

## IEMA

### Associate Certificate in Environmental Management

#### Introduction

This Supplement contains updates to your study material for the IEMA Associate Certificate in Environmental Management. Please read it carefully.

#### Element 2: Background to Environmental Law

##### Influence of European Union Law

###### European Legal Framework

In the third bullet point under this subheading, “**Control of Major-Accident Hazards Directive (96/82/EC)**” has been updated to “**Control of Major-Accident Hazards Directive (12/18/EU)**”.

#### Element 4: Waste Management

##### Waste Categories

###### Hazardous Waste (Special Waste in Scotland)

In the **GLOSSARY** box in this subsection, the second bullet point now reads:

- “listed as a hazardous waste in the **List of Wastes (Wastes Decision 2000/532/EC)**.”

##### Waste Policies and Law

###### Hazardous Waste

###### Definition of Hazardous Waste

In the third paragraph under this subheading, the first sentence has been amended to read:

“Hazardous wastes are identified by reference to Environment Agency Technical Guidance Note WM3 - *Waste Classification: Guidance on the classification and assessment of waste.*”

The diagrams entitled “Hazardous Waste Assessment Methodology – Initial Assessment” and Hazardous Waste Assessment Methodology – Mirror-Entry Assessment” have been removed and replaced by the following new text:

“The methodology for determining whether waste is hazardous or non-hazardous is based on the following seven steps:

1. Check if the waste needs to be classified.
2. Identify the code or codes that may apply to the waste.
3. Identify the assessment needed to select the correct code.
4. Determine the chemical composition of the waste.
5. Identify if the substances in the waste are ‘hazardous substances’ or ‘Persistent Organic Pollutants’.
6. Assess the hazardous properties of the waste.
7. Assign the classification code and describe the classification code.”

## Waste Minimisation

### Landfill

#### Landfill Tax (LFT)

In the fifth paragraph under this subheading, “a maximum credit of 5.1%” has been updated to “a maximum credit of 5.7%”.

## Element 5: The Water Environment

### Introduction

#### Types of Water Pollution

In the second paragraph under this subheading (last bullet point), “**Control of Major Accident Hazards Regulations 1999**” has been updated to “**Control of Major Accident Hazards Regulations 2015**”.

### Water Management Laws

#### Key European Directives

##### Protection of Groundwater

In the fourth paragraph under this subheading (immediately below the **MORE** box), “**Nitrate Pollution Prevention Regulations 2008**” has been updated to “**Nitrate Pollution Prevention Regulations 2015**” and in the first bullet point “15 January” has replaced “31 January”.

## Element 8: Hazardous Materials Management

### Laws Surrounding Hazardous Substance Management

In the **KEY INFORMATION** box at the beginning of this main section, the first two bullet points have been replaced by the following:

- “The **European Regulation (EC 1272/2008) on Classification, Labelling and Packaging of Substances and Mixtures (CLP)** covers the classification of substances and mixtures and identifies packaging and labelling requirements.”

In the last bullet point, “**Control of Major Accident Hazards Regulations 1999 (as amended)**” has been updated to “**Control of Major Accident Hazards Regulations 2015**”.

#### Classification of Hazardous Substances

This subsection has been replaced by the following revised subsection:

##### “Classification of Hazardous Substances

The **European Regulation (EC 1272/2008) on Classification, Labelling and Packaging of Substances and Mixtures**, abbreviated as **CLP**, contains a classification, labelling and packaging system, aligned to the United Nations’ Globally Harmonised System (GHS).

Under **CLP**, manufacturers and suppliers must:

- Classify dangerous chemicals using the new scientific criteria agreed under GHS.
- Provide information to the end user in the form of a label that will make use of new hazard warning symbols (pictograms) agreed under GHS.
- Package the chemical safely.

CLP fully replaced the UK classification system described by the **Chemicals (Hazard Information and Packaging for Supply) Regulations 2009 (CHIP)** in June 2015.

**CLP** consists of Hazard Statements and Precautionary Statements (covering prevention, response, storage and disposal) which are represented by H- and P-numbers respectively. Examples include:

- H401: Toxic to aquatic life.
- H410: Very toxic to aquatic life with long-lasting effects.
- H420: Harms public health and the environment by destroying ozone in the upper atmosphere.
- P273: Avoid release to the environment.
- P221: Take any precaution to avoid mixing with combustibles.
- P222: Do not allow contact with air.

Under **CLP**, specified hazard pictograms must also be used. The pictograms are in the shape of a red diamond with a white background, for example:



The hazardous to the aquatic environment hazard pictogram identifies substances that are harmful to the aquatic environment. In practice, however, most substances labelled toxic, harmful, corrosive, etc. are also capable of harming the aquatic and other parts of the environment.”

## Material Safety Data Sheets

The first paragraph under this subheading has been updated to read as follows:

“Dangerous substances and mixtures supplied to users must be accompanied by a safety data sheet as a result of the **EU Regulation (EC 1907/2006) on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)**. Safety data sheets according to amendment **2015/830** of **REACH** must contain the following sections (the amendment applies from 1 June 2015, with a transition period to 31 May 2017 for safety data sheets issued prior to that date):

- Section 1: Identification of substances/mixtures and of the company/undertaking.
- Section 2: Hazards identification.
- Section 3: Composition/information on ingredients.
- Section 4: First-aid measures.
- Section 5: Fire-fighting measures.
- Section 6: Accidental release measures.
- Section 7: Handling and storage.
- Section 8: Exposure controls/personal protection.
- Section 9: Physical and chemical properties.
- Section 10: Stability and reactivity.
- Section 11: Toxicological information.
- Section 12: Ecological information.
- Section 13: Disposal considerations.
- Section 14: Transport information.

- Section 15: Regulatory information.
- Section 16: Other information.”

## Restrictions on The Supply and Use of Hazardous Substances

### The COMAH Regulations

This subsection has been replaced by the following revised subsection:

#### “The COMAH Regulations

The **Control of Major Accident Hazards Regulations 2015 (COMAH)** bring into force the requirements of **EU Directive 12/18/EU on the control of major-accident hazards involving dangerous substances**, amending and subsequently repealing Council Directive 96/82/EC.

These Regulations are aimed at controlling major accidents, which are defined as:

*‘an occurrence such as a major emission, fire or explosion resulting from **uncontrolled developments** in the course of the operation of any establishment to which these Regulations apply, leading to **serious danger** to human health or the environment (whether immediate or delayed), inside or outside the establishment, and involving one or more **dangerous substances**.’*

Determining whether an accident is major depends on the event type, the event scale, the size and location of the affected area, the evaluation of event progression, and the potential harm to the population and the environment.

A further definition of major accident is **Major Accident To The Environment (MATTE)** which, as the name suggests, takes into account major damage to the environment. These can be caused by numerous types of accidents such as spills, explosions or fires affecting Sites of Special Scientific Interest (SSSIs) or other designated sites, soils, or serious water pollution.

The Regulations apply to organisations that store certain dangerous substances above the thresholds stated in the Regulations. Substances covered include those that are flammable, explosive, toxic or dangerous to the environment. Two sets of thresholds are known as low-risk or ‘lower-tier’ and high-risk or ‘upper-tier’, based on quantities of substances stored.

The general theme of **COMAH** is:

- Operators of **COMAH** sites must take all measures necessary to prevent or mitigate the effects of major accidents to people and to the environment.
- **COMAH** sites must develop a **Major Accident Prevention Policy (MAPP)**.
- Details of the **types and quantities of hazardous substances** must be sent to the competent authority.
- ‘Upper-tier’ sites must send a **Site Safety Report** to the competent authority for approval. This has the function of identifying major accident hazards on the site and provides an estimation of the likely risks associated with the site and potential for major accidents which could affect the environment. Where such risks are identified, an assessment must be undertaken to establish the consequences of the event in terms of the environment.
- The Regulations are jointly enforced by the HSE and the EA/SEPA as **‘the competent authority’**. The EA/SEPA is concerned principally with the assessment of the environmental aspects of **COMAH**.”

## REVISION QUESTIONS

Question 5 is now:

“Who takes on the role of the competent authority in the context of the **Control of Major Accident Hazards Regulations 2015**?”

(The answer is unchanged.)

## Summary

In this main section, the second bullet point has been amended to read:

- “The **CLP** regime covers how substances and mixtures should be classified by suppliers for their hazards, identifies packaging requirements, and information on the hazards of a substance.”

## Element 10: Producer Responsibility

### Waste Batteries

In the **KEY INFORMATION** box at the beginning of this main section, the text has been amended to read:

“Producer responsibility requirements for batteries are set in the **Batteries and Accumulators (Placing on the Market) Regulations 2008 (as amended)**.”

In the paragraph below the **KEY INFORMATION** box, the first sentence has been amended to read:

“The **Batteries and Accumulators (Placing on the Market) Regulations 2008 (as amended)** and the **Waste Batteries and Accumulators Regulations 2009 (as amended)** partially implement **Directive 2006/66/EC** on batteries and accumulators and waste batteries and accumulators (accumulators are rechargeable batteries).”

## Summary

In this main section, the penultimate bullet point now reads:

- “Producer responsibility requirements for batteries are set in the **Batteries and Accumulators (Placing on the Market) Regulations 2008 (as amended)**.”

## Element 11: Environmental Communications

### Environmental Communications

In the second paragraph of the text in this main section, the last bullet point has been updated to read:

- “Legal requirements - such as under the **Control of Major Accident Hazards Regulations 2015 (COMAH)**.”

### Environmental Labelling

#### Examples of Labelling Schemes

##### EU Energy Efficiency Label

The opening text under this subheading has been updated to read:

“Under the **Energy Information Regulations 2011 (as amended)**, when placing on the market or putting into service products regulated by a relevant EU directive, suppliers must provide:”