

LEGISLATIVE COUNCIL BRIEF

Waste Disposal Ordinance
(Chapter 354)

WASTE DISPOSAL (DESIGNATED WASTE DISPOSAL FACILITY) (AMENDMENT) REGULATION 2013 (COMMENCEMENT) NOTICE 2014

WASTE DISPOSAL (REFUSE TRANSFER STATION) (AMENDMENT) REGULATION 2013 (COMMENCEMENT) NOTICE

INTRODUCTION

This brief informs Members that the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (Commencement) Notice 2014, at Annex A, and the Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (Commencement) Notice, at Annex B, (collectively as “Commencement Notices”) will be published in the Gazette on 12 December 2014.

BACKGROUND

2. The Legislative Council (“LegCo”) enacted the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (“DWDF Amendment Regulation”) and the Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (“RTS Amendment Regulation”) (collectively as “Amendment Regulations”) to amend the Waste Disposal (Designated Waste Disposal Facility) Regulation (“WD(DWDF)Reg”) and the Waste Disposal (Refuse Transfer Station) Regulation (“WD(RTS)Reg”) on 22 January 2014 to implement the legislative measures relating to the “Waste Diversion Plan” (“WDP”) for the South East New Territories (“SENT”) Landfill and other

complementary measures to ensure that the diverted municipal solid waste (“MSW”) can be properly handled in the existing waste collection system and to minimise any potential traffic and environmental impact caused by such diversion. As explained to the subcommittee formed by the House Committee for scrutinizing the Amendment Regulations, there should be sufficient lead time for both the authority and stakeholders to carry out the necessary preparation work. Accordingly, under section 1 of the Amendment Regulations, they were provided to come into operation on the date(s) to be appointed by the Secretary for the Environment (“SEN”) by notice published in the Gazette.

3. On 27 October 2014, the LegCo Panel on Environmental Affairs (“Panel”) was briefed on the progress of the preparation work and consulted with the proposed effective dates of the relevant provisions of the Amendment Regulations set out in paragraph 4 below. The Panel supported the proposal.

THE COMMENCEMENT NOTICES

4. SEN has made the Commencement Notices to the effect that –
- (a) Save for (b), the DWDF Amendment Regulation will come into operation on 1 April 2015 such that -
 - (i) under the new section 3B of the WD(DWDF)Reg, certain refuse collection vehicles (“RCVs”) driven into a landfill or refuse transfer station (“RTS”) specified in certain items in Schedule 1 must be equipped with the specified devices;
 - (ii) under the amended section 4 of the WD(DWDF)Reg, the Director of Environmental Protection is empowered to conduct compliance check on such RCVs;
 - (b) Amendments to Section 3A(2) and Schedule 2 of the WD(DWDF)Reg will come into operation on a date to be covered by a separate commencement notice to specify the SENT Landfill to receive only construction waste that contains not more than 50% by weight of inert construction waste; and

- (c) All amendments to the WD(RTS)Reg will come into operation on 1 March 2015 to reduce fees for disposal of waste at Island East Transfer Station and Island West Transfer Station and to allow Shatin Transfer Station (“STTS”) to be used by a registered account-holder at a prescribed fee.

PREPARATION FOR IMPLEMENTATION

Assistance to new RTS users

5. Private waste collectors are required to register under the Refuse Transfer Service Scheme (“Scheme”) before they can deliver waste to an RTS. At present there are about 400 private RTS users with over 1,000 vehicles registered under the Scheme, and over 200 new users are envisaged when the SENT Landfill ceases to receive MSW. To assist these new users, application forms will be made available at landfills, on Environmental Protection Department’s (“EPD”) website and through trade associations. We will also set up an enquiry hotline to offer assistance to new applicants.

6. In order to assist new RTS users to be familiarized with the operation of the STTS, they will be offered opportunities for trial use free of charge. The trial scheme was commenced on 10 November 2014. The initial feedback from the trial users was positive.

STTS enhancement works

7. To prepare for the opening of the STTS for use by private waste collectors, some enhancing works, such as upgrading of the computer transaction system, are underway at the STTS to ensure its smooth operation upon opening. These enhancement works will be completed in early 2015.

Re-routing of the Food and Environmental Hygiene Department’s collection services

8. The re-routing of the Food and Environmental Hygiene Department’s (“FEHD”) collection services aims to make available more RTS capacity at West Kowloon Transfer Station and STTS to cope with

the MSW diverted from the SENT Landfill. The re-routing is being progressively implemented. As of October 2014, FEHD had diverted 17 collection routes in Sai Kung and Tai Po districts involving about 280 tonnes of MSW per day. FEHD targets to complete the planned diversion by mid-2015.

Subsidy scheme for upgrading RCVs

9. To help the waste collection trade to meet the new statutory requirements on the equipment standards of RCVs, a one-off subsidy is provided to private refuse collection vehicle owners to retrofit their vehicles with tailgate covers and waste water sump tanks.

10. Upon funding approval by the LegCo Finance Committee on 15 November 2013, the one-off subsidy scheme was launched on 10 January 2014. The trade's response to the scheme was very positive. By the application deadline of 30 September 2014, we had received 332 applications, which represented 95 per cent of the private RCVs eligible for the subsidy. By 21 November 2014, 264 RCVs had already been retrofitted under the scheme, and the remaining 68 RCVs will be retrofitted progressively in the coming 3 months.

Publicity

11. To enhance communication with the various stakeholders involved in the WDP, a working group consisting of representatives from the waste collection trade, property management and government departments was set up in March 2014. Meetings have been held and the stakeholders have provided useful advice for refining the detailed diversion arrangement. We will continue to liaise closely with the aforesaid stakeholders to ensure smooth implementation of the WDP.

12. Banners and posters of the diversion arrangement will be posted up or distributed at landfills and RTSs, and information leaflets will be distributed to different stakeholders. Details of the Amendment Regulations will also be made available on EPD's website, and EPD's enquiry hotline staff are being trained to answer relevant enquiries and provide assistance to the trades.

LEGISLATIVE TIMETABLE

13. The Commencement Notices will be published in the Gazette on **12 December 2014** and tabled at LegCo on **17 December 2014** for negative vetting.

ENQUIRIES

14. For enquiries on this brief, please contact Dr. Ellen CHAN at 3509 8624 or email to eylchan@epd.gov.hk.

**Environment Bureau/Environmental Protection Department
December 2014**

**Waste Disposal (Designated Waste Disposal Facility)
(Amendment) Regulation 2013 (Commencement) Notice
2014**

Under section 1 of the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (L.N. 188 of 2013), I appoint 1 April 2015 as the day on which the Regulation (except sections 3 and 7) comes into operation.



Secretary for the Environment

24 November 2014

**Waste Disposal (Refuse Transfer Station) (Amendment)
Regulation 2013 (Commencement) Notice**

Under section 1 of the Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (L.N. 189 of 2013), I appoint 1 March 2015 as the day on which the Regulation comes into operation.



Secretary for the Environment

24 November 2014