

# ENVIRONET NEWS

*The electronic newsletter for improved environmental performance*

## Introduction

Welcome to the post Christmas issue of Environet News. We hope you have had a good break and are refreshed for 1998.

1997 has been a good year for Environet. The UK environmental consultancy market is projected to reach £1 billion by 2000 growing at 10% per annum (according to ENDS). At the end of Environet's second year of trading we expect to meet our target annual growth of 100%.

There have been a number of exciting developments over the last year and we are looking forward to sharing a busy and prosperous 1998 with all our clients and associates.

## Kyoto Climate Change Conference

A treaty to combat climate change was agreed by the 160 nations represented at Kyoto, Japan in December.

The key points of the negotiations were:

- The number of greenhouse gases covered by the treaty increased to six - enabling the industrialised nations to reach a compromise on 2010 emission targets. Hydrofluorocarbons, sulphur hexafluoride and perfluorocarbons are now included in the treaty along with the original gases - carbon dioxide, nitrous oxide and methane. Although the emission quantities of these new gases are much smaller their global warming potential is greater.
- Trading fixed amounts of greenhouse gas pollution where industrialised countries and developing countries (who have voluntarily undertaken binding emission curbs) buy and

sell fixed amounts of greenhouse gas pollution. This will enable businesses to decide when and how the cuts are implemented, with efficient businesses selling surplus emission. Details of how this will be implemented will be discussed at the next climate change conference in Buenos Aires next year.

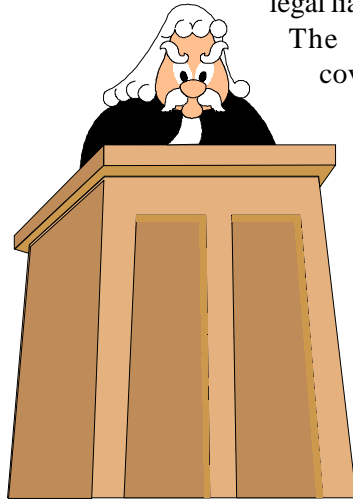


- The inclusion of sinks - forests that remove some of the carbon dioxide from the atmosphere. However, the way in which a country's forestry programmes would count towards its emission targets has been deferred for further negotiation as the science of sinks is still in its infancy.

“Kyoto has been a turning point - the start of a new process”, said the deputy Prime Minister, Mr John Prescott. Although the % reductions of greenhouse gases were much lower than Britain and the EU were hoping for, a structure has now been put in place.

## Environmental Liability for Building Owners and Occupiers

A joint seminar hosted by Environet Consulting Limited and Bristol based law firm Veale Wasbrough was attended by over 100 delegates interested in environmental legal liability in November.



The seminar not only covered criminal and civil liabilities but also personal liability for company directors and managers. Topics included legislation relating to pollution control, environmental health & safety and waste management.

Detailed copies of the notes of the seminar are available for a nominal fee from Veale Wasbrough (tel 0117 9252020).

## Environmental Insurance - an insurers' viewpoint

*Are all environmental risks insurable? Mary Johnston, specialist in environmental insurance at Hayes Parsons reports.*

In view of all the recent and proposed changes in legislation regarding environmental impairment, contractors in particular could find themselves with a potentially significant increase in liability.

Contractors working on contaminated sites, or undertaking remediation work following an environmental incident are presently exposed to a wide variety of liabilities imposed by regulatory authorities and contractual requirements imposed by individual customers. In most instances, these risks will not be covered by general liability policies; due to recent restrictions on policy cover

which exclude any liability arising from pollution or contamination *unless due to sudden, identifiable, unintended and unexpected event, which takes place in its entirety, at a specific time and place during the period of cover.*

Any gradual pollution, airborne or otherwise, will therefore not be indemnified. To compound matters, gradual pollution conditions may only become evident some time after work is completed and contractors and property owners can find themselves liable many months or even years after the relevant contract is completed.

One possible solution is a specialist form of insurance, which can provide protection for contractors, site owners and developers, by covering those pollution risks excluded under general liability policies. Contractors can purchase contract specific cover, or blanket cover for all sites being worked on as appropriate. In addition, property owners can purchase cover on behalf of contractors working on their site(s), thereby safeguarding their own interests. This insurance is also available on an "occurrence" basis, rather than a "claims" basis, therefore, cover is ongoing in respect of gradual pollution conditions after the contract has been completed.

## Producer Responsibility Obligations (Packaging Waste) Regulations 1997

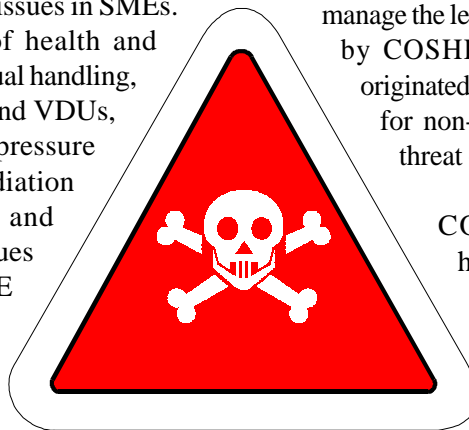
These regulations, which came into effect last year, impose statutory obligations on certain businesses involved in the manufacture, packaging or selling of packaging (including packaged products). The regulations create a costly management headache.

The Environment Agency (EA) estimates that there are currently 4,300 businesses in England and Wales who are obligated under the regulations. Only 3,200 businesses had registered with the EA by the deadline of last August, the rest are risking potentially unlimited fines. To find out more about the Regulations obtain the government guidelines from the Environment Agency or call us.

**Environmental Health & Safety**

The Health and Safety Executive report that there are 158,000 non-fatal injuries each year in Britain and that 2.2 million people suffer from ill health as a result of their work. There is an ever-increasing volume of regulations enacted under the Health & Safety at Work Act 1974 designed to protect employees and others from environmental hazards in the workplace.

The HSE have produced a useful introductory booklet outlining employers' and employees' responsibilities and the most commonly encountered health and safety issues in SMEs. It covers the management of health and safety, COSHH, asbestos, manual handling, repetitive strain injury, glare and VDUs, noise, vibration, electricity, pressure systems, radon and other radiation sources, fire and explosion and RIDDOR. If any of these issues are of concern either call HSE Books (tel 01787 881165) and ask for their publications list or call us.



**Noise Control and the Environment**

Over the last year Environet has carried out a number of specialist commissions for developers and Local Authorities, advising on noise control in and around buildings. When planning development in noise sensitive areas, LAs may impose certain planning noise restrictions which are costly to achieve. In addition they may require a noise survey to be carried out to measure background levels. Environet has assisted clients determine suitable design criteria to control both noise and vibration for developments adjacent to major roads, motorways and railways to provide a comfortable internal environment.

Environet has also assisted clients where items of machinery or plant exceeds maximum allowable noise levels, whether internally or externally, and provided the solution to reduce/attenuate the noise.

Noise control can have a significant price tag, but experience shows that if it is carried out incorrectly the costs can escalate.

If you have a problem with the Noise at Work Regulations 1989, with planning, with comfort or intelligibility, or merely need a noise survey or strategic advice please call us.

**Control of Substances Hazardous to Health Regulations 1994 (COSHH)**

Throughout 1997, Environet has reacted to a huge demand from a number of clients to assist them manage the legal obligations imposed upon them by COSHH. For some, the impetus has originated from the threat of personal liability for non-compliance and others from the threat of imminent closure by the HSE.

COSHH covers all substances hazardous to health including carcinogenic and biological agents with a few exceptions, notably lead and asbestos which are covered by different regulations.

Under COSHH, employers must:-

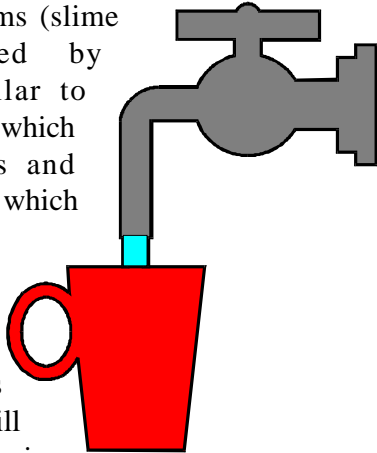
- produce an assessment of the risks to health of their employees (and others) showing that all pertinent factors have been considered;
- establish the necessary measures to control exposure to hazardous substances. Where PPE or other control equipment (LEV) is required these must be routinely maintained, tested and monitored to ensure their adequacy;
- ensure that all employees exposed to hazardous substances are informed, instructed and trained on the associated health risks and control measures.

If COSHH is of concern to you obtain *COSHH: The New Brief Guide for Employers INDG136* from HSE Books (tel 01787 881165) or call us.

**Legionella Contamination in Water Systems - a possible solution**

Every water management programme should deliver safe, high quality water, free from risk due to microbiological contamination and, where hot water is concerned, scalding risk.

Legionella poses a health threat in hot and cold water systems. Legionellae colonise biofilms (slime layers formed by bacteria, similar to plaque on teeth) which form in pipes and water tanks and which chlorine does not always eradicate. Keeping water at temperatures hot enough to kill legionellae is expensive and puts water users at constant risk from scalding.



Purogene, a unique form of stabilised chlorine dioxide could prove to be a suitable control alternative, allowing system temperatures to be reduced, saving energy and the risks of scalding.

Purogene can be used either in continuous dosing of hot water systems or via occasional on line disinfection.

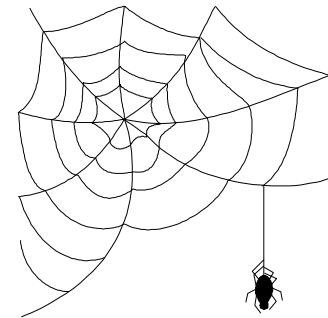
(tel Vernagene 01204 529494)

**Alternatives to Halon Fire Extinguishers**

Due to the ozone depleting properties of Halon 1301, the recently published LPC Test Report on Halon Alternatives has been welcomed, leading to the drafting of a new ISO Standard on halon replacements. For those involved in the selection of fire fighting systems, INERGEN is worthy of consideration due to its excellent extinguishing properties. Unlike other halon alternatives, the manufacturer, Wormald, claims it is not hazardous to health or the environment. (Wormald tel 0117 9297271)

**Environmental Information on the World Wide Web**

The Internet contains a wealth of information relating to the environment, the only problem being finding which sites contain good, accurate information. Our web site <http://www.environet-uk.co.uk> has a lot of useful information and links to a number of other interesting web sites. One site worthy of particular mention is from Environmental Data Services (ENDS) which gives you access to a variety of vetted sites searchable by topic or organisation. Try <http://www.ends.co.uk> or access the link through our web site.



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