

NEW WASTE REGULATIONS

The Hazardous Waste Regulations will replace the special waste regulations in England and Wales from 16 July 2005 from this date waste acceptance criteria (WAC) will apply to all hazardous waste going to landfill. More wastes, including computer monitors & fluorescent light tubes, are classed as hazardous waste in line with the EU Waste Catalogue and are subject to the new rules. **Most producers of hazardous waste need to register with the Environment Agency** and make sure their waste is properly described and consigned to a suitable authorised recovery or disposal facility.

In 2006 some newly hazardous wastes (such as TVs and fluorescent light tubes) are also subject to the Waste Electronic and Electrical (WEEE) directive. Under this directive producers will be responsible for take back of WEEE recovery.

Responsibility for compliance rests with the producers of waste, including those handling waste on their behalf. All persons handling special waste are expected to be fully aware of the changes in the legislation and to comply with the Hazardous Waste Regulations 2005.

Every business in England & Wales has a legal DUTY OF CARE to ensure waste is disposed of responsibly. If your company either directly or indirectly causes or permits a polluting material to enter an area, then your company can be prosecuted. Your contractor will end up with you, if they are found to have been knowingly permitting your actions.

All members are advised to take the following actions:

- Only use the services of a waste contractor who is registered for the transport, handling, removal and disposal of waste. Do not use “cowboys” or unauthorised contractors, if they “fly” tip and you are identified as the source of the waste, hazardous or otherwise, it will be your company which will be prosecuted.
- Ensure that the waste handling company issues you with a Certificate of Duty of Care for each collection, unless you have a contract for regular collection, in which case an annual Certificate of Duty of Care will be acceptable. All certificates should be kept secure in a file or log. You will be liable to an on the spot fine for failure to produce a certificate when required to do so by an inspector
- Consult with your waste contractor about the nature and mix of your waste. Hazardous waste will need to be collected and disposed of separately.
- If you produce hazardous waste, regardless of how little, you are required to register with the Environment Agency. Your waste contractor may be able to do this for you. Some premises are excluded from registration; however, I do not believe any of the exclusions apply to any of the members.

I would ask members to remember that the list of hazardous waste includes such materials as oil, hydraulic fluid, lacquer, solvents, treated timber (in any form), asbestos and acid batteries, this list is not exhaustive. Consult your waste contractor.