

The use of waste bentonite for engineering purposes as part of the creation of a dock

If you comply with the requirements below, we will allow the incorporation of waste bentonite into sands and gravels to be used in the construction of a port without an environmental permit.

Background

Part of the reclamation of land for the new port at London Gateway will involve the construction of a diaphragm wall which will be stabilised using a bentonite slurry. Steel caging is then placed in the trench and cement is pumped in to displace the bentonite. Once this displaced bentonite becomes too contaminated with soils to be suitable for its primary use, engineers would like to incorporate it into previously placed sand surcharge material for the creation of a port as part of the Gateway project. The incorporation of the waste bentonite is a waste management operation and requires a permit.

Our position

We will not pursue an application for an environmental permit for the operation where:

- The storage and incorporation of the waste bentonite is carried out in accordance with the agreed working plan and risk assessment
- Only waste bentonite produced on the site may be used.
- Any change to the working plan and risk assessment is agreed in writing with the London Gateway Project Manager.
- Any waste bentonite that is identified as not suitable for engineering purposes must be removed from the site and taken to a suitably permitted facility for recovery or disposal.
- You meet the relevant objectives of the Waste Framework Directive; '... ensuring that waste management is carried out without endangering human health, without harming the environment and in particular:
 - (i) without risk to water, air, soil, plants or animals;
 - (ii) without causing a nuisance through noise or odours; and
 - (iii) without adversely affecting the countryside or places of special interest.'

Enforcement

In not pursuing an application for a permit, this means we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm

to health. For a more detailed explanation of this enforcement position, please refer to our **Enforcement and Sanctions Statement**. This document can be found on the 'How we regulate you' page in the Business & Industry section of our website.

This regulatory position will be reviewed by April 2012.

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