

Waste Management Note

What is waste?

Waste is hard to define, but it is generally described as any object or substance that a holder discards/intends to discard of or is required to dispose of. This covers more than just objects and substances; material being recovered, e.g. sent for recycling or prepared for reuse, is also classed as waste.

Some organisations produce waste as a by-product of their manufacturing process, others have leftover food or building materials, redundant tools, plant or machinery. Others simply have excess packaging or scrap paper to deal with.

Waste can include:

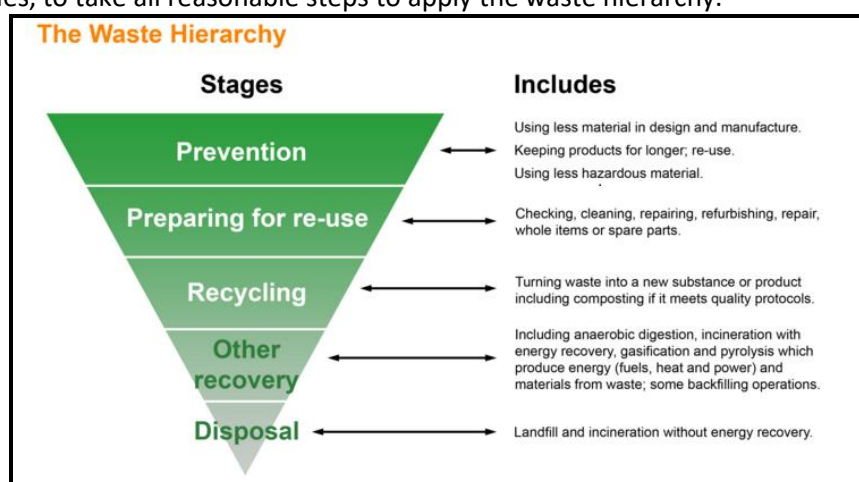
- used packaging
- used paper
- rubble, timber and plasterboard from demolition
- trade effluent, such as condensate water from compressed-air equipment
- old pieces of electrical equipment

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 a waste, contact the Perth SEPA branch for advice on 01738 627989.

The Hierarchy of Waste

The Waste (Scotland) Regulations 2012 and the Waste Management Licensing (Scotland) Regulations 2011 place a duty on all persons who produce, keep or manage waste, including Local Authorities, to take all reasonable steps to apply the waste hierarchy.



It is your duty to take all reasonable steps to apply the waste hierarchy. You must therefore apply the hierarchy as a priority order to the management of your waste. This goes hand in hand with the duty to promote 'high quality recycling'. The Waste Hierarchy Guidance (available from the Scottish Government's website) provides details of the priority outcomes for a range of common waste streams.

Responsibilities of waste producer

- Apply the waste hierarchy to the management of your waste and promote 'high quality' recycling.
- From 01 January 2014, present glass, metal, plastic, paper and card (including cardboard) for separate collection.
- Take steps to maintain the quality of dry recyclables presented for separate collection.
- In some circumstances, present food waste for separate collection.
- Take care of the waste while you hold it so it does not escape from your control.
- Ensure your waste is transferred to someone who is authorised to receive it, for example, a registered waste carrier or waste manager with the relevant authorisation.
- If you are carrying your own waste ensure that you are appropriately registered with SEPA.
- Complete a waste transfer note for any transfer of waste, including a full description of the waste, and retain a copy of this note for two years.
- Describe the waste accurately and provide information for the safe handling, transport, treatment, recovery or disposal by subsequent holders.
- Take reasonable measures to ensure that your waste does not cause pollution or harm to human health.

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.

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.

Waste recovery or disposal

You must ensure that any waste being transferred to another holder is covered by a waste transfer note (WTN) including a written description that will enable anyone receiving it to manage it in accordance with their own Duty of Care.

If you have not described the waste properly or failed to inform the next holder the properties of the waste, then you may still be liable if something goes wrong after the waste is transferred.

Waste Transfer Note

The information you pass on to the next holder is contained in the WTN. This is your evidence that the waste was passed on and that it was adequately described.

You must keep a copy of the WTN signed by yourself and the person you transfer waste to for two years. This can be an electronic copy, including electronic signatures, provided an enforcement officer can view it. You also need to keep any additional information about the waste with this note such as any analysis results.

A 'season ticket' system can be used for waste of the same description which is transferred between the same transferor and transferee for a period up to 12 months. This avoids the need for

a separate WTN for each waste load transferred although you should keep a log of individual loads collected from you under season ticket arrangements. "Season tickets" can be used, for example, for the weekly collection of waste from shops or repeat journeys of excavated materials from a construction project. Provided all the required information is contained on it and both parties have signed it, an invoice can be used as a WTN.

Sending waste to landfill

Disposal should be used as a last option for waste management. Prior to the passing of waste to the waste contractor, you must ensure you have the relevant waste carrier license and the landfill site is authorised to accept the waste you are sending away.

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

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

- liquid waste (known as 'trade effluent')
- used tyres
- healthcare wastes, for example, infectious clinical wastes from hospitals, medical premises or veterinary establishments
- wastes with dangerous characteristics, for example, explosive, corrosive, flammable or oxidising characteristics

Controls on specific types of waste

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

Liquid waste - if you discharge liquid waste including fats, oils and greases, chemicals and detergents to sewers, you must have *trade effluent consent*.

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.

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.

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.

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 way animal by-products can be collected, transported, stored, handled, processed and recovered or disposed of.

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.

Waste must only be passed to an Authorised Person

You must make sure that any person or business that you transfer waste to or who organises waste transfers for you is registered with SEPA to do so. This is crucial in the effort to tackle waste crime.

Authorised persons are Registered Waste Carriers, such as waste management companies, or registered Professional Carriers and Transporters of waste such as Local Authorities and charities/voluntary organisations.

If you normally and regularly carry your own waste to a recycling or treatment facility, you will need to register as a Professional Carrier and Transporter of Waste.

Your Duty of Care as a producer of waste extends along the entire chain of management of the waste.

What must I do to check authorised persons details?

The detail of the checking required will depend on the quantity or nature of the waste you produce. As a minimum you must ask for:

- A copy of the carrier's registration certificate and check this against SEPA's online public register to confirm that it is genuine and valid.
- Confirmation of the broker/dealer's registration and check this against the SEPA's public register. If you choose to engage a waste broker to identify suitable carriers and/or waste management options for your waste then you will share equal responsibility for how the waste is stored, transported and ultimately managed. You must ensure any broker you use has a valid registration and check this against the SEPA's online public registers.
- The reference number of the receiving site's Licence or Permit so that you can, if necessary, check this with the SEPA's local teams to confirm that it is genuine, valid and holds evidence that it allows for deposit of your type of waste.

It is advisable to re-check carrier registration from time to time as many carrier registrations are renewable every three years and, in some circumstances, SEPA may have cancelled or revoked the registration.

You should also know where the carrier takes your waste for onward management. This is particularly relevant if you produce: large amounts of waste, waste which can be difficult to manage e.g. hazardous waste or waste which is commonly fly tipped (eg tyres).

You should be aware of the destination of the waste and check the site's Licence or Permit reference number so that you can, if necessary, check with the SEPA's local teams that the site is genuine and is allowed to accept the waste.

Special Waste

Waste with hazardous properties which may render it harmful to human health or the environment is called special waste in Scotland.

Elsewhere in the UK and the EC, special waste is referred to as hazardous waste and the management and regulation of this is essential to minimise any effects on the environment.

Typical examples include waste:

- asbestos
- chemicals, e.g. brake fluid and printer toner
- electrical equipment with potentially harmful components such as cathode ray tubes, e.g. computer monitors and televisions
- fluorescent light tubes and energy-saving light bulbs
- vehicle and other lead-acid batteries
- oils (except edible oils), e.g. engine oil
- lead acid batteries
- waste oils
- refrigerators containing ozone-depleting substances

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.

The EWC contains two kinds of hazardous waste entry:

'Absolute' - entries that are always hazardous. Examples include waste from the manufacture of specified acids, inorganic wood preservatives, and nickel cadmium batteries.

'Mirror' - entries that 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/mercury or are displaying hazardous properties such as flammability.

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.

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.

Responsibilities for hazardous waste

Requirements you must comply with include:

Storage - hazardous waste must be stored securely in suitable containers.

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.

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 the emergency services.

Inspection - containers of hazardous waste should be examined at least once a week.

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

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

Documentation – Types of Consignments

“Single” - a single movement of special waste to one consignee for recovery, treatment, recycling or disposal. ‘Pre-notification’ of the first movement of waste must be provided to SEPA at least 3 working days before the ‘expected removal date’. This process of pre-notification is done by either sending the ‘white copy’ of the consignment note to the local SEPA office of the consignee or by sending a copy via facsimile. If a copy is sent via facsimile, the original must also be forwarded to SEPA either before the waste is moved or forthwith upon removal. The waste must be moved within one month of the given expected removal date.

“Succession” - repetitive movements of the same type of special waste from the same producer/consignor to the same consignee are called a succession. For the first movement of waste in a succession the ‘pre-notification’ rules are the same as for single movements of waste. For subsequent loads/movements in the succession, the white copy can be discarded as there is no need to renotify SEPA. However, all further loads/movements under the succession must be completed within a year of the given expected removal date, any movements out with the given period will require a new succession.

“Carrier’s Round” - This occurs when the same type of special waste is collected from different producers. There are two classifications of Carrier’s rounds:

- 24 Hour Carrier’s Round
- Extended Carrier’s Round

Although cross border movement is allowed under carrier’s rounds and extended carrier’s rounds in as much as the round can be completed outside of Scotland, cross border collection is strictly prohibited under the regulations.

24 Hour Carrier’s Round - In order to be defined as a ‘carrier’s round’ under the Special Waste Regulations 1996, the carrier’s round must be completed within 24 hours. Carrier’s rounds only apply where all of the premises in the collection round are located in Scotland. Waste moved in a ‘carrier’s round’ must be consigned using a ‘carrier’s schedule’, which can be obtained, for a small charge from SEPA. The carrier’s schedule consists of four parts:

- Part 1 to be retained by the Producer/Consignor
- Part 2 to be retained by the Carrier
- Part 3 to be retained by SEPA/EA
- Part 4 to be retained by the Consignee

Producing and storing hazardous waste

You do not need a waste management licence or pollution prevention and control permit if you store hazardous/special waste on the site where it was produced for up to 12 months while you wait for it to be collected. The maximum amount of hazardous/special waste you can store is:

- 23,000 litres of liquid waste stored in a secure container
- either 80 cubic metres (m³) of any other type of waste stored in a secure container, or 50m³ stored in a secure place.

If you cannot meet these conditions - for example if you store hazardous/special waste for longer than 12 months - you must have a waste management licence or a pollution prevention and control permit.

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

- the waste is stored for no longer than three months, and
- no more than 50 cubic metres of non-liquid waste is stored at any one time, and
- No more than 1,000 litres of liquid waste are stored at any one.

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

How to store hazardous waste

If you keep hazardous/special waste on your premises, even for a short period of time, you must:

- ensure that it is stored safely and securely to prevent pollution
- ensure that it is packaged and labelled correctly
- keep the different types of hazardous/special waste separate
- keep hazardous /special and non-hazardous waste separate
- keep liquid hazardous/special waste in a dedicated area, with a bund or barrier to contain spills and leaks
- regularly check storage areas for leaks, deteriorating containers or other potential risks
- display written instructions for storing and disposing of each type of hazardous/special waste
- maintain an inventory of the hazardous/special wastes kept on your premises, and where they are stored - this will help the emergency services to deal with any incident effectively and safely.

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

Train your staff

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.

Reducing your hazardous waste

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.

Consider the following:

- 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.
- Improve the efficiency of your processes to reduce the quantity of materials that you use and cut down on waste.
- Introduce effective quality control procedures to reduce the number of defective products that you make and have to throw away.
- 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.
- 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.
- 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.
- Separate your waste to prevent contamination and to prevent making more waste hazardous.

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.