



## **ENVIRONMENTAL PROTECTION PLAN**

### **INDEX**

- 1. Introduction**
  - 2. Environmental Policy Statement**
  - 3. Environmental Impact**
  - 4. Environmental Management and Environmental Responsibilities**
  - 5. Compliance with Legislation**
  - 6. Environmental Procedures**
  - 7. Noise at work and Noise Limitations**
  - 8. Storage of Fuels, Oils and Chemicals**
  - 9. Disposal of Waste**
- 
- Appendix 1 Company Environmental Organisation**
  - Appendix 2 Register of Regulations**
  - Appendix 3 Environmental Risk Assessment Procedure**
  - Appendix 4 Prevention of Pollution of Watercourses Due to Unauthorised Discharge Into Site Drains**

## **ENVIRONMENTAL PROTECTION PLAN**

The purpose of this plan is to present the proposed control measures, and to address the environmental issues that are applicable to ELM Horticulture Limited. The identification of these environmental issues will establish the strategy to be followed to reduce the environmental impact of operations within ELM Horticulture Limited.

This plan will identify what environmental issues need to be managed during the project with respect to ELM Horticulture Limited work. Also, what measures are to be taken in the instance of an environmental accident.

As and when identified, more specific assessments and analysis will be undertaken.

## **ENVIRONMENTAL POLICY STATEMENT**

ELM Horticulture Limited undertake to:

1. Comply with all statutory and regulatory requirements.
2. Comply with our clients' environmental policy requirements.
3. Identify and evaluate the environmental consequences of the Company's activities.
4. Promote and support 'best practice' for maximising environmental benefit, to encourage environmental improvement and minimise the potential for environmental damage that may be caused by our operations
5. Educate and train our employees to promote awareness and understanding of environmental issues.
6. Ensure that any sub-contractors demonstrate compliance with our environmental policy and that of our clients.
7. Minimise the total quantity of waste produced by our operations and maximise recycling of any waste produced
8. Where applicable, liaise closely with statutory and local authorities, clients, third party organisations and the general public.
9. Review our environmental performance and that of our sub-contractors by regular auditing of operations, identify and rectify any deficiencies and promote continuous improvement.
10. Establish and maintain an effective Environmental Management System to complement our core business operations, supported by proven Environmental Consultants where necessary.

**Mr D Tubby**

**Managing Director  
Responsible for Environmental Issues**

**Elm Horticulture Limited**

**Dated: 01/01/09**

## **ENVIRONMENTAL IMPACT**

Where ELM HORTICULTURE LIMITED work activities impact on the environment the effects of these activities shall be considered in respect to the works locality so that any adverse effects may be identified, evaluated and actioned accordingly. Significant activities and their impacts on the locality in terms of traffic, noise, water pollution, air pollution, fuel storage and waste etc. shall be addressed accordingly.

ELM HORTICULTURE LIMITED will prepare environmental procedures and guidance to meet the requirements of current legislation and prepare such environmental method statements as necessary for activities offering the potential for major hazard.

The identified major impacts of ELM HORTICULTURE LIMITED work are:

Noise

Vibration

Debris and Waste (Green and Commercial)

Storage and use of chemicals e.g. paints

Vehicle and Plant Use

## **ENVIRONMENTAL MANAGEMENT AND ENVIRONMENTAL RESPONSIBILITIES.**

ELM HORTICULTURAL LIMITED will fully support the fundamental environmental objectives of the project with the aim of minimising the impact of the company's activities on the environment.

This will be done by having a works management system which will control the day to day environmental issues on site controlled by senior management who will monitor the effectiveness of the system.

As a company ELM HORTICULTURE LIMITED will appoint staff who are competent and are aware of the best practices and satisfactory requirements that are placed on our work. These people will be accountable for the practical application of the requirements of this plan in the workplace. It is expected that all employees on their part are to contribute to achieving the targets of this plan.

Directors - will familiarise themselves with the requirements of this policy and will regularly monitor and review the policy. They will ensure that there are adequate financial and physical resources available for the successful implementation of the policy.

Managers - will familiarise themselves with the requirements of the environmental plan and will oversee its implementation. The works manager will allocate adequate resources to ensure that all legal requirements are met.

He shall halt operations or systems of work where there is a risk of an accident with environmental consequences.

He shall take responsibility for ensuring corrective actions are taken to rectify hazards and unsafe acts and shall deal on a day to day basis with senior management with regard to environmental matters as necessary.

SAFETY AND ENVIRONMENTAL MANAGER - Will ensure that environmental issues identified by assessments are addressed in all task activities. He will undertake environmental audits and inspections to identify any weakness or failings in the environmental plan. He will also implement any actions to rectify these failings.

SAFETY AND ENVIRONMENTAL ADVISOR - will create and review the environmental plan as well as familiarising themselves with the requirements. The safety and environmental advisor will ensure that the work site complies with the requirements of the policy through periodic inspections and audits and from these draw up action plans to correct any problems.

OPERATIVES - will be familiarised with the environmental policy and are expected to abide by it at all times on site.

## **COMPLIANCE WITH LEGISLATION.**

There is a wide variety of legislation that is applicable to ELM HORTICULTURE LIMITED activities. The following list of legislation is the main acts and regulations that are applicable to ELM HORTICULTURE LIMITED work.

- |                                    |   |  |
|------------------------------------|---|--|
| Soiled and hazardous waste         | - | Environmental Protection (duty of care)(England) (Amendment) Regs. 2003. - Pollution Prevention and Control (England and Wales)(Amendment) (No2) Regulations 2002.<br>Environmental Protection Act 1990 Part II.<br>Hazardous Waste Regulations 2005 |
| Air Pollution                      | - | The Clean Air Act 1993.<br>- Health and Safety at Work etc. Act 1974.<br>- Environmental Protection Act 1990.<br>- Environmental Protection (Controls on Ozone Depleting Substances) Regulations 2002  |
| Water Pollution                    | - | Water Resources Act 1991 Part III.   |
| Dust, odour, noise,<br>(Vibration) | - | Environmental Protection Act 1990 Part iii.<br>(Statutory Nuisance).   |

ELM Horticulture Limited

A summary of ELM HORTICULTURE LIMITED duties, company policy and responsibilities can be seen in the enclosed register of regulations. Through this identification of duties and responsibilities the company aims to meet the legal requirements placed upon it as far as it is possible to do.

## **POLLUTION PREVENTION.**

ELM HORTICULTURE LIMITED understand their duties as defined by the above legislation and aim to comply with the legislation by taking appropriate steps to prevent polluting material from work areas contaminating water, soil or air.

Wherever possible hazardous and polluting materials will be kept to a minimum on site unless large quantities of a material are required urgently, otherwise materials will be issued on demand. When materials are to be stored on site they will be required to be segregated into special areas as is required by various legislation.

The appropriate manufacturers data sheet and COSHH assessment will be issued prior to use at work, which will detail the control measures to be put into place.

Where appropriate, an overall emergency plan will be prepared to ensure appropriate procedures are in place to prevent and mitigate damage due to accidental releases, spillage's etc.

In the event of a pollutant being released prompt action will be taken by ELM HORTICULTURE LIMITED to minimise the effect in accordance with the appropriate emergency procedure. In the event of an emergency the Works Manager will be notified of what actions are to be taken and if-co-operation is required to secure the release and prevent exposure to personnel.

All accidental releases will be investigated by ELM HORTICULTURE LIMITED and the resulting report will be submitted to the Managing Director The incident report will propose corrective actions to be taken along with a timescale for them to be implemented.

## **ENVIRONMENTAL PROCEDURES**

### **ENVIRONMENTAL EMERGENCY.**

The purpose of this procedure is to detail the actions to be taken when dealing with an environmental emergency.

Three kinds of likely environmental emergency have been identified by ELM HORTICULTURE LIMITED. These are:-

- Fire
- Explosion
- Spillage.

In order to prevent or minimise the likelihood of environmental emergencies from spillage's the company will list all materials, which have a significant environmental impact. For each of these materials assessment sheets will be ELM HORTICULTURE LIMITED by a responsible person which will identify the hazards both to the environment and to employee's health and safety.

All materials that present a hazard through spillage will be stored in accordance with the manufacturers' guidelines. Where necessary i.e. where large quantities of materials are stored then appropriate training will be provided to employees regarding the actions to be taken if a spillage occurs. Any necessary equipment to be used in the event of a spillage such as water hoses, brushes, sand, absorbent granules will be readily available.

In order to prevent or minimise the likelihood of ELM HORTICULTURE LIMITED will operate a no smoking policy in areas where flammable materials are stored or there is a risk of fire or explosion.

## ELM Horticulture Limited

The Company will inform employees of defined emergency procedures, which are to be taken in the event of fire and position safety signs giving instructions on what to do in the event of fire. In the event of the fire brigade having to be called, details of the chemicals and products on site are available in the Company Health and Safety Policy.

In the event of a spillage the Works Manager must be notified so that the appropriate health and safety precautions can be taken before the spillage is dealt with in accordance with the COSHH assessment.

Any spillage's which enter outside drains must be reported to the local water authority without delay.

In the event of a fire or explosion the company emergency procedure must be followed. If the fire brigade is summoned, full information related to products and materials must be supplied.

## **NOISE AT WORK AND NOISE LIMITATIONS**

The purpose of this procedure is to detail the actions to be taken to deal with any noise nuisance the company produces on site.

Environmental Noise is subject to the provisions of the Environmental Protection Act 1990 Part III and the Control of Pollution Act 1974 sections 60 and 61 and is defined as a statutory nuisance. A statutory nuisance is an unlawful interference with a person's use or enjoyment or of some right over, on in connection with it. To ensure compliance with the regulations the company will ensure that:-

Suitable measures are taken to ensure levels of noise are kept to a minimum. Where necessary noisier equipment will be switched off during hours where noise needs to be reduced.

Machinery and plant are regularly maintained to reduce levels of noise.

To act on any advice given on levels of noise and undertake regular monitoring of noise levels.

ELM HORTICULTURE LIMITED will provide suitably qualified personnel to ensure adherence to the provisions of the Control of Pollution Act 1974 sections 60 and 61 and associated legislation.

Attempt to reduce the level of noise created by their work operations.

Provide clients with information on measures being taken to control noise levels and any additional measures that may be required.

Provide all necessary ear protection to employees at risk and ensure that this is used in accordance with legal requirements.

Provide and place warning signs dealing with noise and the hazard it presents.

## **STORAGE OF FUELS, OILS AND CHEMICALS**

ELM HORTICULTURE LIMITED will act on any requirements placed on it by the client. ELM HORTICULTURE LIMITED will advise the client of all arrangements for the handling, storage and usage of fuel, oil and chemicals in advance of the material being brought onto site.

Where feasible, ELM HORTICULTURE LIMITED will attempt to keep the minimum quantities of fuels, oils and chemicals on site and these will be removed when no longer required or disposed of in accordance with the relevant legislation.

All fuel tanks to be used on site for the storage of oil should be manufactured to a recognised standard complying with BS799 for steel tanks and OFST100 for Polyethylene tanks.

All fuel, and oil storage will be in a bowser which will be properly maintained and when not in use stored within a temporary bund sufficient to hold 110% of the volume of the largest tank. The bund will be a minimum of 750mm from the tank to the bund wall and a minimum of 600mm between the tank and its base. All bunds should be lined with an impermeable material capable of retaining the oil stored within. Facilities should be provided so that rainwater can be removed from the bund at any time, precautions should be taken if rainwater is contaminated with oil.

The contents of the tank at the tanks capacity should be clearly identified by a label attached to the bowser.

Filling and re-fuelling will be strictly controlled and where possible confined to a location remote from any watercourses or drains.

It should be ensured that a suitable fire extinguisher is provided with the bowser at all times.

All waste oils, fuels etc will be removed from site via a licensed waste contractor for disposal in the proper manner, as required under the Hazardous Waste Regulations 2005.

Bowsers will be fitted with a lockable valve between the tank and the dispensing hose, the dispensing hose will comply with the relevant British Standard and will be properly maintained. A lockable nozzle will be fitted to the end of the hose.

When the contents are not being dispensed from the bowser the valve and dispensing nozzle will be locked shut. All bowsers will be clearly marked to show the contents and the associated hazards along with the ELM HORTICULTURE LIMITED name.

If drain plugs or drain valves are fitted to bowsers they will be properly maintained and firmly secured or locked at all times.

Where chemicals require storing then this will be done in accordance with the guidelines for their storage. These will be stored in sealed tins until required and measures put into place in case of spill or leak. These will be stored in a secure container or compound.

Flammable liquids shall be kept stored in metal lockers, which are appropriately marked. Note should be made of measures to be taken in the event of spillage and suitable materials should be available to soak up the spillage and to ventilate the area.

Only sufficient material should be kept on site for the tasks in hand. Any material that is not required should be returned to the stores or disposed of in the correct manner.

Site stores should be located away from drains and watercourses so that if accidental release occurs then action can be taken to prevent entry.

## **DISPOSAL OF WASTE**

Section 34 of the Environmental Protection Act 1990 introduces a "Duty of Care" for anyone who produces, imports, carries, keeps, treats or disposes of waste. Waste includes domestic waste, scrap materials etc. Every person who is subject to a duty of care must ensure that not only do they not commit an offence, but also take steps to prevent any other person involved in handling waste from committing an offence.

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Any hazardous waste that is created during work will be dealt with accordingly. e.g. Paint tins, pesticide containers, will be disposed of via a licensed waste contractor in accordance with the Hazardous Waste Regulations 2005 as appropriate.

Discharge of effluent chemical waste of any kind into any river, waterway or drainage system will not be allowed. The burning of rubbish is not permitted on site unless express permission has been obtained from the relevant statutory authority and the Principal Contractor.

ELM HORTICULTURE LIMITED will advise of all required landfill sites or points of disposal it proposes to use.

ELM HORTICULTURE LIMITED Director responsible for environmental issues will check and keep records of any waste consignments and licences. These will be available for inspection if required. Disposal of waste will comply with statutory requirements at all times and waste transfer notes will be retained.

Waste will be packed and stored in the appropriate containers, which will prevent spillages, or contamination put to leaks, water etc. Waste will not be mixed with other waste that may contaminate it and change its properties.

Waste will be kept to a minimum on site and be stored in separate areas with divisions between hazardous and non-hazardous waste.

## **PLANT**

The use of plant on site is essential to ELM HORTICULTURE LIMITED activities to ensure that these do not have a significant impact on the environment ELM HORTICULTURE LIMITED will undertake the following steps:

1. Only use vehicles and plant that meet a recognised standard. All vehicles on site will meet the relevant standards for emissions as required by the Department of Transport i.e. MOT emission tests. Plant should be regularly monitored and maintained so that they run efficiently therefore burning less fuel and producing fewer emissions. This should be inline with ELM HORTICULTURE LIMITED maintenance programme.

## ELM Horticulture Limited

2. Regularly maintain and clean plant to ensure the best performance from the machinery as possible.
3. Plant and vehicles are to be used in accordance with site requirements.
4. Where possible or necessary electrical plant may be used as an alternative.
5. Re-Fuelling procedure to be followed for all vehicles and plant.
6. If there are any problems with plant or vehicles then plant maintenance must be notified immediately.
7. Operators are expected to carry out examination of their plant on a regular basis.
8. Excessively noisy plant may be restricted to certain hours of work if required.
9. All plant will have current certification to say it is in good working order.

**APPENDIX 1**

**COMPANY ENVIRONMENTAL ORGANISATION**

**Managing Director**

**Environmental Consultants**

**Site Management**

**Site Staff**

## APPENDIX 2 REGISTER OF REGULATIONS

<b>Company / Department:</b>		<b>ELM HORTICULTURE LIMITED.</b>	
<b>Document No:</b>		<b>ENV/REG/1</b>	
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1</b>	<b>of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>	
<b>Legislative Issue:</b>		<b>Solid and Hazardous Waste</b>	
<b>Act / Regulation:</b>		<b>Environmental Protection (Duty of Care) Regulations 1991 (SI 1991 / 2839)</b>	
<p><b>Summary:</b> Came into force on 01/04/93, it imposes a Duty of Care on anyone who produces, imports, carries, keeps, treats or disposes of controlled waste. This duty is to take reasonable steps to ensure that it is lawfully and safely handled. This involves knowing how and by whom waste is handled and keeping records in the form of waste transfer notes</p>			
<p><b>Duty / Prohibition:</b> There are four duties placed on anyone who handles or produces controlled waste.</p> <ol style="list-style-type: none"> <li>1. Prevent any contravention of the waste licensing provisions by himself and any third party.</li> <li>2. Prevent the escape of the waste from his control or that of any third party.</li> <li>3. Ensure that waste is only transferred to an authorised person or a person for authorised transport purposes.</li> <li>4. Ensure that a written description of the waste is transferred with it, sufficient to enable others to avoid contravening waste management licensing requirements.</li> </ol> <p><b>The EPA (Duty of Care) Regulations 1991</b> require the use of transport notes for all movements of waste and specify the contents of transfer notes. These notes must be retained for 2 years</p>			
<p><b>Company Policy:</b> ELM HORTICULTURE LIMITED.. will ensure that all waste will be managed and disposed of in accordance with best environmental practice and regulatory requirements. ELM HORTICULTURE LIMITED will operate a waste transfer note system and ensure the use of only authorised waste disposers.</p>			
<p><b>Relevant Activities/ Processes:</b> All waste produced must be disposed of in the correct facilities. It is the responsibility of the site manager and supervisor to ensure this. Only licensed waste disposers / carriers are to be used.</p>			
<p><b>Manager(s) Responsible:</b> Site Manager / supervisor</p>			
<p><b>Monitored By:</b> Contracts Manager</p>		<p><b>Register Monitored By:</b> Environmental Manager</p>	
<p><b>Monitoring Procedures:</b> Regular inspections of waste containers to ensure waste containment and segregation works. Monitoring of waste carrier and transfer notes. Monitoring waste routes and ensure correct disposal of waste.</p>			
<p><b>Environmental Effects Register Reference:</b></p>			

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/2		
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1 of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>
<b>Legislative Issue:</b> Solid and Hazardous Waste		
<b>Act / Regulation:</b> Control of Pollution (Amendment) Act 1989		
<b>Summary:</b> It is an offence under this Act to transport controlled (i.e. household, commercial or industrial) waste in Great Britain unless the person is registered with the Waste Regulation Authority.		
<b>Duty / Prohibition:</b> One main duty is placed upon companies and that is they must use a registered waste carrier for the movement of waste. The company cannot move the waste themselves unless they have a licence.		
<b>Company Policy:</b> ELM HORTICULTURE LIMITED will ensure that a Registered waste carrier always carries out the shipment of waste. ELM HORTICULTURE LIMITED will not remove any waste from a site by itself.		
<b>Relevant Activities/ Processes:</b> Correct disposal of waste, check licences of waste disposer, ensure transfer notes are ELM HORTICULTURE LIMITED prior to shipment of waste.		
<b>Manager(s) Responsible:</b> Site Manager, Purchasing Manager, appointed person		
<b>Monitored By:</b> Contracts Manager	<b>Register Monitored By:</b> Environmental Manager	
<b>Monitoring Procedures:</b> Check licences regularly. Check that the company has no prohibitions or fines. Check shipment notes.		
<b>Environmental Effects Register Reference:</b>		

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/3		
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1 of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>
<b>Legislative Issue:</b> Solid and Hazardous Waste		
<b>Act / Regulation:</b> Environmental Protection Act (Part II)		
<p><b>Summary:</b> This is the principal statute that regulates the management of waste. Section 34 imposes a Duty of Care on anyone that imports, produces, carries, treats or disposes of "Controlled Waste" Part II of EPA 90 also sets out the requirement for an enhanced system of waste management licence. Section 33 makes it an offence to treat, keep or dispose of controlled waste without a waste licence. It is also an offence to treat keep on dispose of controlled waste in a manner likely to cause pollution of the environment or harm human health.</p>		
<p><b>Duty / Prohibition:</b> Section 34 of the Environment Protection Act 1990 Part II places a statutory duty on anyone who produces, imports, treats, keep, carries, disposes of, or is a broker for controlled waste this duty requires such persons to:-</p> <ol style="list-style-type: none"> <li>1. Prevent the illegal disposal, treatment and storage of waste, not only by themselves but by anyone else who handles the waste.</li> <li>2. Prevent the escape of waste.</li> <li>3. Transfer waste only to an authorised person, a registered waste carrier or the holder of a waste disposal licence.</li> <li>4. Provide a written description of the waste.</li> </ol>		
<p><b>Company Policy:</b> ELM HORTICULTURE LIMITED will ensure that all waste will be managed and disposed of in accordance with best Environmental Practice and Regulatory requirements. ELM HORTICULTURE LIMITED will operate a waste transfer note system and ensure the use of only authorised waste disposers.</p>		
<p><b>Relevant Activities/ Processes:</b> All waste produced must be disposed of in the correct facilities. Only licensed waste disposers / carriers are to be used.</p>		
<p><b>Manager(s) Responsible:</b> Site manager / supervisor</p>		
<b>Monitored By:</b> Environmental Advisor	<b>Register Monitored By:</b> Environmental Manager	
<p><b>Monitoring Procedures:</b> Regular inspections of waste containers to ensure that waste containment system and segregation works. Monitoring of waste carriers and transfer notes. Monitoring of waste routes to ensure correct disposal of waste.</p>		
<b>Environmental Effects Register Reference:</b>		

**REGISTER OF REGULATIONS**

<b>Company / Department:</b>		<b>ELM HORTICULTURE LIMITED. Construction Sites</b>	
<b>Document No:</b>		<b>ENV/REG/4</b>	
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1</b>	<b>of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>	
<b>Legislative Issue:</b>		<b>Air Pollution</b>	
<b>Act / Regulation:</b>		<b>Health and Safety at Work etc. Act 1974</b>	
<b>Summary:</b> Section 5 of the Act places a general duty on anyone in control of any premises of a class prescribed in section 1 (1d) to use the best practicable means to prevent or render harmless any noxious or offensive emissions into the atmosphere.			
<b>Duty / Prohibition:</b> It is the duty of an employer to <ol style="list-style-type: none"> <li>1. To secure the health, safety and welfare of persons at work.</li> <li>2. Protect persons other than persons at work against the risks to health and safety arising out of or in connection with the activities of persons at work.</li> <li>3. Control emissions into the atmosphere of noxious or offensive substances from premises prescribed for the purpose of the Act.</li> </ol> <p>This covers not only smells but much more dangerous hazards of poisonous gases or radioactive substances escaping into the atmosphere.</p>			
<b>Company Policy:</b> To reduce and control emissions of any noxious or offensive substance from company activities.			
<b>Relevant Activities/ Processes:</b> Through general day to day activities such as welding, grinding, painting, use of aerosols etc.			
<b>Manager(s) Responsible:</b> Site manager / supervisor			
<b>Monitored By:</b> Contracts Manager		<b>Register Monitored By:</b> Environmental Manager	
<b>Monitoring Procedures:</b> Monitoring by air sampling where feasible and by visual inspections.			
<b>Environmental Effects Register Reference:</b>			

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/5		
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1 of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: Date: 01/01/09</b>
<b>Legislative Issue:</b> Water Pollution		
<b>Act / Regulation:</b> Water Resources Act 1991 Part III		
<p><b>Summary:</b> This sets out the provisions for the protection and improvement of the quality of controlled waters which incorporates virtually all natural waters including inland fresh water, ground water, coastal and certain territorial waters. The regulatory authority is the Environment Agency.</p>		
<p><b>Duty / Prohibition:</b> Under Section 85 of the WRA 1991 it is an offence to cause or knowingly permit any poisonous, noxious or polluting matter, or any solid waste to enter any controlled water unless it is subject to a consent, authorisation or licence provided in accordance with section 88.</p> <p>Schedule 10 sets out the requirements for consented discharge of trade or sewage effluent. Section 83 provides for the establishment of a system of statutory water quality objectives (SWQO's). Discharge consents are to ensure that objectives for relevant receiving waters are not breached.</p>		
<p><b>Company Policy:</b> Not to allow the discharge of poisonous, noxious or polluting matters without the relevant authorisation being in place.</p>		
<p><b>Relevant Activities/ Processes:</b> Fabrication, painting, maintenance.</p>		
<p><b>Manager(s) Responsible:</b> Works Manager, Maintenance Manager</p>		
<p><b>Monitored By:</b> Contracts Manager</p>	<p><b>Register Monitored By:</b> Environmental Manager</p>	
<p><b>Monitoring Procedures:</b> General site inspections to see if the above regulations are being adhered to.</p>		
<p><b>Environmental Effects Register Reference:</b></p>		

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/6		
<b>Revision No: 2</b>	<b>Date: May 2006</b>	<b>Page 1 of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>
<b>Legislative Issue:</b> Toxic Substances		
<b>Act / Regulation:</b> Control of Substances Hazardous to Health Regulations 2002 (SI 1994/3246) amended 2004		
<p><b>Summary:</b> The Control of Substances Hazardous to Health Regulations 2002 require employers to control the exposure to their employees and anyone else likely to be affected by their work to substances hazardous to health.</p>		
<p><b>Duty / Prohibition:</b> Employers must do a written risk assessment taking into account the properties, health effects and form of the chemicals and the likely level of exposure. Where substances present a health risk the employer must control the exposure by:-</p> <ol style="list-style-type: none"> <li>1. Preventing exposure e.g. by eliminating the substance from the process.</li> <li>2. Controlling exposure e.g. by fume extraction and filtration systems.</li> <li>3. Protecting against exposure by providing personal protective equipment.</li> </ol> <p>The COSHH Regulations relate to Health and Safety at Work. However the chemical data gathered under COSHH may be used when assessing environmental effects, as substances hazardous to health are likely to be damaging to the environment.</p>		
<p><b>Company Policy:</b> To reduce the amount of products that have an effect on employees, others and the environment.</p>		
<p><b>Relevant Activities/ Processes:</b> Erection and maintenance.</p>		
<p><b>Manager(s) Responsible:</b> Site manager / supervisor.</p>		
<p><b>Monitored By:</b> Contracts Manager</p>	<p><b>Register Monitored By:</b> Environmental Manager</p>	
<p><b>Monitoring Procedures:</b> Assessment of products of a hazardous nature before they are brought into use.</p>		
<p><b>Environmental Effects Register Reference:</b></p>		

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/7		
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1 of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>
<b>Legislative Issue:</b> Toxic Substances		
<b>Act / Regulation:</b> Health and Safety at Work etc. Act 1974		
<p><b>Summary:</b> Under section 2 of the 1974 Act all employers must ensure so far as is reasonably practicable the Health, Safety and Welfare of their employees and other people who are likely to be affected by their work activities. This includes protection against exposure to hazardous substances.</p>		
<p><b>Duty / Prohibition:</b>  Arrangements for ensuring, so far as is reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transportation of articles and substances.  The provision of information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable the Health and Safety at work of his employees.  Section 5 - it shall be the duty of the person having control of any premises of a class prescribed for the purpose of section 1(1)d to use the best practicable means for preventing the emission into the atmosphere from the premises of noxious or offensive substances.</p>		
<p><b>Company Policy:</b>  Not to use or reduce the amount of substances that are hazardous to health and the environment.</p>		
<p><b>Relevant Activities/ Processes:</b>  Erection, maintenance, site painting.</p>		
<p><b>Manager(s) Responsible:</b>  Site manager / supervisor</p>		
<p><b>Monitored By:</b>  Contracts Manager</p>	<p><b>Register Monitored By:</b>  Environmental Manager</p>	
<p><b>Monitoring Procedures:</b>  Regular inspections of the workplace.</p>		
<p><b>Environmental Effects Register Reference:</b></p>		

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/8		
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1 of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>
<b>Legislative Issue:</b> Statutory Nuisance - Dust / Odour / Noise / Vibration		
<b>Act / Regulation:</b> Environment Protection Act 1990 Part III		
<p><b>Summary:</b> EPA 1990 Part III is the principal law on statutory nuisance. This consolidates and updates earlier legislation. Part III of the EPA 1990 enables local authorities and private individuals to take action to stop the nuisance. There are also provisions for prevention of nuisance occurring or an intermittent nuisance recurring. Only one person needs to be affected for action to be possible.</p>		
<p><b>Duty / Prohibition:</b> No specific prohibitions on the company. However the company should attempt at all times to carry out its undertaking in a way so as to minimise the aspects / impacts and effects of emissions from site.</p>		
<p><b>Company Policy:</b> ELM HORTICULTURE LIMITED aim for continuous improvement in its environmental performance in all aspects of its operations</p>		
<p><b>Relevant Activities/ Processes:</b> All operations</p>		
<p><b>Manager(s) Responsible:</b> Site Managers / Supervisors</p>		
<p><b>Monitored By:</b> Contracts Manager</p>		<p><b>Register Monitored By:</b> Environmental Manager</p>
<p><b>Monitoring Procedures:</b> Regular inspections of work and surrounding areas.</p>		
<p><b>Environmental Effects Register Reference:</b></p>		

**REGISTER OF REGULATIONS**

<b>Company / Department:</b>		<b>ELM Horticulture Limited</b>	
<b>Document No:</b>		<b>ENV/REG/9</b>	
<b>Revision No: 2</b>	<b>Date: May 2007</b>	<b>Page 1</b>	<b>of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>	
<b>Legislative Issue:</b>		<b>Solid and Hazardous Waste – Landfill Tax</b>	
<b>Act / Regulation:</b>		<b>Finance Act 1996 – Landfill Tax Regulations 1996</b>	
<b>Summary:</b> This tax is based on the weight of the waste to be deposited in landfill sites and applies the polluter pays principle. This aims to promote a more sustainable approach to waste management by providing an incentive to dispose of less waste to landfill and to recover more value from waste.			
<b>Duty / Prohibition:</b> From 1 <sup>st</sup> October 1996 landfill operators are liable for tax on all consignments of waste accepted for landfill.  Operators of landfill site must keep records of the tax paid for waste disposal. Tax can be added to customer's bills to cover disposal costs.			
<b>Company Policy:</b> ELM HORTICULTURE LIMITED will ensure that all waste will be managed and disposed of in accordance with the best environmental practices and the regulatory requirements.			
<b>Relevant Activities/ Processes:</b> Not applicable			
<b>Manager(s) Responsible:</b> Site Manager			
<b>Monitored By:</b> Contracts Manager		<b>Register Monitored By:</b> Environmental Manager	
<b>Monitoring Procedures:</b> None			
<b>Environmental Effects Register Reference:</b>			

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/10		
<b>Revision No:</b> 2	<b>Date:</b> May 2007	<b>Page 1 of 1</b>
<b>Compiled by:</b> C A Gears	<b>Signed:</b> D TUBBY	<b>Date:</b> 01/01/09
<b>Legislative Issue:</b> Solid and Hazardous Waste		
<b>Act / Regulation:</b> Hazardous Waste Regulations 2005		
<p><b>Summary:</b> These regulations replace the Special Waste Regulations and came into force on 01/10/05. The purpose of the Hazardous Waste Regulations is to control the movements of the most dangerous forms of waste. They are also in place to implement the EC hazardous waste directive (91/689/EEC) and the European Waste catalogue waste list.</p>		
<p><b>Duty / Prohibition:</b></p> <ol style="list-style-type: none"> <li>1. Wherever possible contractors must identify any potentially hazardous waste before it is produced.</li> <li>2. All producers, consignors or carriers of hazardous waste must appoint a competent person to oversee the requirements of the regulations.</li> <li>3. Produce a transfer note for all shipments of hazardous waste.</li> <li>4. Segregate hazardous waste from other waste and materials</li> <li>5. Stored in a correct manner and labelled or marked as hazardous waste. Waste must be stored in a secure weatherproof area, which prevents contamination of the surrounding area.</li> <li>6. No hazardous waste is to be mixed with other waste.</li> </ol>		
<p><b>Company Policy:</b> The company will not use any materials that will give rise to hazardous waste wherever possible, however where this is unavoidable then the quantities used will be as small as possible (under 200kg per annum).</p>		
<p><b>Relevant Activities/ Processes:</b> Used paints, Waste Oils.</p>		
<p><b>Manager(s) Responsible:</b> Site Manager, Supervision</p>		
<p><b>Monitored By:</b> Contracts Manager</p>		<p><b>Register Monitored By:</b> Environmental Manager</p>
<p><b>Monitoring Procedures:</b> Regular inspections by safety advisor on materials being used on site and identification of any materials that might constitute special waste.</p>		
<p><b>Environmental Effects Register Reference:</b></p>		

**REGISTER OF REGULATIONS**

<b>Company / Department:</b> ELM HORTICULTURE LIMITED.		
<b>Document No:</b> ENV/REG/11		
<b>Revision No:2</b>	<b>Date: May 2007</b>	<b>Page 1 of 1</b>
<b>Compiled by: C A Gears</b>	<b>Signed: D TUBBY</b>	<b>Date: 01/01/09</b>
<b>Legislative Issue:</b> Water Pollution		
<b>Act / Regulation:</b> Water Industry Act 1991 and subsequent legislation		
<p><b>Summary:</b> Under the provisions of the Water Industry Act 1991 trade effluent may only be discharged into public sewers with the consent and agreement of the relevant sewerage undertaker (water service company).</p>		
<p><b>Duty / Prohibition:</b> If occupiers of premises wish to discharge trade effluent into public sewers then an application to discharge is required, which should include details of the effluent, quantity to be discharged in any one day, and the highest rate at which it is proposed to discharge.</p> <p>It is an offence for an owner or occupier of premises to allow through negligence water fittings to remain in disrepair so as to cause contaminating, wasting or misuse of water.</p> <p>The control of trade effluent, which is under the regulations, classed as emissions from prescribed processes and substances and the authorisation of its release into the sewerage systems.</p>		
<p><b>Company Policy:</b> The company will not discharge effluent into sewerage systems at any time. Also the company will not let any water fittings to fall into disrepair.</p>		
<b>Relevant Activities/ Processes:</b> None		
<b>Manager(s) Responsible:</b> Site Manager		
<b>Monitored By:</b> Contracts Manager	<b>Register Monitored By:</b> Environmental Manager	
<p><b>Monitoring Procedures:</b> Regular inspections by site manager and safety advisor to check that no liquid waste / effluent is being discharged into the sewer system.</p>		
<b>Environmental Effects Register Reference:</b>		

### APPENDIX 3

## PROCEDURES FOR CARRYING OUT ENVIRONMENTAL

### RISK ASSESSMENTS.

Risk assessments are to be carried out under the control of the Senior management e.g. site manager/ works manager.

Steps to carry out a risk assessment.

1. Classify Work:- What is the activity, what stage in production does it occur, where does it take place, define tasks associated with work e.g. painting, storage of waste etc.
2. Identify Hazards:- Is there a hazard?, what could be affected, how can this cause harm, what is the source of hazard e.g. chemical, noise, waste.
3. Determine Risks:- Try to determine the type of harm that could be done by the hazard. Is it slightly harmful, harmful, extremely harmful.
4. Decide if risk is tolerable:- Is the harm decided upon tolerable, if it is not then action will be needed to reduce this risk.
5. Prepare risk control plan:- This should decide if action is needed, what action is required and the timescale for this action.
6. Review the plan:- Will the actions reduce the risks to a tolerable level, are any new hazards created, has the most cost effective solution been chosen, how effective have the changes been, how often should the plan be reviewed.

Definitions.

1. Slightly Harmful:- e.g. minor spillage's in controlled areas, poor housekeeping and control of waste, increases in noise for short periods of time.
2. Harmful:- e.g. Small fires involving small amounts of hazardous material, releases to atmosphere, spillage's in uncontrolled areas..
3. Extremely Harmful:- e.g. major spillage of chemicals, major fire or explosion, incorrect disposal of hazardous waste

Likelihood of harm depends upon:-

1. Number of people or nature of environment exposed to hazard.
2. Frequency and duration of exposure to the hazard.
3. Failure of services e.g. electricity and water.
4. Failure of plant and machinery components and safety devices.
5. Exposure to the elements.
6. Protection afforded by precautions taken.
7. Unsafe acts (unintended errors or intentional violations of procedures) by persons, who:
  - a. may not know what the hazards are.
  - b. may not have the knowledge, physical capacity or skill to do the work.
  - c. underestimate risks to which they are exposed.
  - d. underestimate the practicality and utility of safe working methods.

Likely = More than once a month.

Unlikely = Less than once a month but more than once a year.

Highly Unlikely = Less than once a year.

These subjective risk assessments should normally take into account all the people and environment exposed to a hazard. Thus any given hazard is more serious if it affects a greater number of people or wider environment. But some of the larger risks may be associated with an occasional task such as the use of substance for a one off purpose.

**ELM HORTICULTURE LIMITED**  
**ENVIRONMENTAL RISK ASSESSMENT REPORT**

**Sheet 1 of 2**

**Location.** **Ref. No. ELM HORTICULTURAL LIMITED./ENV/RA**

**Assessor(s).** **Date.**

**Task / Activity.** **Work Phase.**

**Hazards Identified**

**Associated Risks:**

<b>Severity</b>					
Slightly Harmful		Harmful		Extremely Harmful	
<b>Likelihood of Harm</b>					
Highly Unlikely		Unlikely		Likely	

**Risk Level Estimator:**

	<b>Slightly harmful</b>	<b>Harmful</b>	<b>Extremely harmful</b>
<b>Highly unlikely</b>	TRIVIAL RISK	TOLERABLE RISK	MODERATE RISK
<b>Unlikely</b>	TOLERABLE RISK	MODERATE RISK	SUBSTANTIAL RISK
<b>Likely</b>	MODERATE RISK	SUBSTANTIAL RISK	INTOLERABLE RISK

**Risk Control Plan:**

<b>RISK LEVEL</b>	<b>ACTION AND TIME SCALE</b>
<b>TRIVIAL</b>	No action is required and no documentary records need to be kept.
<b>TOLERABLE</b>	No additional controls are required. Consideration may be given to a more cost - effective solution or improvement that imposes no additional cost burden. Monitoring is required to ensure that the controls are maintained.
<b>MODERATE</b>	Efforts should be made to reduce risk, but the costs of prevention should be carefully measured and limited. Risk reduction measures should be implemented within a defined time period. Where the moderate risk is associated with extremely harmful consequences, further assessment may be necessary to establish more precisely the likelihood of harm as a basis for determining the need for improved control measures.
<b>SUBSTANTIAL</b>	Work should not be started until the risk has been reduced. Considerable resources may have to be allocated to reduce the risk. Where the risk involves work in progress, urgent action should be taken.
<b>INTOLERABLE</b>	Work should not be <i>started or continued</i> until the risk has been reduced. If it is not possible to reduce even with unlimited resources, work has to remain prohibited.

*NOTE: Tolerable here means that risk has been reduced to the lowest level that is reasonably practicable.*



## APPENDIX 4

### **Prevention of Pollution of Watercourses Due to Unauthorised Discharge Into Site Drains**

#### **The Water resources Act 1991 (WRA)**

This is the principle legislation relating to the control and protection of the water environment. It identifies as an offence the causing or knowingly permitting poisonous, noxious or polluting matter to enter controlled water.

Controlled waters are:

- Inland waters (rivers, streams, underground streams, canals, lakes and reservoirs).
- Groundwater (water in underground strata, wells and boreholes).
- Coastal waters.
- Relevant territorial waters.

**The offence of "causing" is one of strict liability; that is to say that it does not require knowledge of the event.**

Authorised discharges can be made only after application to the Environment Agency and then only on receipt of written authorisation.

#### **Trade Effluents**

The relevant part of the WRA is that dealing of "trade effluents" discharging into public sewers.

Trade effluent means any liquid, either with or without suspended particles, which is wholly or partly produced in the course of any trade or industry carried on a trade premises.

As previously identified, it is an offence to discharge any trade effluent into a public sewer without authorisation from the EA. If such discharge is required, then application must be made through the Environment Agency (EA).

### **Company Policy**

It is company policy that under no circumstances are substances to be discharged down drains unless specific written authority has been granted by the EA. Verbal instruction from any individual is not sufficient to meet the requirements as identified at the beginning of this section.

### **Practical Measures**

The following key points are given to concentrate minds on issues, which commonly cause water pollution problems. Points to look for on sites:

- If water run off from the site could find its way into ditches, streams, rivers, ponds etc, ensure effective precautions are in place to prevent this e.g. bunds, lagoons etc.
- Washout from concrete or mortar mixing plant and from wheel wash facilities must be controlled by lagoons or other effective means.
- Silty water from de-watering operations etc must not be allowed to discharge without being treated. Methods include settlement lagoons or pumping onto grassed land.
- Written consents must be obtained before discharging into water courses.
- Fuel/oil/chemical storage facilities must be properly constructed:
  1. On a hard standing
  2. With secure/lockable valves, trigger guns etc, which are situated or protected to avoid accidental damage by plant and vehicles.

3. Bunded to contain 110% of the volume of the largest tank or drum.
  - Clear instructions/procedures must be in place to ensure careful control of tank filling operations e.g. by ensuring attendance at all times when filling is underway and by provision of clear tank level indicators to avoid over filling.
  - On permanent sites such as plant yards, foul and surface water drains should be clearly identified e.g. oily and silty water from vehicle/plant washes, should not be allowed to enter surface water drains, water courses or soakaways.
  - Bentonite plant and hoses/pipes, and piling arisings, particularly from chalk, need to be sited away from watercourses and bunded to control spillages.

For more detailed interpretation the Environmental Consultant must be approached.