

Government grants special exemptions for clinical waste disposal

By [Nick Carding](#) | 22 October 2018

- **Government grants companies special dispensation for clinical waste transport and disposal**
- **NHS waste from Yorkshire taken to Slough and West Sussex**
- **Under-fire company claims exemptions show problem with incineration capacity**

Clinical waste from NHS hospitals has been transported and disposed of in ways which normally breach safety regulations, prompting concerns about capacity in the waste sector.

Documents obtained by *HSJ* reveal the government has allowed hazardous waste from hospitals in Yorkshire to be transported in a way that is not normally allowed, and disposed of in an incinerator which is not meant to burn such waste.

The special dispensation was granted as 17 NHS trusts [terminated their contracts](#) with Healthcare Environmental Services, which was found to be [storing waste at up to five times](#) the permitted amount.

Around one per cent of the waste is estimated to be anatomical waste from patients, such as tissue, limbs and fluids.

The first such dispensation was given from the Environment Agency to Grundon Waste Management Ltd in August, which allowed the company to burn hazardous waste in an incinerator normally used for municipal (typically household rubbish) waste at its Slough site.

On October 12, special permission was granted by DfT to Mitie – which took over the contracts with the 17 Yorkshire trusts – to transport the waste for one week to Slough by using processes which would normally breach the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009.

The regulations relate to the storage of waste during transportation, the equipment used, and the qualifications of eligible drivers.

Last Friday, the DfT issued a second notice allowing Mitie to send the waste to another waste management company's (Medisort) facility in Littlehampton, in West Sussex.

The notice is valid until 5 November. All three dispensations have been seen by *HSJ* (see attached documents).

HES owner Garry Pettigrew claimed the extra dispensations granted by the government showed there was a problem with incineration capacity for NHS clinical waste in England, despite health minister Steve Barclay denying this in Parliament last week.

Mr Barclay told the House of Commons Mitie had identified an extra 1,000 tonnes of capacity for October. However, during summer some NHS Improvement and Environment Agency officials [believed there was a capacity problem](#). A spokeswoman for the Department of Health and Social Care reiterated on Monday that there "is sufficient capacity".

Mr Pettigrew claimed Mitie had identified the extra capacity due to the dispensations granted by the government, and added his company could have "cleared the backlog in a matter of weeks" had they been given the same dispensations.

The company used to process waste from the Yorkshire trusts at its Normanton site, near Wakefield.

Mr Pettigrew also attacked the response of two other waste management companies – Grundon and Tradebe – which he said had dramatically increased their incineration prices after HES’ problems became more widely known.

In August, Mr Pettigrew said Tradebe increased its incineration price per tonne to HES from £525 to £1,000, while Grundon increased its price from £450 to £750.

“The moment I start paying these prices I’m a mug – we’ve still got to be commercially viable.

“The NHS is now, through the government’s contingency plan, paying far more than they were paying last month when we were taking their waste.”

Mr Barclay told Parliament earlier this month there would be a financial impact on the affected trusts.

A spokeswoman for the Department of Health and Social Care said the price of incineration is a “commercial decision and is impacted by supply and demand”.

“HES was given sufficient warning of the consequences if they failed to bring the Normanton site back to permitted levels,” she said. “The company was also receiving money from NHS trusts for incineration, but not incinerating their waste.”

Graham Flynn, an independent waste contract management specialist whose company Anenta works with the NHS, said it was apparent that “a number of clinical waste contractors have sought to profit from the current situation by increasing their standard tonnage rates”.

“This leaves the NHS with little choice but to pay what is, at best, an unfair price,” Mr Flynn said.

Earlier this month the Environment Agency said there is “industry-wide agreement” that there is enough capacity to deal with NHS clinical waste. Mr Flynn said the industry is “divided” over the question of incineration capacity.

He said the conclusion depends on the “way in which one considers the issue and whether the focus is upon the operators’ permitted capacity versus their operational capacity or commercial interests”.

Mr Flynn warned the rising prices would also hit other healthcare providers such as care homes and dentists, which could cause financial pressures.

HSJ has approached the Department for Transport, Environment Agency, Tradebe, and Grundon for comment.

Source

Information obtained by HSJ

Source Date

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