and if possible suggest how it can be corrected.

CIWM believes there are inconsistencies with POPs. CIWM is aware that this section C16 could have an impact on the assessment of potentially contaminated soils. Most of the substances listed in C16 have been part of the contaminated soils testing for a number of years. The compounds would be

tested for in a standard lab analysis of unknown materials, and therefore would not cause an issue. The one area where I feel there may be cause for concern is with the testing for Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF).

These compounds are covered in a routine analysis, but the concentration limit of 0.015 mg/kg given in the table in Section C16 is lower than is possible using standard laboratory techniques. Standard methods would typically only have a limit of detection of around 1 mg/kg. The level of detection required by the guidance is only achievable using specialist instruments and this type of testing is very expensive, with costs in the range of £250 to £400 per sample. This is three or four times the cost of *the entire suite of analysis* for a typical sample. As multiple samples would be required in order to achieve the level of precision in overall concentrations required by Section D of the guidance, the costs of this additional analysis could very quickly mount up to thousands of pounds.

CIWM seeks clarification as to whether this section is intended to be applicable to contaminated soils. It is unclear whether it is intended that this section should be applicable to contaminated soils. The guidance given in Section D states: "If the inputs to a process are variable, poorly characterised, or subject to more limited checks, then the uncertainty over the constituents would require more expansive testing." This would suggest that testing for these additional substances would be required in an assessment of unknown potentially contaminated soils.

However, in Example 15 given on page A54, it suggests that assessment of substances from Section C16 would not be required for soil from land where 'a variety of industrial processes' have been carried out in the past. This doesn't appear to be consistent with guidance given elsewhere in the document, which seems to suggest that there is a presumption that testing of C16 substances would be required.

Clarity is needed to verify if PCDD/PCDF testing is to be routinely required on testing of unknown substances - as this will potentially have a large impact on the industry, running into hundreds of thousands of pounds.

Q2) Do you think we could improve the presentation and clarity of Appendix C? No

Q3) Are the changes we have made to the waste classification and assessment framework in Chapter 2 correct? No

If no, please tell us which information you think is incorrect, explaining what the error is and if possible suggest how it can be corrected.

CIWM suggests there needs to be a check for H14 ecotoxic in relation to table references re: CLP. On following the text in WM3 which states "Should this information not become available until after the 1 st June 2015, the criteria set out in Technical Guidance WM2 for H14 Ecotoxic will continue to apply." WM2 states the information is in CLP Table 3.2 but CIWM assumes there needs to be some additional text in WM3 that corrects WM2s table reference.

Q4) Do you think we could improve the presentation and Chapter 2? No

Q5) Is the guidance on how to determine the classification of a chemical correct? Don't know

Q6) Do the new hazardous waste criteria have a significant impact on any individual waste or waste stream? Yes

Please explain your answer.

Please see response to question 2.

Q7) Please tell us if you have any other comments on the changes we have made that have not been covered by the previous questions.

CIWM believes there needs to be consistency in the layout of the document and this was in WM2 but with the rewrite the opportunity to add a header banner to Appendix A as used for Appendix B and C would be helpful to locate Appendix breaks.