

Waste Sites in the Southern Triangle Region, Israel

Information paper for submission to the OECD

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I. Illegal waste sites in the Southern Triangle region

How do you know that these sites are illegal? They have not been licensed, or officially recorded, or they have no owner, e.g. they are not on municipal land or under the municipal authority?

- A. The southern Triangle region contains hundreds of waste sites spreading over an area of about 60 square kilometers. Most of the large waste sites are located in the Northern region adjacent to the cities Qallanswa, Taybe and the agro-community village Shaar-Efraim, which is about a third of the total land size. The estimation of total waste in the area, that was given to us by The Towns Association for Environmental Quality in the Southern Triangle, is as following:

112,000 tonnes per year of constructing materials waste are disposed of illegally in open fields in the region. In addition solid waste (junk, tires, furniture, mattresses, textile etc.) is estimated at 5000 tonnes per year and is not collected or treated at all

As for domestic waste (including tree pruning waste) - The domestic waste produced in the region is estimated as 32,500 tonnes, but it's hard to tell exactly what part of it is disposed of illegally, as the efficiency level of garbage collection varies between the municipalities. In the northern part of the region (Qallanswa, Taybe) garbage collection is low, therefore we witness a higher rate of illegal waste burning there.

Only two large waste sites have been established with permits (C.H. and Sharonim – the first is a landfill that was approved on a site of illegal mining, the second is a waste transfer station dealing with waste separation for recycling purposes). To the best of our knowledge, Sharonim is operating today without a valid plan or the required permits, and C.H is supposed to be shut down, restored and go back to serve the local community, but this process is not yet completed. Both sites are a

potential source of odor nuisance and C.H is also a source of potential air pollution as it might flare up until the restoration process is completed (a big fire that started on the site in May 2012 caused severe smoke pollution in the area).

- B. The illegal waste sites are the main problem, due to their abundance, the complete lack of regulation on the materials they contain (which might contain hazardous substances such as asbestos) , and their proximity to local residents homes and businesses. Background - In the past this was an agricultural area where most of the open fields (none built) were defined as agricultural land In terms of legal planning-status –. Most of the agricultural land (estimated over 90%) is privately owned by citizens of the Arab towns (the land in Jewish settlements in this area, is State Land / Israel Lands Administration). Actually, in Arab towns, much of the agricultural land has become "land for rent" and is used as waste landfill. The land owners receive payment (undeclared) for each waste burial. In these fields big pits are dug, the waste is buried, set alight and covered with soil. These sites sometimes go several rounds of landfill.

This situation is the result of a number of long-term processes; here we list the main ones:

- Devaluation occurred in the status of agriculture and earning capacity of the land for agricultural uses. The need to find solutions led to the consolidation of land rentals for waste, as a source of income for the local population.
- In the Arab settlements, there is a lack of regional and local infrastructure of an organized and permanent garbage (e.g. domestic waste, pruned vegetation) collection system, thus forcing residents to find solutions to reduce the accumulated garbage and trash, mostly by burning.
- Geographic location / Geo-politic- The Southern Triangle region is located on the west side of the "green border line" separating the Palestinian Authority (PA) Territories from Israeli territories. In the past, when it was possible to cross freely to the PA Territories, without a crossing point, trucks filled with illegal waste dumped it undisturbed in the PA fields. With the implementation of the Oslo Accords, and in the last decade, after the Separation Wall was built, separating Israel and the PA territories, free movement was greatly reduced. The South Triangle, with a high geographical proximity to the center of Israel, with easy access to main roads, has become "the place" for illegal waste dumping.
- Regulated waste disposal costs are significant (landfill fees for example). Disposing of the waste illegally saves the owner expenses. In the absence of enforcement and lack of significant economic sanctions, which are hardly employed, illegal waste disposal becomes inevitably "the right thing to do" economically.

Please note, that not one Arab settlement in this region, has a regulated industrial area (the first one is in the process of being built in Qallanswa). The Arab settlements are weak and are rated at the bottom of clustered communities by the Ministry of Interior (rating based on socioeconomic characteristics, on a scale from 1-10, the Arab settlements in this region are located in places 2-3). All municipal authorities in the region are in financial deficit and their performance is controlled by an accountant appointed by the Ministry of the Interior.

II. What is the size of these “illegal waste sites”?

For example, a simple pile of garbage of a few cubic meters, as on some of your pictures, (which unfortunately still exists in most OECD countries) or real illegal landfill sites, where bulky and industrial hazardous wastes are dumped? How far are they located from houses? I would need to know more about the exact nature and size (estimated tonnages) of such illegal waste sites and what kind of waste they include

Three important aspects in this context:

- A. The size of illegal waste sites varies and ranges from a site area of hundreds of square meters (about six acres) or a few square kilometers (several acres). The most significant hazards to the environment are the concentrations and cumulative mass of the waste fields in respect to such a small area (in the Northern part of the region, adjacent to Qallanswa, Taybe and Shaar- Efraim) where there is a high concentration of a large number of small and medium sized waste fields.
- B. The second aspect is the lack of proper planning, with all its characteristics and implications: most Arab settlements in Israel do not have a master plan. The Southern Triangle Region, Israel, will have an industrial area but currently all existing industrial areas are illegal. Factories and workshops in the area are managed mainly without permission of the Business Licensing Department. The practical significance in terms of the environment is that there is no appropriate and regulated sewage system. There is no proper road access and it is difficult to claim responsibility from factories for environmental damage. Due to the lack of an approved master plan, and because on the one hand the difficulty to obtain a permit for construction (private residence), and on the other hand the needs of the local population, the houses are built without permits in the agricultural areas. Therefore some of the houses are very close (tens of meters) to the illegal waste sites. It is a

matter of routine in the region for citizens to close their shutters, especially at night, when incineration is carried out more easily – no monitoring or inspection.

- C. With regard to the location of waste sites, It is important to note that the southern triangle space is defined by the Ministry of Environmental Protection as an ecologically sensitive area level A (the highest), due to its proximity to two of Israel's major coastal and mountain aquifers.

III. What about the traceability of the waste dumped in such sites? Can the producer be identified and thus be fined? Are there sanctions/fines and sufficiently high to be dissuasive? What are the means used by local authorities to prosecute offenders?

In general, the answer is no. Once waste is disposed of in an illegal site, it is almost impossible to trace it back to its origins.

The point raised in this question is one of the key factors why this region turned into a "pirate waste land" and helps in identifying the main characteristics of the problem. Focusing on coping with these, will help change the situation, as follows:

- A. There is limited monitoring capability due to the area's characteristics which make it difficult to follow:
- The region has an enormous traffic volume of trucks.
 - In Qallanswa alone there are hundreds of trucks owned by garbage collection contractors in central Israel in Jewish communities. Truckers return home at sundown with trucks loaded with different types of waste (mainly construction) from the center of the country, and are paid a fee for evacuating the waste to the southern triangle area.
 - Only a small minority among the Arab communities are fighting this phenomenon because of family ties, which are common in these communities, and because the garbage industry involves criminal elements. In other words they are afraid to take action.
- B. The existing legislation is not sufficient in dealing with the complexity of the problem. The current legislation allows fines only if the waste dumpers are caught in the act, or if there is visual documentation. The Ministry of Environmental Protection initiated in 2011 an amendment to the Cleanliness Law to deal directly with these aspects, stating that the property holder will be held liable in the case of waste incineration on his property. As far as we know, the Justice Department is opposing this legislative amendment (on the grounds that the liability policy it reflects is too strict).

It should be noted that the amendment is relevant to waste incineration and not disposal, and is not being advanced, to the best of our knowledge.

- C. Local authorities in the region are weak when it comes to municipal performance, and reveal incompetence in how to combat environmental crime as well as creating an infrastructure of adequate environmental services.
- D. The Towns Association for Environmental Quality in the Southern Triangle, a governmental body acting under the law of municipal associations, dedicated and designed to provide basic environmental services, including garbage collection of all types, is paradoxically dependent, according to the law, on the local authorities' desire to designate a budget which comes through the local authorities.

Moreover, the Towns Association of the Southern Triangle is unsuccessfully governing five local municipal authorities with an estimated population of over one hundred thousand with only one environment inspector.

IV. Do national and local authorities intend to establish more waste treatment facilities (for disposal or recycling) to avoid that waste is dumped?

In general the Ministry of Environmental Protection policy is to promote source- separation instead of establishing sorting facilities. The Ministry has a master plan for waste facilities throughout the country, which also includes the identification of potential sites for establishment. But in practice, for example in the case of Sharonim (waste transfer stations dealing with domestic waste separation for recycling purposes), the Ministry does not act to enforce closure of the station, but rather is trying to influence the site to work in accordance with the environmental regulations. The Ministry is also not taking active role in promoting the establishment of new waste sites working with higher standards in more appropriate places according to the master plan.

V. Can we confidently state that the law is not properly enforced in Israel as industrial facilities can operate and pollute without any authorization and control? As Raphael told me, trials have been on-going now for several years and no decision has yet been taken by the court

The problem is first one of lack of enforcement - If the authorities had invested resources in enforcement, even within the boundaries of the existing legislation, it would contribute greatly and improve the situation.

Another part of the problem is that the existing legislation is not effective enough, as discussed above.

The third part of the problem is the lack of quick and decisive enforcement of environmental regulations and zoning requirements by the authorities, such as in the cases of existing sites as Sharonim and C.H., due to the authorities' need for these sites.

It is true that protracted legal proceedings are also part of the problem but the lack of legislation and lack of enforcement and active cooperation of the authorities to close existing sites and open better regulated ones are the major issues.

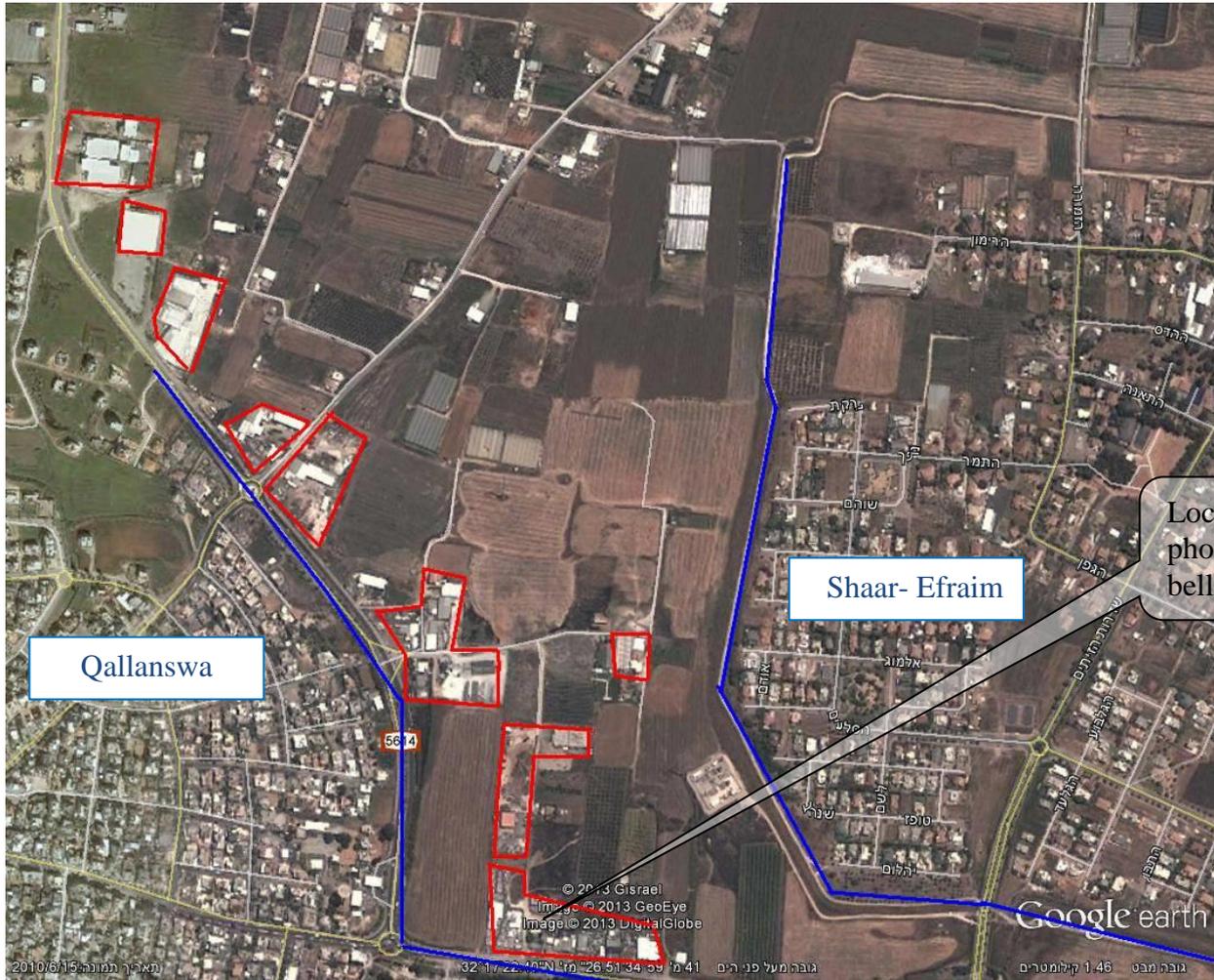
VI. Sewage *When you indicate what does this mean exactly? Is it leachates from dumping sites? Is there a lack of waste water treatment plants?*

As mentioned above, the main reason for sewage is that factories and workshops in the area are managed mainly without permission of the Business Licensing department. The practical significance in terms of the environment is that there is no appropriate and regulated sewage system.

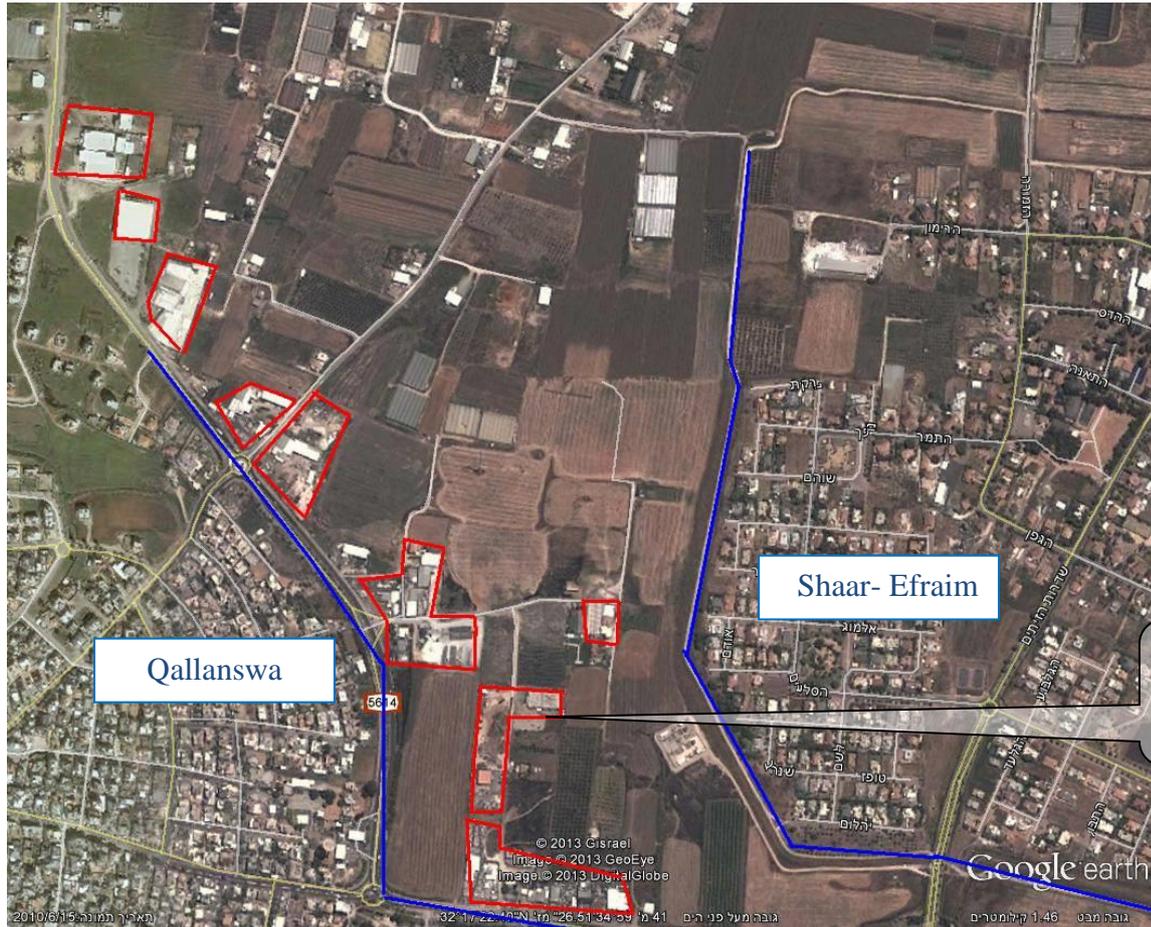
VII. Awareness of the authorities

The Ministry of Environmental Protection is quite aware of the situation, and as we have heard unofficially, is planning to invest large sums of money (about 120 million IS) in a garbage collection system in the Arab sector. However, investing in garbage collection system will only attend to parts of the problem, and without rigorous law enforcement and better legislation, as well as mapping the sites and strengthening the weak local authorities; the problem will not be solved.

Waste sites:
1. Scrap cars storage, tires etc.



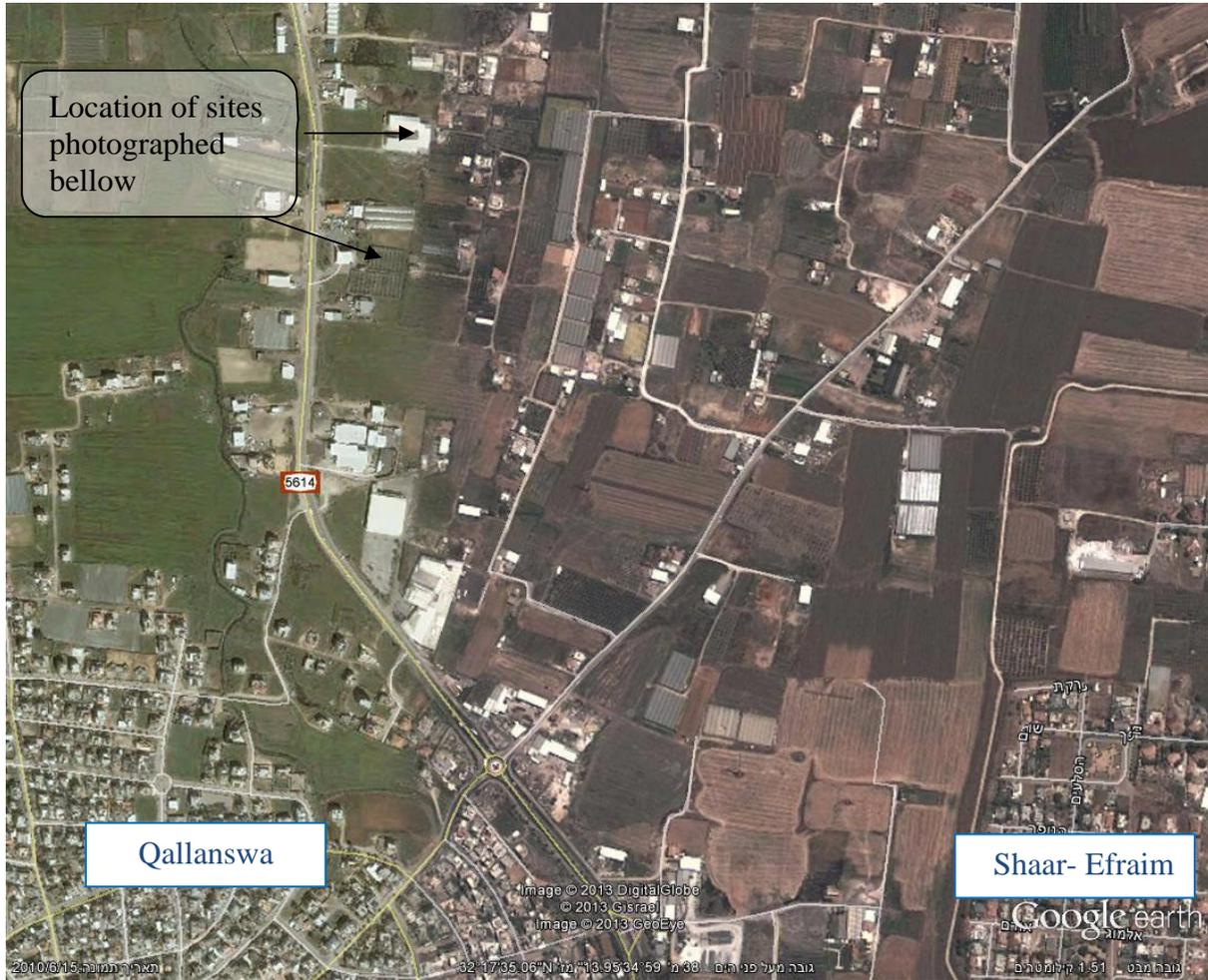
Waste sites:
2. Tree pruning Storage Site



Location of sites photographed below



Waste sites:
3. Storage and handling of scrap metal



Waste sites:

4. Industrial and construction Crushing waste site

