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Environmental Protection Department
Environmental Compliance Division
Regional Office (South)



環境保護署
環保法規管理科
區域辦事處(南)

21 November 2013

Dear Property Management Practitioners,

Properly Transport of Construction Waste

Surveillance of our department revealed that the situation of on-the-road transport of improperly covered / uncovered construction waste by dump trucks has deteriorated in recent months. The property management trade from time to time oversees building maintenance or property renovation works, and engages dump trucks to convey construction waste to designated waste disposal facilities. Hence, we would draw your attention to the said undesirable situation and seek your support to take steps to require your waste transportation contractor(s) to observe the following regulatory requirements relating to construction waste conveyance.

It is an offence under the Air Pollution Control (Construction Dust) Regulation (the Regulation) for any vehicle loaded with dusty materials leaving a construction site without proper cover. Failure to do so is liable to a fine of \$50,000 on conviction for a first offence and to a fine of \$100,000 and to imprisonment for 3 months for a second or subsequent offence for failure to comply with the control for notifiable works. Specifically, the Regulation requires the responsible contractor of a construction site to ensure that all vehicles carrying dusty materials must have their loads covered entirely by clean impervious sheeting or mechanical cover before leaving the site to prevent leaking of dusty materials from the vehicles.

Moreover, the Public Cleansing and Prevention of Nuisances Regulation under the Public Health and Municipal Services Ordinance controls falling of materials carried by vehicles during the course of transportation. Under the Regulation, any vehicle which carries any load likely to result in littering or injuring the surface of the street or public place should have its content so secure and packed that no part of which may fall, escape or be blown therefrom, onto the street or public place. Any person contravening the regulation shall be guilty of an offence and shall be liable to a fine and to imprisonment for 6 months.

Also, the Road Traffic (Traffic Control) Regulations under the Road Traffic Ordinance provides that the driver of a motor vehicle on a road shall ensure that any load is properly secured to and contained on or inside the vehicle. Any person who without reasonable excuse contravenes the regulation shall be guilty of an offence and shall be liable on first conviction to a fine and imprisonment for 3 months and on second or subsequent conviction to a fine and imprisonment for 6 months.

In light of the building maintenance works and the associated construction waste handling / conveyance activities may cause environmental pollution nuisance to inhabitants or other building users, or even affect the safety of road users, we advise you to institute the following measures to protect our environment:

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In light of the building maintenance works and the associated construction waste handling / conveyance activities may cause environmental pollution nuisance to inhabitants or other building users, or even affect the safety of road users, we advise you to institute the following measures to protect our environment:

- 1> To engage contractors who carry valid Billing Account under the Construction Waste Disposal Charging Scheme for building maintenance works and incorporate appropriate good work practices conditions in work contracts. Relevant good practices may include: vehicles carrying construction waste should have their load entirely covered with clean impervious sheeting or mechanical covers before leaving the site, or any load to be conveyed should be properly secured to and contained on or inside the transporting vehicle;
- 2> To make regular inspection to works being undertaken. If property management staff discover any construction waste conveying vehicle does not have it load properly covered, they should remind the concerned dump truck driver to cover the load before being allowed to leaving the site; and
- 3> To establish an estate works management system to require the building owner or the authorised occupier to apply for work permit before carrying out building maintenance works. Through the permitting process the management office can explain the foregoing regulatory requirements on construction waste conveyance and require the applicantø contractor(s) to adopt good work practices for handling and conveying construction waste.

We would appreciate it if you would kindly help convey the above information to your staff and business associates. An e-copy of this letter is also available at our property management partnership website at http://www.epd.gov.hk/epd/english/greenproperty/ref_mat/ref_mat.html.

If you have any query concerning the above, please contact our subject officer, Mr. C. K. LO at tel. no. 2150 8080.

Yours faithfully,



(David HA)

Senior Environmental Protection Officer
for Director of Environmental Protection