

香港特別行政區政府
The Government of the Hong Kong Special Administrative Region

規劃環境地政局的信頭
Letterhead of PLANNING, ENVIRONMENT & LANDS BUREAU
香港花園道美利大廈
MURRAY BUILDING, GARDEN ROAD, HONG KONG

OUR REF.:

PELB(E)

YOUR REF.:

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10 June, 1999

Clerk to EA Panel
3/F, Citibank Tower
3 Garden Road
Hong Kong

(Attn : Mrs Mary Tang)

By Fax: : 2877 8024

Dear Mrs Tang,

List of Outstanding Item
Regulations on Dumping

I refer to paragraph 32 of the minutes of the EA Panel Meeting held on 11 December 1998. At the meeting, Members have asked for further information about the control of dumping.

Illegal dumping not only represents improper and inefficient use of land, it also causes considerable damage to the environment. In the context of the discussion on the conservation strategy for Lantau, the Administration referred particularly to the problem of illegal dumping arising from construction activities.

We agree that the construction industries should exercise discipline in disposing of public fill materials in public filling areas and construction and demolition (C&D) waste at landfills. The Administration has introduced a "tripticket" system which ensures proper disposal of C&D material. This system will apply to all public work contracts invited on or after 1 July 1999.

A copy of the Works Bureau Technical Circular describing the trip-ticket system is enclosed for Members' reference. The system provides for prior identification of disposal outlets for fill material and C&D waste in connection with a public works project. Contractors will be required under the contract to account for the proper disposal of such materials.

As regards the wider issue of dumping, we intend to conduct a review of various legislative and administrative measures in the light of the new institutional arrangements to be put in place later this year. We will consult Members on the outcome of the review in due course.

Yours sincerely,

(Daniel Sin)
for Secretary for Planning,
Environment and Lands

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工務局的信頭
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Ref : WB(W) 211/32/02
Group : 5, 7, 12

1 February 1999

Works Bureau Technical Circular No. 5/99

**Trip-ticket System for
Disposal of Construction and Demolition Material**

Scope

This Circular promulgates the policy to implement a trip-ticket system in PWP contracts for the proper disposal of construction and demolition (C&D) material at public filling facilities or landfills. Maintenance term contracts are not covered by this Circular.

Effective Date

2. This Circular shall take effect on 1 July 1999.

Effect on Existing Circulars

3. This Circular has no effect on existing Circulars. However, it shall be read in conjunction with WBTC No. 4/98, which sets out the policy on the use of public fill in reclamation and earth filling projects. The terminology related to public filling is also defined in the addendum to WBTC No. 4/98.

Policy

4. The problem of illegal dumping has attracted extensive adverse publicity and some illegally dumped materials have been generated from construction activities. In parallel with the review of the various items of legislation with a view to introducing more effective control and enforcement provisions, administrative measures on public works contracts are necessary.

5. The policy is that all public fill, being the inert portion of C&D material, shall be disposed of at designated public filling facilities and all C&D waste at designated landfills. A trip-ticket system shall also be implemented for the disposal of all C&D material using the Particular Specification clauses set out in Appendix A. These requirements, subject to the exemption in paragraphs 13 to 16, shall apply to all PWP contracts invited on or after 1 July 1999.

6. It is not a mandatory requirement under this Circular to have on-site sorting of C&D material. Where a mixture of public fill and C&D waste shall be disposed of depends on the criteria laid down by the operators of the public filling facilities and landfills.

Trip-ticket System

7. At the planning stage of a contract, the project officer shall seek confirmation from the Public Filling Sub-Committee (PFSC) through the Secretary of PFSC (Port Works Division, CED) as to whether public filling facilities will be available for the disposal of public fill generated. The PFSC would designate the public filling facilities, if available, for the contract. The PFSC would also advise of the acceptance criteria of the public filling facilities. The project officer shall specify such criteria in the tender documents. Public filling facilities include public filling areas, public filling barging points and public fill stockpiling areas. Unless otherwise agreed by the PFSC, the project officer shall specify in the tender documents the use of the designated facilities throughout the construction period. If there are any major changes after the confirmation is given, project officers shall inform the PFSC accordingly and vice versa.

8. The project officer shall also seek confirmation from the Director of Environmental Protection (DEP) (for the attention of PEPO(FM)) as to whether landfills will be available for the disposal of C&D waste generated. The DEP would designate landfills, if available, for the contract. The DEP would also advise of the acceptance criteria of the landfills. The project officers shall specify such criteria in the tender documents. Unless otherwise agreed by the DEP, the project officer shall specify in the tender documents the use of the designated landfills throughout the construction period. If there are any major changes after the confirmation is given, project officers shall inform the DEP accordingly and vice versa.

9. The project officer when preparing tender documents shall include in the Particular Specification the clauses set out in Appendix A and the Form set out in Appendix B. The clauses in Appendix A represent the minimum standard and additional requirements shall be imposed as necessary. The project officer shall also include in the Particular Specification of the tender documents the definition of the terminology related to public filling as defined in WBTC No. 4/98 and specify

the individual public filling facilities and landfills for the disposal of the corresponding C&D material.

10. The contractor shall be required to complete the relevant details on the standard form in Appendix B, present the form for stamping and collection by the site supervisory staff, and submit to the Engineer's/Architect's Representative the receipt issued by the operator of the public filling facility/landfill after the disposal of the C&D material. The receipt referred to in clause 3 of the Particular Specification in Appendix A shall contain the following information:

- (a) a unique receipt number;
- (b) the name of the public filling facility/landfill;
- (c) the date and time of the dumping activity;
- (d) the vehicle registration number;
- (e) an indication of truckload (public filling facility only);
- (f) gross and tare weight of the vehicle (landfill only);
- (g) weight of the material dumped at the landfill (landfill only); and
- (h) contract number of the source of the public fill (public filling facility only).

11. The Engineer/Architect shall check the contractor's compliance with the requirements by carrying out random checks on the forms and receipts submitted by the contractor. The PFSC and DEP have agreed to produce monthly summary reports to facilitate checking by the Engineer/Architect. For monthly reports from the PFSC, the Engineer/Architect shall specify in his monthly request the contract number and the date on which the monthly report is required. For monthly reports from the DEP, the Engineer/Architect shall specify the period within which monthly reports are required. The DEP will provide the Engineer/Architect at the end of each month a report showing all the information of all relevant transactions of their landfills within that month grouped by landfills in a sequential order of the receipt numbers.

12. The contractor's compliance shall be a consideration in the assessment of the contractor's performance. If the Engineer/Architect considers that there is major non-compliance without any acceptable reason, the Engineer/Architect shall consider giving the contractor an overall rating of "Poor" in Section 4 of the Report on Contractors' Performance, ultimately leading to the possibility of taking regulating actions. For tender documents prepared by consultants, the duties of the project officer referred to in this Circular shall be performed by the respective consultants' staff.

Exemption

13. If the PFSC confirms in writing that no public filling facility will be available for the contract, the requirements in paragraph 5 shall not cover the public fill, i.e. no designated public filling facilities shall be specified in the tender

documents and the trip-ticket system in Appendix A shall not be included in the tender documents to cover the public fill. If the DEP confirms in writing that no landfill will be available for the contract, the requirements in paragraph 5 shall not cover the C&D waste, i.e. no landfills shall be specified in the tender documents and the trip-ticket system in Appendix A shall not be included in the tender documents to cover the C&D waste.

14. Some construction contracts rely on the use of “imported fill” as the filling material, which is generated from other construction sites. In order to ensure that such practice will not be totally eliminated, the requirements in paragraph 5 shall not cover the public fill generated by a contract from which not more than 100,000 m³ of public fill will be disposed of off Site. The C&D waste shall still be subject to the requirements in paragraph 5.

15. An officer at D2 level or above may give approval to exempt a contract from the requirements in paragraph 5 in one of the following circumstances:

- (a) the officer is satisfied that a confirmed alternative arrangement will be incorporated in the contract for the proper disposal of C&D material at an equivalent or higher standard, e.g. it is confirmed that a government site will accept all the public fill with proper controls. In this example, the requirements in paragraph 5 still apply for C&D waste.
- (b) the officer is satisfied that no appreciable amount of C&D waste will be generated. In general, the threshold for the whole contract for C&D waste is 50 m³.

16. Should there be circumstances other than those described in paragraphs 13, 14 and 15, under which there is a genuine need for a contract to be exempted from the requirements in paragraph 5, an application with full details and justifications shall be submitted to the Secretary for Works via an officer at D2 level or above. Each case will be considered individually.

17. For all PWP contracts wholly or partly exempted from the requirements in paragraph 5, the project officers shall include in the Particular Specification of the tender documents a requirement that the contractor shall submit at the construction stage a disposal plan for the corresponding C&D material for the Engineer’s/Architect’s approval. The submission of and compliance with such disposal plan shall be the contractor’s obligation under the contract. Depending on the reasons for exemption, different situations may demand different requirements and the disposal plans shall include, but shall not be limited to, the following:

- (a) an identification of the disposal site;

- (b) a written confirmation from the owner/operator of the disposal site demonstrating his consent on the use of the disposal site for that purpose;
- (c) submission of records; and
- (d) a system enabling the Engineer's/Architect's Representative to check compliance.

18. The Engineer/Architect shall check the contractor's compliance with the disposal plan and his compliance shall be a consideration in the assessment of the contractors' performance as stated in paragraph 12.

Definition of Site

19. Legal advice has been obtained that the definition of "Site" in the General Conditions of Contract Clause 1(1) does not generally include the public filling facilities and landfills where the Contract directs their use. However, care should be taken in the preparation of tender documentation to clearly state whether it is or is not intended that a public facility or landfill forms part of the Site. Such statement can be made in the Particular Specification or similar document.

(W S Chan)
Deputy Secretary (Works Policy)

Particular Specifications for Trip-ticket System

1. The Contractor shall produce a Construction and Demolition Material Disposal Delivery Form (the Form) for each and every vehicular trip transporting construction and demolition (C&D) material, i.e. public fill or C&D waste, off Site. The Contractor shall complete the Form in duplicate except for the Time of Departure.
2. Prior to the vehicle leaving the Site, the Contractor shall present to the site supervisory staff the completed Form. The site supervisory staff shall insert the Time of Departure and stamp the Form. The site supervisory staff shall retain a copy of the Form and return the original to the Contractor. The Form shall be carried on board the vehicle at all times throughout the vehicular trip.
3. For each vehicular trip, the Contractor shall obtain a receipt from the operator of the public filling facility or the landfill. The Contractor shall submit the original receipt to the Engineer's/Architect's* Representative within 5 working days# of the vehicular trip. Late return without any acceptable reason might be regarded as non-compliance by the Engineer's/Architect's* Representative.
4. The Contractor acknowledges and shall permit the Engineer's/Architect's* Representative to request and obtain information from the operator of the Designated Disposal Tip verifying the receipt and the accuracy of the information on that receipt.
5. All C&D material shall become the property of the Contractor when it is removed from the Site.

* Delete whichever inappropriate

The period can be shortened as considered necessary.

**Construction and Demolition Material
Disposal Delivery Form**

Department : _____ Contract No. : _____

Contractor : _____

Contract Title : _____

Location of Site : _____

Location of Public Filling Facility/Landfill* : _____

Vehicle Registration No. : _____ Date : _____

Approximate Load : Full/three quarter/half/one quarter*

Remark : _____

Time of Departure : _____

Authorised Chop of
Engineer's Representative/
Architect's Representative*

* *Delete whichever inappropriate*