

**From:** Phil Chambers at Strategic Safety Systems Ltd. [phil@strategicsafety.co.uk]  
**Sent:** 23 December 2011 10:30  
**To:** phil@strategicsafety.co.uk  
**Subject:** News and Legal Updates from Strategic Safety Systems Ltd.!

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December 2011

Strategic Safety Systems Ltd. Newsletter

Dear Philip,

Welcome to the December edition of our newsletter. What we aim to do is to provide information which is of use to you and to let you know the activities in which we have been involved. We also aim to let you know of any incidents that have occurred in, and legislation that is related to, the areas in which we work. We realise that, with the broad spectrum of our activities, some may not be relevant to you but we hope you find the rest useful. Whilst the intention of this newsletter is to be useful, we realise that most people are plagued by spam and should you wish to prevent future issues being sent to you, unsubscribe using the link at the bottom of the page.

Regards,

Philip Chambers  
Strategic Safety Systems Ltd.

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*Proposed changes to Permitting Regulations*

There is a proposal to change the Environmental Permitting (England and Wales) Regulations 2010 to:

- allow the Environment Agency to issue fines and use other civil penalties for environmental permitting offences as an alternative to prosecution
- make it possible to keep an environmental permit in force when a sole permit holder dies
- make it easier to transfer a permit where the current operator cannot be found
- transfer responsibility from the Environment Agency to local authorities to regulate dust, odour etc from traffic travelling to and from landfill sites
- remove from regulation waste-derived fuels that are no longer classed as waste before they are burned
- make amendments to waste descriptions and codes for exempt waste operations
- clarify environmental permitting and marine licensing for waste activities in the marine environment
- facilitate the development of anaerobic digestion (AD) plants
- implement two articles of the EU Directive 2009/31 on carbon capture and storage (CCS).

These will come into force around April 2012. They won't affect the majority of SSS clients unless you commit an offence, but [our Register of Legislation](#) will be changed to reflect the new regulations. Similarly, the Controlled Waste Regulations will change but these should not affect any SSS clients.

*Proposed changes to Health and Safety Regulations*

The proposed amendment to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR), the most prominent change of which is the change from 3-day to 7-day reporting is still languishing somewhere. It may be introduced mid 2012.

The HSE proposal to replace the Health and Safety (Fees) Regulations 2010 to reinstate existing fees and to extend the range of activities for which HSE recovers costs looks like it will go ahead, despite objections from many quarters. The underlying policy of recovering costs for HSE's interventions through the introduction of fees has been agreed by Government, but the implications of how this will actually work are a major concern. In addition to reinstating existing fees the proposed Fees Regulations would place a duty on HSE to recover costs where dutyholders are found to be in material breach of health and safety law. Costs will be recovered from the start of the intervention where the material breach was identified, up to the point where HSE's intervention in supporting businesses in putting matters right has concluded.

## More enlightened guidance on domestic-type Trade Effluent

It has always been a concern that commercial operations have more stringent obligations for effluent, even when the effluent is essentially the same type and quantity as would occur at home. The Water Resources Act 1991 and Water Industry Act 1991 contain very similar definitions of trade effluent, but these aren't very helpful; I'm sure that sewerage undertakers don't really want to have a provide authorisation to tip down the drain the remains of a bucket of water used to clean a benign floor. In researching guidance for a cleaning company that SSS are helping with ISO 14001 certification, I came across [this really helpful guidance](#). Sense prevails.

## Make sure you regularly inspect critical equipment

This [article](#) shows what the tragic consequences of failing to inspect critical equipment can be. A joint in a cherry picker failed, causing a man to fall 8m onto the back of a vehicle. He died later.

## Christmas Greetings

Finally, I'd like to wish all our customers and other with whom we have contact, a happy Christmas and New Year. I look forward to seeing some of you in 2012.

I hope you have found this information of interest. If you have any suggestions of other information you would like to see, please [contact me](#).  
Regards,

Philip Chambers  
Strategic Safety Systems Ltd.

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