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**Greenpeace Submission to
Environmental Affairs Panel, Legislative Council, HKSAR
(Special Panel Meeting on 19 April 2002)**

**Further Inquiry on Remediation of Dioxin Contaminated Soils
at the Cheoy Lee Shipyard Site**

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1. Introduction

Further to the Environmental Affairs Panel Meeting, 10 April 2002, to discuss the issue of the EIA recommendations on remediation measures of dioxin contaminated soil at the Cheoy Lee Shipyard (CLS), Greenpeace have prepared further comments herewith on the Government's proposal and on the discussion paper presented in the above mentioned meeting.

Although an EIA for the Decommissioning of the CLS was conducted by an independent consultant and CED claimed that no instruction on time restriction was given to the consultant, the EIA repeatedly uses reasons such as deadlines of civil contracts in order to meet the Theme Park opening as the only reason for opting out less risky, better environmental remediation measures. Greenpeace considers this is unacceptable and that the EIA should be done in an unbiased manner and the best remediation measures should be recommended. Human health and the environmental should not be sacrificed to meet deadlines!

The discussion paper presented by CED in the Legco EA Panel Meeting on 10 April 2002 is misleading as well as factually incorrect in many areas. Also, comments and recommendations provided in the Greenpeace submission to the EA Panel on 18 March 2002 by Dr Darryl Luscombe have not been fully addressed by the Government. Details of these are presented below.

2. EIA

Greenpeace believes that the IEA Study for the Decommissioning of Cheoy Lee Shipyard is fundamentally flawed and does not provide the best environmental recommendation for remediation measures.

It was clearly stated by the Director of CED Mr C K Lau that no instruction or guidance in regards to the deadline of handing over of infrastructure sites in time for the opening of the Theme Park was ever given to the consultant who carried out the EIA Study for the Cheoy Lee Shipyard. So therefore the EIA was prepared in an unbiased professional manner and provides the best environmental remediation measures. But surprisingly, the EIA **repeatedly** uses reasons such as schedule of **handover dates of civil contracts in Penny's Bay and Theme Park opening** as the only reason for opting out less risky, better environmental remediation measures. Examples of this can be found in Sections 3.2, 3.6, 3.8, 3.9, 3.36 and Table 3.1.

This indicates that the EIA was prepared in an unbiased manner and that all recommended remedial measures were influenced by the Theme Park opening. This is unacceptable and that a separate EIA should be conducted with unbiased recommendations of remedial measures should be provided.

3. CED's Presentation and Discussion Paper (10 April 2002)

CED gave a presentation and provided a discussion paper on "Effect of Dioxins and Removal of Dioxin-contaminated Soil at Penny's Bay" in the Legco EA Panel Meeting on 10 April 2002. Greenpeace representatives were present at the meeting as observers and found that the presentation and the discussion paper are misleading and factually incorrect in many areas. Specific comments on the presentation and the discussion paper are detailed below. Furthermore, CED has failed to address some of the recommendations made by Greenpeace presented in the submission on 18 March 2002 (to be further discussed in a later section).

Annex A

Annex A provides a list of thermal desorption projects in the US but no details are provided apart from the location and the year.

- How many of these projects treated dioxins with thermal desorption?
- Which thermal desorption of dioxin treated waste were transported to another location for further treatment?
- Which thermal desorption of dioxin treated waste were further treated with incineration?

Para.9 and Overhead slide

Information provided in Paragraph 9 and the overhead regarding "Overseas Experience in Thermal Desorption" is misleading and incorrect.

The example given in the overhead slide claiming that the dioxin levels in CLS is 50% less than that of the Florida Jacksonville is completely incorrect. The Naval Air Station (NAS) in Jacksonville, Florida did not have dioxin as a contaminant (source from the US) and also please refer to the EIA Table 4.52, which states that only PAHs, were treated.

Para.2

Testing procedure of Thermal Desorption plant should be provided in detail as well as the associated time frame.

Para.11 and 12

It is stated that the cost and the risk associated with treating dioxin on site are cheaper and lower respectively. However, the delay of the opening of the Theme Park is used as the only reason for opting out the better option.

Para.19 and overhead slide

There have been no previous cases to prove that CWTC can effectively treat dioxin waste. The dioxin concentration figures of flue gas, bottom ash and fly ash provided were taken while **NO** dioxin waste was being treated.

Testing procedure of incineration of dioxin at the CWTC should be provided in detail as well as the associated time frame.

Overhead slide

The cost comparison should be provided in detail to show all factors considered including what is included such as transportation and running cost.

4. Greenpeace's submission – 18 March 2002

Further to Greenpeace submission to the EA Panel on 18 march 2002 on the “Inquiry on remediation of Dioxin Contaminated Soils at the Cheoy Lee Shipyard Site”, Greenpeace would like to remind the Panel of the following which has not been addressed or responded by the Government. Notwithstanding this, all recommendations and comments made previously by Greenpeace stands.

Stockholm Convention

Due to the concern over the health and environmental hazards associated with Persistent Organic Pollutants (POPs) such as dioxins, the Stockholm Convention on POPs was formally adopted in Stockholm, Sweden on 22nd May 2001.

The Stockholm Convention is the first global, legally binding multilateral environment agreement to aim to eliminate the production and use of persistent toxic substances worldwide.

The Stockholm Convention had been signed by 117 nations including China and options for destroying the dioxins from the site has not considered the broader picture of China's

international commitments and obligations under the Stockholm Convention on Persistent Organic Pollutants.

Gas Phase Chemical Reduction (GPCR) – Eco Logic Process

This is a commercially available technology and has high destruction efficiency for treating dioxin waste. If this is utilized at maximum effectiveness and with sufficient monitoring and control regimes in place, appear capable of treating concentrated dioxin waste in a manner that is most consistent with the intent of the Stockholm Convention. Traditional incineration fails the test as it is an essentially open system, is incapable of capturing all waste streams for testing/reprocessing and is a known to form and release dioxins and other POPs.

Deadlines

The decision to base the treatment facility off-site versus on-site should be based on the best option from an environmental, health and safety perspective, and NOT be based on arbitrary time deadlines.

5. Conclusion

Greenpeace China demands the Hong Kong SAR Government of the following:

- provide explanation and justification on why remediation measures provided in the EIA for the Decommissioning of Cheoy Lee Shipyard at Penny's Bay was heavily influenced by deadlines of civil contracts and opening of Theme Park.
- a separate EIA should be carried out to provide best environmental remediation measures WITHOUT the influence of deadlines or opening of the Theme Park.
- further explanation and clarification on the CED presentation and discussion paper must be provided.
- provide a clear statement on Hong Kong SAR's position and responsibility in relation to China's commitment on the Stockholm Convention.
- the Government should explore into other non-incineration techniques for treating dioxin waste.