

**Confirmed Minutes of the 92nd Meeting of the
Environmental Impact Assessment Subcommittee of
the Advisory Council on the Environment
held on 23 May 2005 at 4:00 pm**

Present:

Dr NG Cho-nam, BBS (Chairman)
Mr Peter Y C LEE
Mrs Mei NG, BBS
Prof POON Chi-sun
Mr TSANG Kam-lam
Ms Josephine CHEUNG (Secretary)

Absent with Apology:

Prof HO Kin-chung, BBS (Deputy Chairman)
Prof Paul LAM

In Attendance:

Mr Elvis AU	Assistant Director (Environmental Assessment), Environmental Protection Department (EPD)
Mr C C LAY	Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department
Miss Sarah NG	Executive Officer (CBD), EPD

In Attendance for Agenda Item 3:

Mr K F TANG	Principal Environmental Protection Officer (EcoPark), EPD
Mr Terence TSOI	Senior Environmental Protection Officer (EcoPark), EPD
Mr Alexi BHANJA	Principal Environmental Consultant, Scott Wilson Ltd (Main Consultant)
Mr Derek HO	Senior Environmental Consultant, BMT Asia Pacific Ltd (Sub-consultant)
Mr Antony WONG	Environmental Consultant, BMT Asia Pacific Ltd (Sub-consultant)
Mr WONG Hon-meng	Principal Environmental Protection (Strategic Assessment), EPD
Mr Lawrence NGO	Senior Environmental Protection Officer (Strategic Assessment), EPD

Action

Agenda Item 1: Confirmation of Minutes of the 91st Meeting held on 21 February 2005

The draft minutes were confirmed without amendment.

Agenda Item 2: Matters Arising

2. There was no matter arising from the minutes of the last meeting.

Agenda Item 3: EIA Report on Development of an EcoPark in Tuen Mun Area 38 ***(ACE-EIA Paper 3/2005)***

Internal discussion

3. The Chairman highlighted that the project was unique in that the future scope of operation of EcoPark could not be determined at this stage and the initial mix of tenants and corresponding recycling processes would not remain static but would change in response to market demands. An “Umbrella Approach” thus had been adopted to include as wide a range of processes as possible based on the best available information and a “Design Audit Approach” had also been adopted to allow for inclusion within EcoPark any future processes not specified by the present EIA study. Thus, the Environmental Monitoring and Audit programme would be very important in the future monitoring and auditing process. The meeting agreed to focus the discussion mainly on the scope of operation, wastewater control, land contamination, visual impact and risk assessment of workers’ health.

4. Members noted the replies provided by the project proponent before the meeting in response to the questions on wastewater treatment and land contamination raised by two Members respectively.

Presentation

5. Mr K F Tang introduced the background and scope of the project. Mr Alexi Bhanja briefed Members on the proposed items of works and findings of the EIA study.

Scope of Operation

6. A Member enquired about the exclusion of some recycling activities because of environmental unacceptability but which might have to be developed in response to market demand. She also enquired about the means to control the quantity of recycling materials and type of processes in EcoPark as there might be a cluster of the most popular processes in the site in meeting changes in market situation. Mr K F Tang explained that a balance had to be struck between the needs of individual tenants and constraints of the project including land supply and infrastructural capacity. Consideration had also to be given to the impact of some recycling processes, such as lard processing and steel mills, on the environment as well as other potential tenants. As local recycling industry was largely small and medium enterprises, the rationale behind the conceptual design of EcoPark was based on flexibility in order to allow a wide range of tenants to achieve synergy in the site. The more large-scale industries or processes considered environmentally unacceptable at this stage would be dealt with separately.

7. A Member agreed that processes with serious environmental impact should be excluded. He noted that the recycling of edible organic food waste was not excluded and processing of lard fell into this category. Mr K F Tang explained that composting and recycling of organic food waste was not excluded though further examination would be conducted on the potential impact such as odour of some food waste. The Member suggested specifying the exclusion of “rendering” which would be more specific for definition purpose.

8. A Member considered the scope of the operation should be more embrative and disagreed to the exclusion of some recycling activities such as lard, which somehow needed to be treated elsewhere. A Member agreed that the one of the objectives of EcoPark should be giving support to, rather than excluding, environmentally unacceptable recycling industries. Mr K F Tang explained that while it was the Government’s policy to promote local environmental and recycling industry, the scope of operation in EcoPark was limited by a number of constraints. As a start, it would be important for the EcoPark to provide incentives to attract the investment of a variety of operators to establish higher end industries. With the experience of the first EcoPark, consideration would be given to the development of recycling activities outside the proposed scope of operation.

9. A Member enquired whether the list of material type in Table 1.1 of the EIA report was exhaustive. Mr K F Tang clarified that the list

showed only the typical material types. Material types and/or processes not included in the list could also be accepted through the Design Audit process if the environmental impacts/risks from proposed processes were not greater than those assessed in the EIA. Upon the Member's enquiry, Mr Tang said that construction and demolition (C&D) waste was not excluded in the project. In fact, most of the material types in the list were materials sorted from municipal solid waste. C&D waste recycling processes that could satisfy the Design Audit would be accepted. The EcoPark would be instrumental in promoting and championing the use of recycled products, recycled construction materials would thus be used in the construction phase as far as practicable.

Wastewater Control

10. A Member enquired about the operation of the on-site Wastewater Treatment Facility (WTF) having regard to the diverse nature of industrial wastewater generated from recycling activities. He cautioned that some recycling industries would produce complex solutions which would have unique environmental impact. Mr K F Tang explained that the WTF would be a shared facility which would be able to treat a range of effluents, but within specified limits of each parameter, to the standard required for discharging into the sewerage systems. This range would be based on the anticipated types of effluents but it was not intended to treat all possible types of effluents. Where the effluent from a particular process or tenant could not be treated by the WTF, the tenant would be required to install process-specific pre-treatment facilities within his lot, such that the pre-treated effluent would fall within the influent range that could be treated at the WTF.

11. A Member enquired about the standard of influent entering the WTF. Mr K F Tang said that consideration would be given to set a typical standard of influent after balancing the cost-effectiveness of constructing and maintaining the WTF. The Member pointed out that it should be cautious to avoid complicated design and high cost of a WTF leading to tenants with low pollution loadings sharing the high maintenance cost of the WTF. This would be in line with the polluter-pays principle. Instead, a strict and specific influent standard of the WTF should be set to ensure satisfactory operation of the WTF and minimal adverse water quality impact. Mr Tang expressed that it was their objective to ensure that costs would be kept to the minimum to make EcoPark more financially attractive to local environmental industry. They would take into account Members' views in discussing with the consultant on the design of the WTF.

Land contamination

12. The Chairman related a Member's concern on potential problem of land contamination and enquired whether impermeable hard surface would be provided to all tenants' lots. Mr K F Tang explained that the initial idea would be to provide impermeable hard surface, which would minimize the impact of liquid contamination, to all tenants' lots in Phase I to attract more potential tenants. Moreover, grease traps and petrol/oil interceptors would be provided in the surface water drainage to ensure that no contaminated surface water, including accidental spills, would be discharged off-site. Recycling processes were required to be performed under cover in most circumstances to minimize land contamination problem.

Visual impact

13. A Member enquired whether there would be minimal standard on the design and layout of the individual plants having regard that most of the tenants would be small and medium enterprises which would not devote much resource to achieve a favourable visual impact. Mr K F Tang stressed that it would be important for the EcoPark to provide a pleasing environment for the business community. Thus, there would be extensive use of landscaping and emphasis would be put on the design of common facilities such as the administration building. For individual lots, the initial idea for Phase I would be to provide a hardcore surface and individual tenants would only need to build basic structures and covers for their plants and facilities. There would be basic requirements in the design such as colour theme and material used to ensure a favourable overall visual image. Upon another Member's enquiry, Mr K F Tang said that open storage of recycling materials would not be allowed except C&D waste with suitable drain-off facilities installed. Details of the storage requirements would be included in the tenancies with individual tenants.

Risk assessment of workers' health

14. A Member expressed concern on the potential problem of cross contamination between workers in the site having regard to the wide range of recycling materials and processes operating in close proximity. Mr K F Tang explained that one of the major responsibilities of the Management Contractor (the Operator) would be to provide shared training facilities and opportunities for the tenants and their workers, in particular on environmental health and safety as well as emergency management. Mr Alexi Bhanja pointed out that fatality risk assessment in the EIA report

referred to those for off-site populations that would result from the operation of the project and risk assessment for workers in the site was not within the purview of an EIA. Nevertheless, consideration would be given by the Operator and EPD in allocating lots to individual tenants in order to segregate processes which should not be too close to minimize potential risk, including risk to workers' health.

15. The Chairman related a Member's concern on workers' health and safety in handling e-waste as toxic materials such as dust containing toxic flame-retardants would spread in the air. Mr K F Tang and Mr Alexi Bhanja explained that most of the more dangerous processes, such as crushing of computer monitors, were usually machine operated in enclosed equipment which would minimize impacts on both the environment and the workers. In addition, they would take into account Members' concern in facilitating the safety and health training, and liaising with relevant departments like Labour Department to address the potential problem.

16. A Member suggested setting an Indoor Air Quality (IAQ) standard for the workplace from the workers' safety point of view. Mr Elvis Au explained that IAQ standard was currently only used as a reference for commercial buildings and public facilities in Hong Kong. Under EIA Ordinance, the authority was not empowered to set an IAQ standard for the workplace.

17. In view of the Members' concern about the workers' safety and health due to potential impacts of the recycling materials and processes, a Member proposed and other Members agreed to suggest the project proponent to consider consulting Labour Department in the Process Review mechanism on relevant provisions with a view to encouraging good management practices and minimizing health hazards to workers in EcoPark.

Other issues

18. A Member enquired about ways to ensure residual impacts would be cleared/cleaned up by the outgoing tenants before leaving the lots. Mr K F Tang explained that the Operator would be responsible for implementing the environmental measures set out in the Environmental Permit and by implementing a site-wide environmental management system, the Operator had to monitor and audit the environmental performance of individual tenants. Moreover, EPD and the Independent Environmental Checker employed by EPD would also conduct regular site checking and auditing.

19. In reply to a Member's enquiry on the safety of visitors to EcoPark, Mr K F Tang said that EcoPark would be a showcase for public education on environmental and recycling industry. There would be facilities like visitor and education centre as well as information center in the administration building. Members' concern was noted and safety of visitors would be taken care of in the detailed planning stage.

20. A Member enquired whether other departments would be involved in the Process Review mechanism to ensure relevant statutory requirements were complied with. Mr K F Tang explained that the Process Review, to be conducted by the Environmental Team, mainly focused on environmental impact assessment of recycling processes. Nevertheless, relevant departments would be involved outside the context of Process Review as the Operator and tenants were required to comply with relevant statutory requirements.

21. A Member worried that the series of restrictions and requirements imposed by the EcoPark might discourage potential tenants. Mr K F Tang explained that they understood quite a number of enterprises were willing to invest in the waste recycling industry even on sites under short-term tenancies. They envisaged that the incentives of more permanent land with basic infrastructure and management services in EcoPark would be more attractive. The requirements set would be basic ones to facilitate their running of business and compliance with relevant statutory requirements. They would be mindful not to impose unnecessary restrictions. The Chairman considered that the development of an EcoPark would help the relocation of some temporary recycling operations scattered over the territory which would in turn reduce many sources of pollution and waste and improve the environment as a whole.

Conclusion

22. The Chairman concluded that having regard to the findings and recommendations of the EIA report, the meeting agreed to recommend the report to the full Council for endorsement without condition. The meeting would suggest the project proponent to consider consulting Labour Department in the Process Review mechanism on relevant provisions with a view to encouraging good management practices and minimizing health hazards to workers in EcoPark.

23. The Chairman stressed that the public would have high expectation on the EcoPark. Thus, the Process Review and Design Audit

would be very important processes in the operation phase to ensure minimal environmental impact. It was noted in the EIA report that much emphasis was placed in continuous public involvement. He hoped that transparency of the project would continue to be enhanced to set a good precedent for the “Umbrella Approach” and bring the EcoPark to a success. Moreover, the Subcommittee would like to receive updates on the project for future reference.

Agenda Item 4: Monthly Updates of Applications under Environmental Impact Assessment Ordinance

24. Members noted the updates. The Chairman noted that there were several rejection cases for permit variation. Mr Elvis Au explained that this was mainly because the project proponents could not fulfill the statutory requirements for permit variation.

Agenda Item 5: Any Other Business

Tentative items for discussion at the 93rd meeting

25. The Chairman informed Members that the Civil Engineering and Development Department intended to present the EIA report on New Contamination Mud Marine Disposal Facility at the next meeting to be held on 20 June 2005. The Secretariat would liaise with the project proponent and notify Members accordingly.

Agenda Item 6: Date of Next Meeting

26. The next meeting was scheduled for 20 June 2005.

**EIA Subcommittee Secretariat
May 2005**