



WASTE MANAGEMENT GUIDANCE NOTES

November 2018

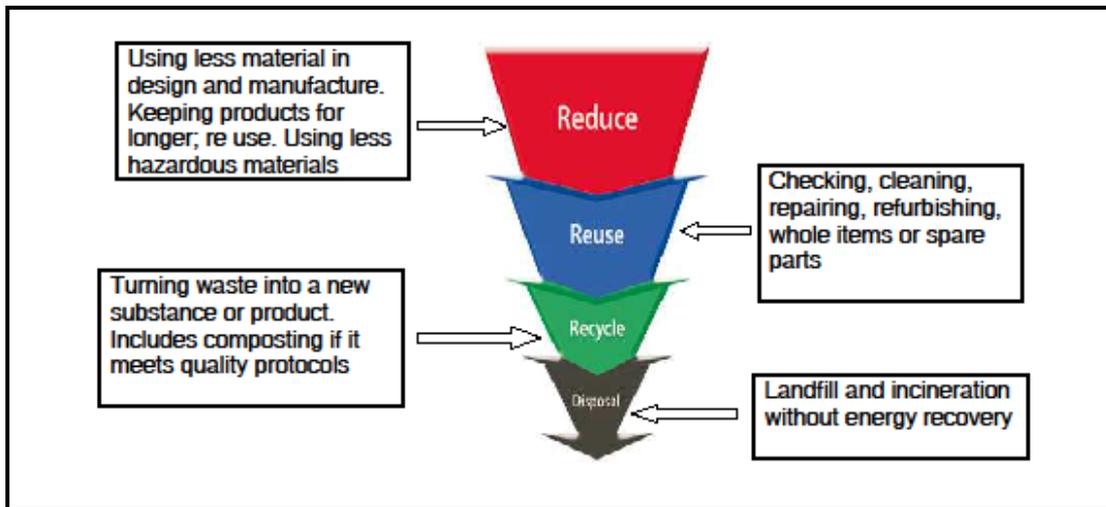
1. What is waste?

- 1.1 Waste is hard to define, but is generally anything that you throw away or dispose of, or intend to throw away or dispose of. This covers more than just objects and substances you have decided to dispose of; material being recovered, e.g. sent for recycling or prepared for reuse, is also classed as waste.
- 1.2 Some organisations produce waste as a by-product of their manufacturing process, others have leftover food or building materials, or redundant tools, plant or machinery. Others simply have excess packaging or scrap paper to deal with.
- 1.3 Waste can include:
 - 1.3.1 used packaging;
 - 1.3.2 used paper;
 - 1.3.3 rubble, timber and plasterboard from demolition;
 - 1.3.4 trade effluent, such as condensate water from compressed-air equipment;
 - 1.3.5 old pieces of electrical equipment.
- 1.4 Once a substance or object has become waste, it will remain waste until it has been fully recovered and no longer poses a potential threat to the environment or human health. When something becomes waste, it becomes more tightly regulated.

If you are not sure whether a substance or object is classed as waste, contact the Environment Agency for advice.

2. The Hierarchy of Waste

- 2.1 Regulation 12 of the Waste (England and Wales) Regulations 2011 states that businesses that import or produce, collect, transport, recover or dispose of waste, or who operate as dealers and brokers, must take all reasonable measures to apply the waste hierarchy when the waste is transferred.



2.2 The Regulations give top priority to reducing waste in the first place. When waste is created, the next priority is given to preparing it for re-use, then to recycling, and last of all to disposal (for example landfill).

3. Duty of care for waste

If you produce, import, carry, store, treat, recover or dispose of waste you have a duty of care. This requires you to handle waste safely, only pass it to those authorised to take it, and to complete the correct documentation. Further, you must ensure that any landfill site receiving your waste has an environmental permit.

4. Storing waste

You must store waste securely in appropriate containers, such as skips or labelled drums. Different types of waste cannot be mixed. The waste must be covered to prevent it blowing away, and steps should be taken to make sure that the waste cannot leak into the ground or watercourses.

5. Waste recovery or disposal

5.1 When you send waste to be recovered or disposed of, you must ensure that it is handled by an authorised organisation and taken to an authorised site. When the waste is transferred to another person, a waste transfer note must be produced, which has to be signed by both parties. The waste transfer note must be retained for at least two years.

5.2 From 28 September 2011, the waste transfer note must include a declaration that you have applied the waste hierarchy. This means you must consider reusing or recycling your waste before disposing of it.

6. Sending waste to landfill

6.1 If you are sending waste for disposal at a landfill, it must be pre-treated to minimise its impact on the environment.

6.2 Certain types of waste cannot be sent to landfill, including:

6.2.1 liquid waste (known as 'trade effluent');

- 6.2.2 used tyres;
- 6.2.3 healthcare wastes, for example, infectious clinical wastes from hospitals, medical premises or veterinary establishments; and
- 6.2.4 wastes with dangerous characteristics, for example, explosive, corrosive, flammable, or oxidising characteristics.

7. Controls on specific types of waste

There are specific legal requirements to comply with if you are disposing of the following objects and materials:

- 7.1 **Liquid waste** - if you discharge liquid waste including fats, oils and greases, chemicals and detergents to sewers, you must have a trade effluent consent.
- 7.2 **Packaging waste** - if your business makes, fills, sells, or handles packaging or packaging materials, you should keep the amount of packaging used to a minimum, design the packaging so that it is easy to reuse and recycle, and minimise the amount of waste to be disposed of.
- 7.3 **Waste electrical and electronic equipment (WEEE)** - if you produce, import, distribute, or use electrical and electronic equipment, or store, treat or dispose of other people's waste electrical and electronic equipment, you must comply with rules on WEEE.
- 7.4 **Batteries** - if you produce or import industrial, automotive, or portable batteries and accumulators (rechargeable batteries) or supply more than 32 kilograms of portable batteries per year to end users, you will be affected by rules on the disposal of batteries.
- 7.5 **End-of-life vehicles** - if a motor vehicle is to be dismantled or disposed of, you must ensure that it is sent to an authorised treatment facility. The facility will provide a certificate of destruction that allows you to deregister the vehicle with the Driver and Vehicle Licensing Agency.
- 7.6 **Animal by-products and food waste** - animal by-products are entire animal bodies, parts of animals, products of animal origin, catering waste or other products obtained from animals that are not fit or intended for human consumption. There are strict controls on the ways animal by-products can be collected, transported, stored, handled, processed and recovered or disposed of.
- 7.7 **Radioactive waste** - if you keep or use radioactive substances, or accumulate or dispose of radioactive waste materials, you may need an environmental permit from the Environment Agency.

8. Rules for waste carriers, brokers and dealers

- 8.1 If you transport your own or other people's waste, or you act as a waste broker or dealer, you must comply with legal controls. In March 2011, new regulations introduced a two-tier registration system for waste carriers, brokers and dealers.
- 8.2 If you transport other people's waste, or your own construction or demolition waste, you must register with the Environment Agency as an upper tier waste carrier, unless you fall into one of the categories for lower tier waste carriers. The registration of waste carriers who held a certificate prior to 29 March 2011, will be classified as an upper tier registration. When the certificate is due to be renewed, it will be replaced with an upper tier certificate.

- 8.3** If you are a waste broker, (i.e. you make arrangements for others to have waste handled, transported, recovered or disposed of), you must:
- 8.3.1** register as an upper tier waste broker with the Environment Agency, unless you fall into one of the categories for lower tier waste carriers, and
 - 8.3.2** make sure that any waste that you are brokering or have control of is stored and transferred in compliance with the duty of care.
 - 8.3.3** If you deal in waste (i.e. you use an agent to buy waste from other businesses to sell on), you must register with the Environment Agency as an upper tier waste dealer, unless you fall into one of the categories for lower tier waste dealers. If you had a waste carrier or broker certificate prior to 29 March 2011, the Environment Agency will automatically add permission to be a dealer to your existing registration.
 - 8.3.4** From January 2015 anyone who collects waste paper, metal, plastic or glass must ensure it is collected separately.

9. Rules for waste carriers, brokers and dealers of Waste Electrical Electronic Equipment (WEEE)

- 9.1** Recycling of WEEE is a specialist part of the waste and recycling industry. The current Regulations covering WEEE are the Waste Electric and Electronic Equipment (WEEE) Regulations 2013.
- 9.2** There are ten broad categories of WEEE:
- 9.2.1** Large household appliances – e.g. fridges, cookers, microwaves, washing machines and dishwashers;
 - 9.2.2** Small household appliances – e.g. vacuum cleaners, irons, toasters and clocks;
 - 9.2.3** IT and telecommunications equipment – e.g. personal computers, copying equipment, telephones and pocket calculators;
 - 9.2.4** Consumer equipment – e.g. radios, televisions, hi-fi equipment, camcorders and musical instruments;
 - 9.2.5** Lighting equipment – e.g. straight and compact fluorescent tubes and high intensity discharge lamps;
 - 9.2.6** Electrical and electronic tools – e.g. drills, saws and sewing machines, electric lawnmowers;
 - 9.2.7** Toys, leisure and sports equipment – e.g. electric trains, games consoles and running machines;
 - 9.2.8** Medical devices – e.g. (non-infected) dialysis machines, analysers, medical freezers and cardiology equipment;
 - 9.2.9** Monitoring and control equipment – e.g. smoke detectors, thermostats and heating regulators; and
 - 9.2.10** Automatic dispensers – e.g. hot drinks dispensers and money dispensers.

9.3 Treatment of WEEE

- 9.3.1 Large household appliances such as ovens, fridges, washing machines etc currently make up over 40% of WEEE, but there are also huge numbers of equipment such as computers and ancillary items, TVs, smaller household appliances like kettles, power tools and electronic toys.
 - 9.3.2 Such items usually contain a wide variety of materials. An average TV will contain 6% metal and 50% glass, whereas a cooker is 89% metal and only 6% glass. Other materials found include plastics, ceramics, and precious metals.
 - 9.3.3 As a result of this mix of materials, some of which are hazardous (including arsenic, cadmium, lead and mercury and certain flame retardants) WEEE recycling poses a number of health risks that need to be properly managed.
 - 9.3.4 It is important to stress that if effective measures are taken to control exposure to mercury or lead then normally the control of exposure to other hazardous substances should also be adequate.
 - 9.3.5 **Other hazards associated with WEEE recycling:**
 - 9.3.4.1 **Musculoskeletal Disorders** (MSD's) from manual handling – Some WEEE items, white goods such as fridges or freezers, especially 'American' style fridge/freezers, can be very heavy, but even some TVs can weigh in excess of 25kg;
 - 9.3.4.2 **RSI** – from repetitive movements to remove wiring looms for example;
 - 9.3.4.3 **Cuts and abrasions** or pinch injuries from using knives etc, or sharp edges on items as they are being dismantled, or broken;
 - 9.3.4.4 **Falling objects** – e.g. poorly stacked items. Ensure the stability of any stacks. No more than three times the height of the minimum base dimension as a rule of thumb;
 - 9.3.4.5 **Electrical safety** – if refurbishment is being carried out consider electrical testing issues; and
 - 9.3.4.6 **Fire and explosion** – be aware of any chemicals you are removing. Make sure they are stored correctly in properly labelled containers. Remove batteries and store them away from sources of ignition.
- 9.4 If you are a waste broker, (i.e. you make arrangements for others to have waste handled, transported, recovered or disposed of), you must:
- 9.4.1 register as an upper tier waste broker with the Environment Agency, unless you fall into one of the categories for lower tier waste carriers; and
 - 9.4.2 make sure that any waste that you are brokering or have control of is stored and transferred in compliance with the duty of care.
 - 9.4.3 If you deal in waste (i.e. you use an agent to buy waste from other businesses to sell on), you must register with the Environment Agency as an upper tier waste dealer, unless you fall into one of the categories for lower tier waste dealers. If you had a waste carrier or broker certificate prior to 29 March 2011, the Environment Agency will automatically add permission to be a dealer to your existing registration.

- 9.4.4 From January 2015 anyone who collects waste paper, metal, plastic or glass must ensure it is collected separately.
- 9.5 You must register as a lower tier carrier, broker or dealer if you only deal with:
 - 9.5.1 animal by-products;
 - 9.5.2 waste from mines and quarries; or
 - 9.5.3 waste from agricultural premises.
- 9.6 You must also register in the lower tier if you carry, broker or deal in waste and are:
 - 9.6.1 a waste collection, disposal or regulation authority; or
 - 9.6.2 a charity or voluntary organisation
- 9.7 Since December 2013, you will also need to register in the lower tier if you normally and regularly carry waste produced by your own business, other than construction or demolition waste.

10. Hazardous Waste

- 10.1 Hazardous waste is defined as: “waste that is harmful to human health or the natural environment is known as hazardous waste. Almost all businesses will produce some hazardous waste.” Typical examples include waste:
 - 10.1.1 Asbestos;
 - 10.1.2 Chemicals, e.g. brake fluid and printer toner;
 - 10.1.3 Electrical equipment with potentially harmful components such as cathode ray tubes, e.g. computer monitors and televisions;
 - 10.1.4 Fluorescent light tubes and energy-saving light bulbs;
 - 10.1.5 Vehicle and other lead-acid batteries;
 - 10.1.6 Oils (except edible oils), e.g. engine oil;
 - 10.1.7 Lead acid batteries;
 - 10.1.8 Waste oils;
 - 10.1.9 Refrigerators containing ozone-depleting substances.
- 10.2 Hazardous waste is defined by the European Waste Catalogue (EWC). The EWC has a six-digit code for all types of waste. Hazardous waste is identified in the EWC with an asterisk.
- 10.3 The EWC contains two kinds of hazardous waste entry:
 - 10.3.1 'Absolute' entries are always hazardous. Examples include waste from the manufacture of specified acids, inorganic wood preservatives, and nickel cadmium batteries.
 - 10.3.2 'Mirror' entries are only considered hazardous if they contain a certain hazardous component, or more than a specified amount of a hazardous substance. Examples include some wastes containing arsenic or mercury or displaying hazardous properties such as flammability.
- 10.4 Many non-hazardous waste entries may also form part of a mirror entry. If this

is the case you need to consider whether your waste contains hazardous components before you use a non-hazardous waste code.

- 10.5** If you receive materials or chemicals at your site, they should be accompanied by a safety data sheet. The information on the safety data sheet can help you decide if your waste is hazardous, provided the chemicals have not changed due to being used or mixed with other substances.

Check whether your waste is hazardous on the Environment Agency website.

11. Responsibilities for hazardous waste

11.1 Requirements you must comply with include:

11.1.1 Storage - hazardous waste must be stored securely in suitable containers;

11.1.2 Segregation - different types of hazardous waste cannot be mixed, and hazardous waste cannot be mixed with non-hazardous waste or with materials that are not waste;

11.1.3 Written details - written instructions should be provided to employees regarding the storage and disposal of the hazardous waste which is produced, and an up-to-date inventory must be kept of all the hazardous waste on your premises in case it is required by emergency services;

11.1.4 Inspection - containers of hazardous waste should be examined at least weekly;

11.1.5 Handling and transport - hazardous waste must only be transported by an authorised person, and in compliance with the dangerous goods legislation;

11.1.6 Recovery or disposal - the hazardous waste must be disposed of at an appropriately authorised facility;

11.1.7 Documentation - a consignment note must be completed for every load of hazardous waste transferred from your premises. From 28 September 2011, you must declare on your waste transfer note that you have applied the waste hierarchy. This means you must consider reusing or recycling your waste before deciding to dispose of it. Consignment notes must be retained for three years.

12. Producing and storing hazardous waste

12.1 Registration of premises

12.1.1 If you produce or hold hazardous waste of more than 500 kilograms in any 12-month period, you must register your premises with the Environment Agency.

12.1.2 When registered, you will be given a unique premises code. This code will be required to enable someone to legally collect your hazardous waste. The code is valid for 12 months from the date of registration. You can renew your registration up to one month before it expires,

online, by phone or using a paper form. You can register in bulk; up to 2,000 premises at a time. When registering, you will need to provide your Standard Industrial Classification code number, and, if you are a limited company, your Companies House number.

12.1.3 If you own multiple premises, each site should be registered individually. If you have multiple buildings on the same premises these only require one registration, provided they are part of the same business. However, if you share premises with other waste-producing businesses, each business must be registered separately.

12.1.4 If you produce small amounts of waste at different customer premises, you may be able to remove their waste as a mobile service using your own premises registration. Consignment notes are still required.

12.2 How much hazardous waste can be stored?

12.2.1 Waste can be stored securely on the site where it was produced for up to 12 months without an environmental permit, while you wait for it to be collected.

12.2.2 You can also temporarily store waste produced on another site that you operate if you comply with the following conditions:

12.2.2.1 the waste is stored for no longer than three months; and

12.2.2.2 no more than 50 cubic metres of non-liquid waste is stored at any one time; and

12.2.2.3 no more than 1,000 litres of liquid waste is stored at any one time.

If these conditions cannot be met, you will need an environmental permit from the Environment Agency.

12.3 How to store hazardous waste

12.3.1 If hazardous waste is stored on your premises, even for a short period of time, you must:

12.3.1.1 ensure that it is stored safely and securely to prevent pollution;

12.3.1.2 ensure that it is packaged and labelled correctly;

12.3.1.3 keep different types of hazardous waste separate;

12.3.1.4 keep hazardous and non-hazardous waste separate;

12.3.1.5 keep liquid hazardous waste in a dedicated area, with a bund or barrier to contain spills and leaks;

12.3.1.6 regularly check storage areas for leaks, deteriorating containers or other potential risks;

12.3.1.7 display written instructions for storing and disposing of each type of hazardous waste;

12.3.1.8 maintain an inventory of the hazardous wastes kept on your

premises, and where they are stored – this will help emergency services to deal with any incident effectively and safely.

- 12.4** You must assess risks posed by any hazardous substances that you store on your site, including hazardous waste, and take steps to control those risks.

13. Train your staff

- 13.1** Staff must be properly trained to deal with spills of the hazardous materials that you store on your premises. This should include instructions on what to do if there is a spill, the type of personal protection equipment required, and how to correctly dispose of contaminated clean-up materials.

14. Reducing your hazardous waste

- 14.1** It is expensive to dispose of hazardous waste, and it is likely to become more costly in the future. It therefore makes sound business sense to reduce the amount of hazardous waste produced. This can often be done at relatively little extra cost.

- 14.2** Consider the following:

14.2.1 Choose non-hazardous or less hazardous alternatives for materials or components. Even small reductions in your use of hazardous materials can make a big impact on your waste management costs.

14.2.2 Improve the efficiency of your processes to reduce the quantity of materials that you use and cut down on waste.

14.2.3 Introduce effective quality control procedures to reduce the number of defective products that you make and have to throw away.

14.2.4 Minimise the need for cleaning equipment. Some cleaning is necessary, but better working practices can reduce both the frequency and the extent of cleaning, reducing the amount of potentially contaminating effluents that you produce.

14.2.5 Recover materials that are used and discarded. Some of these may be reused on site, others can be sent off site for recycling, treatment, or recovery. An outside specialist contractor can advise on whether changes to your existing processes will result in recovery alternatives.

14.2.6 Change the design of your products or processes to eliminate the use of hazardous materials all together. This will save money because you will not need to use a specialist disposal regime.

14.2.7 Separate your waste to prevent contamination and to prevent making more waste hazardous.

- 14.3** To find the best way of reducing the amount of hazardous waste you produce, talk to your material and component suppliers, get advice from your trade association, look at similar businesses, or contact your local Environment Agency Office.