



NEBOSH NATIONAL DIPLOMA IN ENVIRONMENTAL MANAGEMENT

UNIT ED1

Introduction

This Supplement has been prepared to update your study material for the NEBOSH National Diploma in Environmental Management. You should read it in conjunction with your existing course material.

Element 5: Developments in Environmental Legislation

Foreseeable Changes in UK Environmental Law

The Site Waste Management Plans Regulations 2008

In the **More** box at the end of this subsection, please delete the existing text and substitute the following:

“For a simple guide to site waste management plans visit: http://www.environment-agency.gov.uk/static/documents/NetRegs/SWMP_Simple_Guide_Feb_2011.pdf.”

Element 6: Environmental Legislative Framework and Methods of Enforcement

Powers of Inspectors, Different Types of Enforcement Action

Roles of the Agencies

The Environment Agency

Immediately before the **More** box at the end of this subsection, please insert the following new paragraph:

“You should be aware that it is likely that the Welsh division of the Environment Agency will be replaced by a new body known as Natural Resources Wales in 2013. This will also cover the current duties in Wales of the Forestry Commission and the Countryside Council for Wales.”

Element 9: Solid and Liquid Wastes

Waste Categories

Introduction to Waste

Definition of Waste

After the last paragraph in this subsection, please add the following new paragraph:

“The DEFRA publication, *Guidance on the Legal Definition of Waste and its Application*, provides an updated approach to identifying what can be classed as a waste. It achieves this by setting criteria in two parts:

- whether a substance or object has become waste; and
- when wastes should be considered to have ceased to be waste.”



Legal Requirements

Licensing or Authorisation Requirements for Waste Management Operations

Main Exemptions from Waste Operation Permitting

At the end of this subsection, after the paragraph headed “**Northern Ireland**” and before the subheading “**Waste Restriction in Scotland**”, please insert the following new subsection:

“Waste Restrictions in England and Wales

Under the **Waste (England and Wales) Regulations 2011 (as amended)** the following requirements have been set:

- Waste paper, metal, plastic or glass must be collected separately by establishments or undertakings from 1 January 2015.
- All waste collection authorities must make arrangements for the separate collection of waste paper, metal, plastic or glass.
- For both the above an exemption to separate collection is when the collection is not technically, environmentally or economically practicable or when it is not necessary to ensure recovery.”

Element 11: Water Resources Management

Polluting Substances Released to Water

Designation of Controlled Waters and Water Protection Zones

Nitrate Vulnerable Zones (NVZs)

At the end of this subsection, please insert the following additional paragraph:

“The **Nitrate Pollution Prevention (Amendment) Regulations 2012** further amend the 2008 Regulations by requiring the Environment Agency to make recommendations to the Secretary of State regarding the designation of NVZs. The Secretary of State must also publish proposals with regard to the Environment Agency recommendations for designating NVZs - informing occupiers of holdings in those areas. A right of appeal for holdings in designated areas is also introduced.”

Element 13: Hazardous Substances

Legislation Affecting Use of Pesticides

Legislation Applying to the Control of Pesticides

At the beginning of this subsection, immediately before the existing list of bullet points, please insert the following new bullet point:

- “**Plant Protection Products (Sustainable Use) Regulations 2012.**”

Then, immediately before the penultimate bullet point in the list, insert the following new bullet point:

- “**EC Directive on the Sustainable Use of Pesticides (2009/128/EC).**”

Duties under the Food and Environment Protection Act 1985 and the Control of Pesticides Regulations 1986

Immediately below the Topic Focus under this heading, please insert the following new subsection:

“Sustainable Use of Pesticide Laws

Directive 2009/128/EC on the Sustainable Use of Pesticides includes provisions related to achieving the sustainable use of pesticides. The key requirements include development of national action plans; mandatory test of application equipment; training; operator, adviser and distributor certification; ban on aerial spraying (with some limited exemptions); provision for water protection and sensitive sites; reduction of risk with regard to storage, handling and disposal; promotion of low input regimes (integrated pest management).

The **Plant Protection Products (Sustainable Use) Regulations 2012** have been developed to implement the Directive in the UK. With the UK already having a strong framework for the regulation of pesticides, in practice little will change from the current plant protection products (PPPs) regime. Certificates already issued will remain valid until November 2012; after



this time, certificates relevant to vertebrate control products or for food storage purposes will not be valid. Some of the key requirements of the new Regulations include:

- Development of a National Action Plan for PPPs.
- UK Competent Authority (UKCA) to designate bodies for the implementation of certification schemes and application equipment.
- Prevent the use of professionally authorised PPPs unless the user has a specified certificate or works under supervision.
- Distributors and end users required to have staff to provide information at the point of sale.
- Prohibition of aerial spraying unless in possession of an aerial spraying permit; and pilot and permit holder required to comply with certain conditions.
- Reasonable precautions to be taken for storage, handling and mixing of PPPs.”

Element 14: Environmental Implications of Development and Land Use

Developing and Managing Land

Protection Given to Listed Species

Birds

Immediately before the **More** box at the end of this subsection, please insert the following new paragraph:

“The **Conservation of Habitats and Species (Amendment) Regulations 2012** place duties on public bodies to take measures to preserve, maintain and re-establish habitats for wild birds (mainly to comply with the **Habitats Directive** and the **Birds Directive**).”

Element 15: Energy Use and Efficiency

Reduction of Energy Use and Carbon Emissions

International and National Control Strategies for Carbon Dioxide Emissions

National Control Strategies

In this subsection, please delete the existing text from “**Directive 2002/91/EC on Energy Performance of Buildings**” to “(also known as asset rating).” and substitute the following:

“**Directive 2010/31/EU on Energy Performance of Buildings**

Key requirements of the Directive include:

- An energy performance certificate (EPC) is required to be produced when a building is sold, constructed or rented out.
- A display energy certificate (DEC) must be produced annually for public buildings greater than 1,000m². This shows the running costs of the building and must be displayed in a prominent place.
- Regular inspections of air-conditioning systems with an effective rated output of more than 12kW.
- Inspections of heating systems over 20kW.”