

**9<sup>th</sup> May 2006**

**Defra Waste Strategy Review  
Freepost SEA 12430  
Thornton Heath  
CR7 7XT**

### **Defra Consultation on the Review of Waste Strategy**

We thank you for the opportunity to comment on this consultation.

The British Aggregates Association represents the interests of some 55 privately-owned and independent quarry companies throughout the UK operating out of over 100 individual sites with some 10% of national output. We also have 25 associate members who have interests in and offer services and equipment to our industry. Some of our members also have asphalt and ready-mix concrete facilities and/or operate landfill sites. We were formed in late 1999 and our membership has grown steadily. BAA is an integral part of the consultation process with ODPM, DEFRA, DTI, Treasury and Customs and Excise. We are members of the CBI Minerals Committee and the Construction Products Association (CPA). We also have formed strong links in Europe. BAA maintains the highest regard for environmental matters and operates a Restoration Guarantee Fund similar to the SAGA scheme which we launched in October 2002.

We confine our comments and concerns to matters more strictly related to the minerals and associated industries.

- We are generally concerned that the emphasis both by the EU and here in the UK has been more on mechanisms to bureaucratically look at how to transfer waste to products – rather than the more pragmatic and business-friendly method of not classifying usable materials as waste in the first instance! This is amply demonstrated in chapter 5 (96) which states erroneously that our industry produces 95 million tonnes annually of waste. This material actually has beneficial applications and is widely used in restoration, and in other environmental and society-enhancing applications such as site bunding and screening. Some of the problems in a higher use of some of these materials have been caused by the ill-considered and environmentally damaging aggregates levy in April 2002.
- It is therefore regretted that the main emphasis appears to be on when a “waste ceases to be a waste” rather than not classifying it as such in the first instance!
- Two further examples of the UK interpretation and implementation of EU policy by DEFRA and the Environment Agency (EA) which have not been in the overall environmentally-sound principle of encouraging maximum use of available materials and minimising use natural resources are on the use of recovered fuel oils; and the continuous changing of goal-posts on the requirements for section 9(A) and 19(A) exemptions under the new landfill regime.

- **Question 28:** *Should landfill eventually be the home of last resort taking only non-biodegradable residues from waste treatment?* The position of landfill at the bottom of the Waste Hierarchy ignores the fact that there are sites, typically previous mineral workings that need to be restored. There are already considerable difficulties arising from the interpretation by DEFRA and EA following the new waste licensing regime in July 2005. There are also complications arising from ODPM instruction for special consideration of leaving a wetland habitat within 13 km of an civil or military aerodrome after mineral extraction if this poses bird-strike risk. It is obvious that the extraction of virgin minerals for this restoration is less environmentally friendly than using suitable “waste” streams. We believe like the CBI that landfill will be required as a waste disposal option for the foreseeable future. Modern, well engineered, landfills pose no environmental threat – and many can provide environmentally friendly fuels!
- **Question 30:** *What more could the government do to accelerate the development of markets for recycled materials?* **Question 34:** *What more should we do to encourage reduction, recycling and recovery of construction and demolition waste?* The government should not get involved further in trying to influence the market for recycled materials apart from unraveling the problems already noted concerning the new landfill regime of July 2005. The influence of the landfill tax has made UK the most successful user in the EU of C&D waste (by a significant margin). There is little further material from our sector to be recycled or re-used – short of planned obsolescence! It should allow market forces to determine the future. It should also be noted that the use of secondary materials is not always the best environmental option – as often the activity is close to housing and also uses much higher energy levels!
- The government record to date is mixed. Two notable examples are the aggregates levy with the creation of secondary materials (scalpings, “quarry waste”) that are no longer economically competitive; and the incorrect interpretation of the EC Directive on recovered fuel oil with the potential for large scale waste oil dumping.

Thank you again for this opportunity to respond and we trust that our points will be considered. If you require any further information or clarification, please do not hesitate to contact me further.

Yours Sincerely

**Peter Huxtable**  
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 Secretary