



8<sup>th</sup> January 2014

Legislative Council Secretariat

By Email: [aykshek@legco.gov.hk](mailto:aykshek@legco.gov.hk)

Attn: Ms. Angel Shek, SCS(1)4

Dear Ms. Shek,

**Comments to the Supplementary Information provided by the Administration following the Legislative Council Subcommittee on Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 and Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013, Meeting on 2 January 2014**

Further to your letter of yesterday regarding the captioned subject, we would like to comment as follows:

**Comments to Questions (a), (b) and (c)**

ECMA supports the “Polluter Pay Principle” by which the waste generators, such as the Property Management companies or Shopping Centres must be liable to pay for the the disposal fee charged at the Refuse Transfer Station (RTS). The haulers should not bear the responsibility to pay for the disposal charge at the RTS, due to the change in collection & disposal pattern as a consequence of the Waste Diversion Plan proposed by the government.

ECMA urges the government to take a proactive lead to educate the waste generators that they are liable for paying the disposal charge at the RTS, when they hire a registered waste collection hauler delivering waste to the RTS. The government should organize the public forum inviting the waste generators and collection haulers to clearly passing this important principle unambiguously to the waste generators. ECMA should be invited to comment the drafting works of the public notices and other distributing leaflets to facilitate commercial liaison with the waste generators in adjusting the necessary waste collection fees to reflect the latest development.

There are many small size waste collection haulers who will face the cash flow challenge once the Diversion Plan commenced, when they are required to pay the RTS charging in advance to their receipt payment from their clients. ECMA would not support the implementation of the



proposed Waste Disposal (Refuse Transfer Station) Amendment Regulation 2103 unless satisfactory circumstances has achieved in assuring the waste generators are willing to pay for the extra disposal charge at the RTS. The government should not commence the proposed early implementation of the said amendment until a solid consent is reached between the waste generators and waste collection haulers, with the government as a mediator.

**Comments to Questions (d) and (e)**

ECMA does not agree with the presentation that future queuing time under the proposed Waste Diversion Plan will achieve some saving at the RTS, indeed we believe it will be lengthen. The government's present projection is based on the traffic pattern, number and types of RCVs currently using the RTS. ECMA must make this very clear to the government that the diversion of more bulky commercial & industrial (C&I) waste will change drastically the RCV delivery pattern and disposal practice, bringing in substantial adverse impact to the traffic condition geographically nearby the RTS.

Government states that the Waste Diversion Plan will aim at maintaining the total daily throughput within the design handling capacity of the concerned RTS. However, we should notice that the C&I waste with its bulky nature will reduce the payload per trip of RCV, that means more RCVs will access to the RTS, even delivering the same tonnage of waste. The C&I waste with much lesser bulk density and more difficult nature of handling, will consume unexpected longer time and extra resources during handing within the RTS. This will definitely lengthen the queuing time for the RCV and not shorten, which the government has not yet given a clear projection on how such adverse impact will it be affecting the collection hauler operation, and the residents nearby the RTSSs.

ECMA urges the government to review and explain to the industry what facility enhancement or equipment upgrading works will be installed at the concern RTSSs to render these waste management facilities suitable to handle and receive the changing waste type. The government must provide guarantee to the industry on the improved queuing time at the RTS, including contingency plan if there is serious traffic incident happened to any on the RTSSs. Not until such assurance is provided and satisfies our members, ECMA reserves our support to the proposed Waste Disposal (Refuse Transfer Station) Amendment Regulation 2103.



**Comments to Question (f)**

ECMA has great concern if the “Employer” is liable for the non-compliance with regard to the retrofit of the mechanical cover and waste water tank on the RCV. The government must clearly define “Employer” to the satisfaction of ECMA, or otherwise, we will support to mandate “Owner” of the RCV be fully responsible for the non-compliance, following the principle as a registered owner’s general duty under the Transport Department.

We hope the above comments will be considered accordingly.

For and on behalf of

Environmental Contractors Management Association

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Catherine Yan - President