

Application for Interim Injunction requiring concrete batching plant at 22 Tung Yuen Street, Yau Tong to cease operation

The Environmental Protection Department (EPD) said today (April 14) that it had sought assistance from the Department of Justice to apply for an Interim Injunction, requiring the concrete batching plant (CBP) at 22 Tung Yuen Street, Yau Tong, of the China Concrete Co. Limited to cease relevant operation of the plant involving cement works immediately.

A spokesman for the EPD said the Air Pollution Control Appeal Board dismissed on January 27, 2022, an appeal lodged by the China Concrete Co. Limited against the refusal of its application for renewal of a Specified Process Licence (SPL) for the CBP concerned on April 29, 2021. The EPD later issued a letter on January 28 to remind the China Concrete Co. Limited that, according to the Air Pollution Control (Specified Processes) Regulations, the SPL was no longer in force after the appeal had been dismissed, and the CBP concerned must cease the operation of the relevant specified process, otherwise it constitutes an offence. However, the EPD found that the CBP, without holding a valid SPL, continued to operate and caused air pollution.

The spokesman explained that in order to stop the continued operation of the CBP, which would cause air pollution and affect the public, the EPD with the representation of the Department of Justice applied for an Interim Injunction, and an Order (see attachment) has been granted by the Court of First Instance of the High Court, requiring the CBP concerned to cease relevant operation of the plant involving cement works immediately. Any person who violates the Order may be held in contempt of court, and is liable to imprisonment or a fine. The Interim Injunction will remain in force up to and including April 22 at 10am when the application returns to Court for hearing.