

立法會
Legislative Council

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Panel on Environmental Affairs

Minutes of meeting
held on Monday, 27 February 2006, at 2:30 pm
in Conference Room A of the Legislative Council Building

- Members present** : Hon CHOY So-yuk, JP (Chairman)
Hon Emily LAU Wai-hing, JP (Deputy Chairman)
Hon Martin LEE Chu-ming, SC, JP
Hon SIN Chung-kai, JP
Hon WONG Yung-kan, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
- Members absent** : Hon CHEUNG Man-kwong
Hon Albert CHAN Wai-yip
- Public officers attending** : **For item IV**

Mr Esmond LEE
Deputy Director of Environmental Protection (4)

Dr Stephanie MA
Senior Environmental Protection Officer
- For item V**

Mr Roy TANG
Deputy Director of Environmental Protection (3)

Mr TSE Chin-wan
Assistant Director of Environmental Protection (Air Policy)

Mr MOK Wai-chuen
Principal Environmental Protection Officer
(Mobile Source Control)

Clerk in attendance : Miss Becky YU
Chief Council Secretary (1)1

Staff in attendance : Mrs Mary TANG
Senior Council Secretary (1)2

Miss Mandy POON
Legislative Assistant (1)4

Action

I Confirmation of minutes

- (LC Paper No. CB(1) 860/05-06 — Minutes of the joint meeting with the Panel on Planning, Lands and Works held on 22 November 2005
- LC Paper No. CB(1) 948/05-06 — Minutes of the meeting held on 23 January 2006)

The minutes of the joint meeting with the Panel on Planning Lands and Works held on 22 November 2005 and the minutes of the regular meeting held on 23 January 2006 were confirmed.

II Information paper issued since last meeting

2. Members noted that no information papers had been issued since last meeting.

III Items for discussion at the next meeting

- (LC Paper No. CB(1) 950/05-06(01) — List of follow-up actions
LC Paper No. CB(1) 950/05-06(02) — List of outstanding items for discussion)

3. Given that the Stage II Consultation on the future development of electricity market in Hong Kong would end in March 2006, the Chairman said that it might be necessary to hold a joint meeting with the Panel on Economic Services (ES Panel) to discuss the relevant issues, including the development of renewable energy. However, she had tried in vain to arrange with the Chairman of ES Panel for a joint meeting. In this connection, she would suggest, subject to members' agreement, that the item be discussed by the Panel on Environmental Affairs (EA Panel) at its next regular meeting scheduled for 27 March 2006. Members of the ES Panel, representatives from the relevant bureaux and the two power companies would be invited to attend.

4. Ms Audrey EU noted that at the ES Panel meeting held in the morning, members had discussed Mr SIN Chung kai's proposal of setting up a subcommittee under the ES Panel and the EA Panel to study issues relating to the future development of the electricity market in Hong Kong. While the Chairman of the EA Panel was in support of the proposal, her fellow party Members of the Democratic Alliance for Betterment and Progress of Hong Kong (DAB) who were present at the meeting were not. As a result, the proposal was negated. Members of the ES Panel also voted against the holding of a joint meeting with EA Panel to discuss the subject. Ms EU expressed regret that the environmental and economic aspects of the future development of the electricity market in Hong Kong could not be followed up by a subcommittee or at a joint meeting of the two Panels. She nevertheless agreed with the Chairman that the subject should be discussed by the EA Panel. She also suggested that interested and affected parties, such as green groups and business associations, should be invited to give views since the development of the electricity market would likely have impact on the environment.

5. The Chairman clarified that she had not attended the ES Panel meeting held in the morning. She reiterated her support for the proposal of setting up a subcommittee under the two Panels to study the subject, albeit this was not supported by her fellow party Members.

6. Ms Emily LAU considered the fact that the two Panels could not act in a cooperative manner to study an issue which straddled two policy areas would create a negative image on the part of the Legislative Council, and that the matter needed to be further followed up. She agreed that the EA Panel should hold a meeting to discuss the Consultation Paper and all other Members should be invited to attend the meeting. She also stressed the need for the Economic Development and Labour Bureau to attend for discussion.

7. Mr SIN Chung-kai said that as the motion on the opening of the electricity market was carried at the Legislative Council meeting on 15 February 2006, he would have thought that there was a general consensus on the subject. Hence, he was caught off guard when his proposal of setting up a subcommittee/holding a joint meeting with the EA Panel to follow up the subject was voted down. This had left him with no other option but to suggest the EA Panel to follow up the issue, which would include, among others, environmental implications as well as expected rate of return from investment in emission reduction facilities and development of renewable energy. As the use of cleaner fuel and more environmentally friendly means for power generation would have economic implications, the Chairman considered that this could be discussed by the EA Panel.

8. Ms Miriam LAU said that the decision of the ES Panel was not binding on the EA Panel, which had its own discretion to decide on the subjects to be discussed. Given that the Stage II Consultation would not end until 31 March 2006, the ES Panel might also wish to discuss the subject again, and the possibility of setting up a subcommittee could not be ruled out at this stage. The Chairman said that the

purpose of joint meeting was to avoid holding separate meetings to discuss the same subject.

9. Members agreed that the next regular meeting on 27 March 2006 would be devoted to the discussion on Stage II Consultation on the future development of electricity market in Hong Kong. Representatives of the relevant bureaux, the two power companies as well as interested parties would be invited to attend. Ms Emily LAU proposed to include the need to seek House Committee's endorsement on the setting up of a subcommittee to follow up the subject under "Any other business" at the next meeting on 27 March 2006.

IV Draft Hong Kong implementation plan under the Stockholm Convention on Persistent Organic Pollutants

(LC Paper No. CB(1) 950/05-06(03) — Paper provided by the Administration

10. The Deputy Director of Environmental Protection (4) (DDEP(4)) gave a power-point presentation on the draft Hong Kong Implementation Plan (HKIP) in relation to the Stockholm Convention on Persistent Organic Pollutants (POPs). The Administration planned to submit HKIP to the Central People's Government in April 2006.

11. Ms Audrey EU enquired about the trades which would be affected by HKIP. Expressing similar view, Mr SIN Chung-kai said that he was not opposed to the introduction of control on POPs, but was concerned about the impact of the proposed regulatory regime on importers/exporters. He asked if the Administration had notified the affected trades about the proposed control regime, and whether assistance would be provided to facilitate them in their customs clearance.

12. DDEP(4) advised that in early 2005, the Environmental Protection Department (EPD) conducted a survey to ascertain the impact of the Stockholm Convention in Hong Kong. Results of the survey indicated that there had not been any current trading and/or domestic use of chemicals covered by the Stockholm Convention in Hong Kong. The trades which might be affected by the proposed regulatory regime would be carriers involved in the transportation of chemicals on account of the need to comply with the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. In November 2005, EPD held a consultation workshop on the preparation of the draft HKIP with stakeholders, such as academics, green groups, professional institutions, trade associations, importers/exporters, public utilities companies and transport corporations. The logistics trade, including carriers involved in the transport of chemicals, would be further consulted on the legislative proposals in the Hazardous Chemicals Control Bill to be introduced in 2006, which aimed to control and regulate the import, export, manufacture and use of non-pesticide hazardous chemicals that were subject to the Stockholm Convention. The control on

non-pesticides hazardous chemicals under the Bill would be similar to that of hazardous pesticides under the existing Pesticides Ordinance (Cap. 133) and the Import and Export Ordinance (Cap. 60) (IEO). The Director of Environmental Protection and his staff would be delegated under IEO to deal with the issue of licences and imposition of conditions. Importers/exporters would be required to apply for import/export licences under IEO in respect of hazardous chemicals controlled by the Bill.

13. In response to Ms Audrey EU's further question on the adverse effects of POPs, DDEP(4) said that POPs were hazardous chemicals which were carcinogenic and could cause damage to the human nervous system, reproductive system and immune system. The extent of damage would depend on the contamination levels of POPs, and the frequency and duration of exposure.

14. Given the adverse effects of POPs, Mr WONG Yung-kan questioned the propriety of disposing of dredged sediments at East Sha Chau, which was designated as a contaminated mud disposal facility since 2004. As these sediments would likely be contaminated with POPs, they would have impact on the marine environment and hence the livelihood of fishermen. However, the affected fishing industry had never been consulted before approval on the designation was given by the Government. As marine sediments were a possible source of POPs, he considered it necessary for the Administration to conduct study on the levels of POPs in marine sediments with a view to ascertaining the impact of the disposal of dredged sediments on the marine environment.

15. DDEP(4) said that most POPs pesticides were detected in a variety of marine fish and shellfish sampled at various sites throughout Hong Kong. DDT, endrin and heptachlor were found to be the major POPs pesticide contaminants in both marine fish and shellfish, while aldrin was prominent only in marine fish. The level of POPs contamination in the local environment (ambient air, marine water, marine sediment, marine fish and shellfish) was generally comparable to the range reported in most other urban locations in Asia Pacific, Europe, United States and Australia. Results of human health risk assessment indicated that there was no inhalation nor dietary chronic/carcinogenic risk of toxicological concern associated with a lifetime exposure of Hong Kong residents to current levels of POPs contamination in the local environment and locally consumed foods. On the impact of disposal activities at East Sha Chau, DDEP(4) said that the designation of the site as a disposal facility had undergone the mandatory environmental impact assessment. While the site posed no immediate threats to the environment or human health, this would be kept under surveillance through environmental monitoring and auditing. Mr WONG Yung-kan however said that he was not aware of any findings of the aforesaid environmental monitoring and auditing at East Sha Chau, which revealed the lack of coordination on the part of the Administration. He reiterated his objection to the continuation of disposal activities at East Sha Chau given the adverse effect of the contaminated mud on the marine environment.

16. Noting that dietary intake was the major route of exposure to POPs, Ms Audrey EU enquired about the dietary exposure of local residents. DDEP(4) said that the Food and Environmental Hygiene Department (FEHD) had initiated a population-based food consumption survey and the results were expected to be available in 2008. Based on the outcome of the study, the Administration would be able to estimate the dietary exposure of local residents to POPs and assess the risks involved. Apart from the survey, the Water Supplies Department would consider including all 12 Convention POPs in the routine drinking water surveillance programme. FEHD would also consider setting Food Safety Acton levels on POPs specific to Hong Kong with reference to national and international food safety authorities.

17. The Chairman queried why the population-based food consumption survey had to take three years to complete. The Senior Environmental Protection Officer (SEPO) said that while the ongoing food surveillance programme undertaken by FEHD on the eight food groups (which included cereals, fruits, dairy products, seafoods, meats, poultry, vegetables and eggs) had provided measurements on some of the more common POPs such as dioxin, furans and DDT, no assessment had been made on the levels of all the 12 Convention POPs in all of the eight food groups. In order to assess the dietary exposure of local residents to POPs, FEHD had been requested to include assessment on the levels of all the 12 Convention POPs in its food surveillance programme.

18. The Chairman enquired if there were similar controls on POPs in the highly industrialized Pearl River Delta (PRD) Region and the means of control on the release of unintentionally produced by-products, such as dioxins/furans. DDEP(4) said that a National Implementation Plan was being prepared by the State Environmental Protection Administration in the Mainland for submission to the Stockholm Convention in November 2006. More details on the control of POPs in the Mainland could be made available upon completion of the Plan. In the meantime, there was an academic exchange between Hong Kong and Guangdong in late December 2005 on the control of POPs in the PRD Region. On the control of release of unintentionally produced by-products, DDEP(4) said that actions plans were in place to optimize the use of existing generating capacity of gas-fired power plants and to progressively phase out old coal-fired plants. In addition, dioxin emission standards for crematoria were being tightened and old cremation units were being replaced. More stringent motor vehicle emission standards were being introduced. As at 1 January 2006, Euro IV emission standards were introduced in phases for motor vehicles in Hong Kong. The territory-wide sewage improvement programme, including the Harbour Area Treatment Scheme Stage 2A, would reduce the emission of dioxins/furans to the marine environment. SEPO supplemented that pollutant emissions for crematoria were being controlled under the Air Pollution Control Ordinance (Cap. 311). Consideration was being given to reducing the dioxin/furan emission standard from crematoria from the present one nanogramme per cubic metre to 0.1 nanogramme per cubic metre, which was so far the most stringent standard in the world.

19. Given the health hazard associated with exposure to POPs and its cumulative effect, the Chairman questioned why the actions plans on the control on POPs had to span over a period between five to 10 years. DDEP(4) said that the priority of implementing the action plans to control POPs could be categorized as high, medium and low, based on a five-year planning to tie in with the review of the Stockholm Convention conducted every five years. Although a five-year term was set for the action plans, not all of these would take five years to complete. By way of illustration, the enactment of legislation on the control of POPs was expected to take place by the end of this year. FEHD had already started the population-based food consumption survey. The Total Diet Studies would be conducted when additional resources were available. The Agriculture, Fisheries and Conservation Department had also started the studies of POPs in local water birds and marine mammals on a project basis with the available funding. At members' request, DDEP(4) agreed to provide a progress report on the action plans on the control of POPs.

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V More stringent emission standards for new heavy duty motor vehicles and motorcycles

(LC Paper No. CB(1) 950/05-06(04) — Paper provided by the Administration)

20. The Deputy Director of Environmental Protection (3) (DDEP(3)) explained the Administration's proposal of implementing, in tandem with the European Union (EU), Euro IV emission standards in Hong Kong for newly registered heavy duty vehicles and Euro III emission standards for newly registered motorcycles.

21. Mr SIN Chung-kai said that Members of the Democratic Party supported in principle the introduction of more stringent emission standards for newly registered heavy duty vehicles and motorcycles. He enquired about the transitional arrangements and whether Mainland-registered vehicles which were allowed to travel to Hong Kong would have to comply with the more stringent local emission standards. DDEP(3) clarified that the Euro IV emission standards would only apply to newly registered heavy duty vehicles but not existing vehicles in use. The Assistant Director of Environmental Protection (Air Policy) (ADEP(AP)) added that vehicles from the Mainland would need to register and meet the emission standards in Hong Kong, with the exception of those with special permits.

22. Mr LEE Wing-tat enquired if there were incentives, such as concessions on First Registration Tax, to encourage the use of more environmentally friendly hybrid vehicles which ran on a combination of petrol and electricity. DDEP(3) said that the Government Logistics Department had embarked on a comparative study on the emission performance of five hybrid vehicles. Initial results indicated that, the emission level and fuel consumption of hybrid vehicles was about 40% and 50% less than that of conventional petrol vehicles respectively. The two-year study was expected to be completed by mid-2007. Given the good emission performance of hybrid vehicles, Mr LEE opined that the Administration should endeavour to

encourage early conversion to hybrid vehicles for the benefit of public health. DDEP(3) advised that at present, there was only limited supply of hybrid models in Hong Kong since hybrid vehicles manufactured in Japan were mostly for local use or exported to the United States. Efforts would have to be made to introduce more hybrid models for sale in Hong Kong. ADEP(AP) added that incentives were introduced for the use of hybrid models in some EU countries where more hybrid vehicles were available on account of the wider market. The Chairman agreed that it might not be appropriate for Government to provide incentives to encourage the switch at the present stage when there was only one hybrid model available for sale in Hong Kong, which had already been selling very well in the local market. Mr LEE however pointed out that manufacturers would be encouraged to produce more hybrid vehicles in the event of greater demand to take advantage of the economy of scale to reduce cost.

23. The Chairman enquired about the number of pre-Euro heavy duty vehicles currently running in Hong Kong, how these vehicles compared with Euro IV heavy duty vehicles in respect of emission performance, and whether there was a timetable to phase out these vehicles. DDEP(3) advised that at present, there were roughly 18 700 pre-Euro heavy diesel vehicles, and pre-Euro vehicles comprised about 23% of the total number of vehicles in Hong Kong. Given the higher cost and longer service life span of 15 to 17 years of heavy duty vehicles, the Administration had no intention to introduce a mandatory replacement programme for these vehicles. Besides, it would not be environmentally friendly to replace heavy duty vehicles before the expiry of their service life span. While the new emission standards were only applicable to newly registered vehicles, existing diesel heavy vehicles of pre-Euro design standards would be required to retrofit with emission reduction devices to improve their emission performance. ADEP(AP) added that in terms of emissions, the percentage contribution from pre-Euro heavy duty vehicles was about 60%. Meanwhile, pre-Euro heavy duty vehicles emitted about 30 times more of respirable suspended particulates (RSP) and three times more of nitrogen oxides (NOx) than Euro IV heavy duty vehicles, while Euro I heavy duty vehicles emitted roughly 20 times more of RSP and 2.5 times more of NOx than Euro IV heavy duty vehicles. Based on an average service life span of about 15 years, it was expected that pre-Euro heavy duty vehicles would be phased out in about four to five years' time while Euro I heavy duty vehicles in about seven to eight years' time.

24. The Chairman further enquired if consideration could be given to allowing the introduction of some environmentally friendly diesel vehicles in Hong Kong as these were more economical and would provide a wider choice for consumers. ADEP(AP) said that the import of diesel private cars was not prohibited in Hong Kong so long as they could meet the stringent emission standards which were at the same level as California. Given the high emission standards, only a few very expensive diesel models were able to meet such standards.

25. Noting that urea solution was required to support the selective catalytic reduction (SCR) systems for emission reduction by some Euro IV models, the Chairman expressed concern about the operability of these vehicles. She also asked if additional training was required for the repair and maintenance of Euro IV heavy duty vehicles and Euro III motorcycles. DDEP(3) clarified that only a small number of Euro IV models would require the use of urea solution. There were other Euro IV models which did not require the use of urea solution. Vehicle owners could choose suitable models depending on their operational need. On the consumption of urea solution, DDEP(3) advised that this only comprised about 5% of that of diesel and would need to be refilled about once every 5 000 kilometres or once every month for a urea tank of 90 litres. To support the operation of SCR-equipped vehicles, some vehicle manufacturers were already planning to set up urea solution refilling facilities in Hong Kong. The Administration would liaise with The Hong Kong Motor Traders Association to disseminate information on urea solution refilling locations. Meanwhile, bus companies would be setting up their own refilling facilities for their fleets. DDEP(3) also confirmed that no additional training was required as the repair and maintenance of Euro IV vehicles were similar to that of Euro III vehicles.

VII Any other business

26. There being no other business, the meeting ended at 4:24 pm.