

Small businesses

A guide to the Hazardous Waste Regulations

HWR01A, July 2013 – Version 1

Who is this guidance for?

Most businesses are likely to produce some hazardous waste. As producers of the waste they are responsible for ensuring it is managed correctly.

This guidance note has been produced to help small to medium sized businesses such as offices, shops and warehouses that **produce** small amounts of common hazardous waste.

It explains how to determine if your waste is hazardous and what your responsibilities are as a **producer** of hazardous waste.

If you are a larger or more specialist business producing complex wastes, or if you work in the waste industry, you will need to read more comprehensive guidance to obtain the necessary advice. Examples of this guidance are provided in [Appendix A](#).

Introduction

Waste producers have a legal Duty of Care to ensure that their waste is managed properly by themselves and others.

Certain types of waste are classed as hazardous because they possess properties that pose a threat to human health or the environment. Examples of these properties are **toxic**, **flammable**, **corrosive** and **carcinogenic** (see [Appendix C](#) for a full list of hazardous properties).

Because of these properties, hazardous wastes must be managed carefully, and we have strict rules on how they are dealt with. These rules are brought in to force by the Hazardous Waste Regulations or HWR.

As a producer of waste, you have a Duty of Care to:

- find out if you produce any hazardous waste
- register each of your premises where hazardous waste is produced, if necessary
- segregate and store waste safely
- ensure that waste is managed correctly
- move hazardous waste with the correct paperwork, and
- keep the necessary records

How to identify if you produce any hazardous waste

Before you can send your waste for recycling or disposal it is your responsibility to describe the waste that you produce, including any hazardous properties that it has. You need this information to enable you to:

- decide on an appropriate recovery or disposal route
- decide on the right 6-digit code to describe your waste - these are known as European Waste Catalogue (EWC) or List of Waste codes
- complete the correct paperwork to move your waste. The paperwork for the transfer of hazardous waste is known as the consignment note (see How do I move my waste?)

Although waste contractors will be able to help you with this, the accuracy of this information is your responsibility so it is important that you can provide all of the necessary information on your wastes to the waste contractor. These responsibilities are legal obligations known as the 'Duty of Care'.

Hazardous waste

Waste can be anything your business owns or produces that you no longer need, and can be divided into wastes that are:

- **hazardous** (for example fluorescent tubes), or
- **non-hazardous** (for example card and paper)

Some wastes can be classed as hazardous or non-hazardous depending on the level of dangerous substances they contain – these are known as **mirror entry** wastes.

For many retail products the two most useful indicators that a waste may be hazardous are the:

- presence of orange and black danger symbols OR red and white hazard pictograms (see [Appendix C](#)), and/or
- the product safety data sheet. This is a document that is produced by the manufacturer that indicates any properties that may make it hazardous.

Note: cosmetics are not normally labeled with danger symbols and you will need to refer to safety data sheets to check if they are hazardous (for example flammable fragrances).

If you are unsure about the hazardous properties or the EWC code(s) for your waste you should contact a specialist waste contractor. They should understand the chemistry of your waste and can use our detailed waste coding guidance WM2. You can also contact us on 03708 506 506.

If, for any reason, you take or provide samples of your waste for analysis you should seek advice on appropriate sampling approaches before doing so.



Further guidance

Common types of waste

In [Appendix B](#) we have set out examples of the classification of common wastes to help you with this. In this appendix you will be able to find the following information about your waste:

- a description of the waste
- classification code(s). This is the EWC code(s) and you need it to complete the consignment note. Please note that where a container has a number of types of waste inside, each waste needs to be listed on the consignment note and given a code.
- an indication of whether or not it is hazardous



Further guidance

Producer registration

If you produce 500 kg or more of hazardous waste each year at one of your sites you must **register** it with the Environment Agency. Registration is annual so every **12 months** you must **renew** your registration if you expect to produce that amount of hazardous waste. If your business has more than one premises producing more than 500 kg hazardous waste you will need to register each of them. If you produce less than 500 kg in a year you do not need to register.

You can [register](#):

- online – £18 per site
- on the phone - £23 per site, or
- on a paper form - £28 per site

When you have registered you will receive a 6-digit producer registration number. You will need this number to complete the consignment note (see How do I move my waste?).

If the site is shared by a number of businesses (for example a shopping centre) each would need to register separately.



Further guidance

How to segregate and store waste safely

It is important that hazardous waste is stored safely and securely because of the effects it may have on human health or the environment if it is not properly controlled. This section tells you how to comply with your 'Duty of Care' and your obligations under the Hazardous Waste Regulations.

You must keep separate:

- hazardous waste from non-hazardous waste
- different types of hazardous waste from each other, and
- hazardous waste from other materials

This is a legal requirement. It prohibits businesses like offices or retail premises from discarding items of hazardous waste in their general waste bins.

You also have a 'Duty of Care' to store your waste appropriately. The key factors are that you ensure waste is:

- secure
- contained so that it cannot escape, and
- protected from the weather, vehicles including fork lift trucks, scavengers and pests

For certain wastes there are additional storage requirements:

- oil – there is further guidance on the storage of oils in our Pollution Prevention Guidance PPG2
- chemicals – chemicals can have different properties and have the potential to react dangerously if not stored correctly. The Health and Safety Executive have produced guidance on dealing with chemical storage (HSG 71) and the storage of flammable chemicals (HSG 51).



Further guidance

Labelling

During storage and transport it is important that your waste can be easily identified, so you need to label containers with the following information:

- an indication that it is waste
- the contents of the container (where it is a chemical you should use the chemical identity rather than a trade name)
- hazard(s) where applicable
- emergency contact details

When waste is moved you may also be given a label by the waste contractor.

How long can hazardous waste be stored for?

You are only allowed to store waste **temporarily** (no longer than 12 months) at the premises where it was produced; permanent storage is classed as landfill and requires an environmental permit.

You must ensure that your waste is collected regularly to minimise the environmental risks of leaks and spills resulting from degrading containers.

How to ensure that waste is managed properly

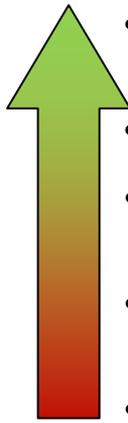
As a producer you have a legal duty to:

1. consider the **waste hierarchy** when deciding how to deal with your waste
2. ensure that the company collecting your waste has a **carriers licence**
3. **package** the waste appropriately for transport, and
4. check that the waste is being taken to an **authorised waste site(s)**

These are explained further below.

The waste hierarchy

As a waste producer you have a statutory duty to consider the **waste hierarchy** when deciding how to deal with your waste. The hierarchy has the following order of precedence:

- 
- **Prevention:** Using less material in design and manufacture. Keeping products for longer. Re-use. Using less hazardous materials.
 - **Preparing for re-use:** Checking, cleaning, repairing, refurbishing, whole items or spare parts.
 - **Recycling:** Turning waste into a new substance or product. Includes composting if it meets quality protocols.
 - **Other recovery:** Includes activities that produce energy from waste, such as incineration with energy recovery.
 - **Disposal:** Includes landfill and incineration without energy recovery.

This means that you are expected to:

- segregate your waste properly
- minimise the amount of waste you produce, and
- seek recycling or recovery options for your waste rather than disposal

Not all contractors will provide a full range of recycling or recovery options for every waste, so you may need to contact several contractors to identify the best option for a waste. You can also find help on the WRAP website: <http://www.wrap.org.uk/>.

You should ask the waste carrier for their **carriers licence** details, and can check this using the public register on our [website](#).

Duty of Care

The transport of many hazardous wastes is subject to specific **packaging**, labelling, vehicle and driver qualification requirements when transported. You should ask your waste contractor about this, and if unsure seek advice from a dangerous goods safety advisor.

The waste must be taken to an **authorised waste site**. This means that the site must hold either an environmental permit, or an exemption, that allows them to perform an activity on a specific waste(s). You can also check this using our public register.

The carrier may not take the waste to their own site, and waste can be transferred from one waste site to another. You should ask the waste carrier to explain where your waste will be taken, and confirm what the final destination is.



How do I move hazardous waste?

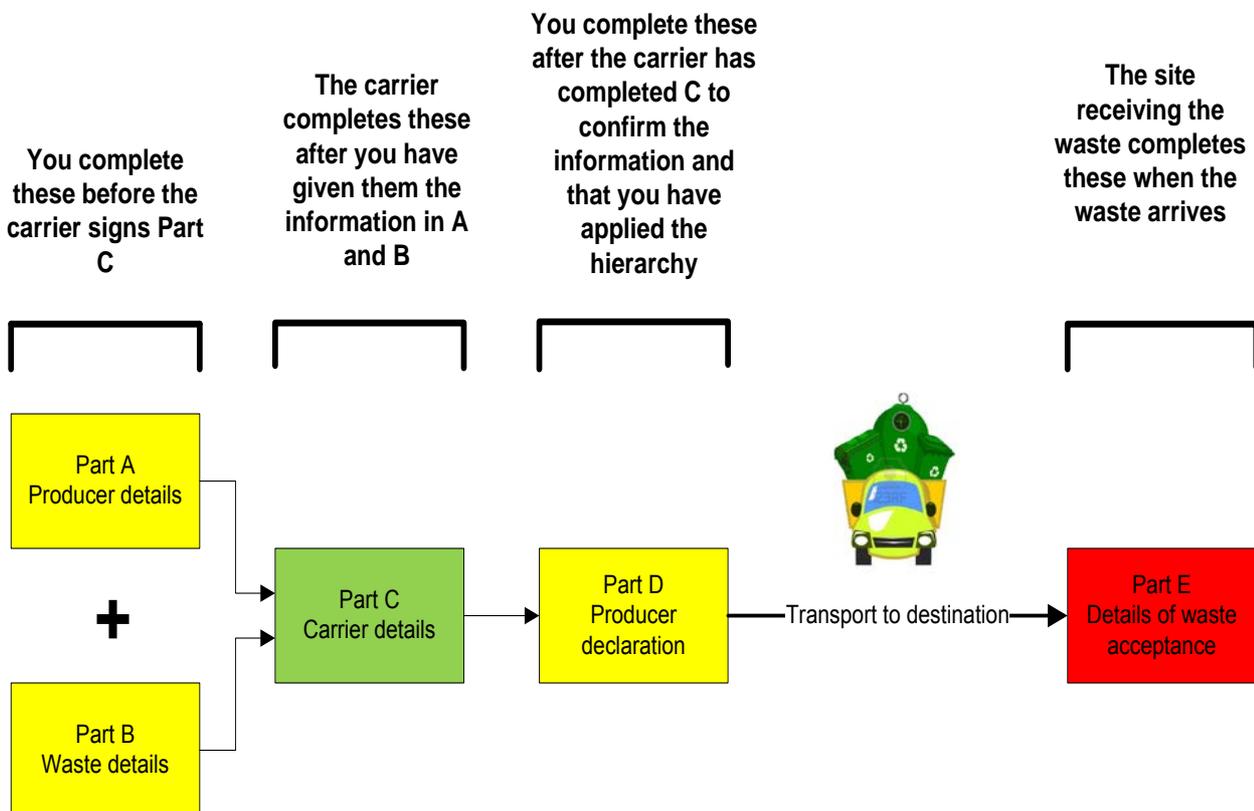
When hazardous waste is removed from your business or premises it must always be accompanied by correctly completed paperwork called a consignment note.

This applies to all movements of hazardous waste including both:

- collections from your business by registered waste carriers, and
- movements from one premises to another within the same business

An example Consignment Note is provided in [Appendix D](#).

The consignment note has five parts: A, B, C, D, and E that are completed by different people involved in moving the waste at different times:



As the producer you are solely responsible for the accuracy of the information contained in parts A, B and D. You should only let your waste contractor fill this in on your behalf where:

- you are confident that they have enough information about your waste to do so
- you have checked that the information completed by them is correct, and
- you sign the note in part D when the waste is collected

There are various ways of obtaining consignment notes. You may be provided with one by your waste carrier, you can produce your own, or you can buy them from us. They can be in paper or electronic form.

The consignment note must contain all the information, and be in substantially the same format, as the example given in [Appendix D](#).

If the note provided by the contractor:

- is missing any of these information fields
- has wording in the declarations that is different
- has been altered to remove reference to information (for example weight, e-mail or phone number) required by an information field, or
- the format of note is substantially different (which can structurally alter its meaning)

we recommend that you do not use the note in question.



Further guidance

Record keeping

There are typically three copies of the consignment note, one kept by the producer, one by the carrier, and one by the site receiving your waste (consignee).

As a producer you have to keep copies of:

- properly completed consignment notes:
 - the waste carrier must leave a copy with you when they remove your waste. At this stage part E of the note will not be completed
- the 'consignee's return to the producer':
 - this is confirmation that the waste was accepted, and the disposal or recovery method that was applied to it
 - it must be provided to you by the consignee

You need to keep copies of both of these records safe and secure for 3 years from when the waste was removed.



Further guidance

Appendix A – Sources of further advice

Regulations:

- The Hazardous Waste (England and Wales) Regulations 2005, as amended
- The Hazardous Waste (Wales) Regulations 2005, as amended
- List of waste (England) Regulations 2005, as amended
- List of Waste (Wales) Regulations 2005, as amended

Advice about classifying waste:

- [Hazardous waste. Interpretation of the definition and classification of hazardous waste. Technical Guidance WM2 \(Environment Agency Guidance\)](#)
- Independent waste specialists
- Professional waste classification software

Advice about registering as a hazardous waste producer:

- [Environment Agency web page](#)
- [Do I need to notify my premises. HWR02a \(Environment Agency Guidance\)](#)
- [Premises notification for the Hazardous Waste Regulations. RPS 25 \(Environment Agency Guidance\)](#)

Advice about completing consignment notes:

- [Consignment notes - standard and multiple collections. HWR03a \(Environment Agency Guidance\)](#)
- [Consignment notes - rejected consignments and movements by pipelines, ships, cross-border movements and carrier schedules. HWR03b \(Environment Agency Guidance\)](#)

Advice about record keeping:

- [Record keeping - a guide to the hazardous waste regulations. HWR05 \(Environment Agency Guidance\)](#)

Advice about the waste hierarchy:

- <http://www.defra.gov.uk/publications/files/pb13530-waste-hierarchy-guidance.pdf>

Advice about specific waste types:

- [Department of Health, 2011. Safe Management of Healthcare Waste. 7658:2.0:England](#)
- [Above ground oil storage tanks: PPG 2 \(Environment Agency Guidance\)](#)
- [Health and Safety Executive, 2009. Chemical warehousing: The storage of packaged dangerous substances. HSG 71](#)
- [Health and Safety Executive, 1998. The storage of flammable liquids in containers. HSG 51.](#)

Appendix B – Common types of hazardous waste

Please note that these are indicative waste types and EWC (List of Waste) codes only. They are typical, but not guaranteed to be correct in all circumstances. If you are unsure about the composition of your waste please seek specialist help and refer to [Appendix A](#) for further guidance.

In some cases we have listed two appropriate EWC codes, one beginning in chapter 20, and another. In these cases the Chapter 20 code should be used where the waste is the same type as would be produced in a household. Where the waste is of a more industrial type or scale, use the alternative code.

Key point: a container of waste (for example a skip, bin, or sharps box) is classified by identifying what waste(s) are present in the container. Where more than one type of waste is present more than one code is normally needed. The type of container used does not change the classification of the waste placed in it.

Construction and Demolition Waste	Waste type	List of waste code (EWC)	Waste type	List of waste code (EWC)
	Hazardous		Non-hazardous	
	Materials:			Materials:
	Un-used, un-set cement	17 09 03*	Bricks	17 01 02
	Insulation materials containing asbestos	17 06 01*	Concrete	17 01 01
	Insulation materials containing Ozone depleting substances (ODS)	17 06 03*	Tiles and ceramics	17 01 03
	Construction materials containing asbestos e.g. asbestos tiles	17 06 05*	Un-contaminated mixtures of bricks, tiles ceramic, concrete	17 01 07
	Treated wood, contaminated glass, contaminated plastic	17 02 04*	Gypsum and plasterboard	17 08 02
	Coal tar and tarred products	17 03 03*	Wood	17 02 01
	Metals contaminated with oil, asbestos, hazardous coatings	17 04 09*	Plastic	17 02 03
	Contaminated soils	Seek specialist help	Glass	17 02 02
			Clean soil and stones	17 05 04
			Clean metals:	
			Copper	17 04 01
			Aluminium	17 04 02
			Lead	17 04 03
			Iron and steel	17 04 05
			Mixed metals	17 04 07

Chemicals and contaminated packaging	Waste type	List of waste code (EWC)	Waste type	List of waste code (EWC)
	Hazardous		Non-hazardous	
	Chemicals:			
Solvents	20 01 13*		Most chemical products are hazardous – you should check the data sheets and the labelling for the chemicals you use to check whether they are hazardous or not.	
Acids	20 01 14*		Some chemicals are non-hazardous:	
Alkalines	20 01 15*		Toner that does not have a danger symbol or hazard pictogram on the label	16 02 16
Photochemicals	20 01 16*		Powder paints and coatings	20 01 28
Adhesives, glues	20 01 27*		Aerosols, as bottles and cylinders that do not have a danger symbol or hazard pictogram on the label	16 05 05
Toner	16 02 15*			
Detergent	20 01 29*			
Pesticides and Herbicides	20 01 19*			
Fertiliser	06 10 02*			
Solvent or oil based paints	20 01 27* or 08 01 11*			
Paint remover or varnish remover (for example, white spirit)	08 01 21*			
Aerosols, gas bottles and cylinders with a danger symbol or hazard pictogram on the label	16 05 04*			
Lab chemicals, wood preservatives and unidentifiable chemicals or gas bottles and cylinders	Seek specialist help			
Packaging:			Packaging:	
Un-rinsed packaging contaminated with traces of hazardous chemicals or non-edible oils	15 01 10*		Empty, uncontaminated packaging:	
For a waste container to be classed as a packaging waste it must be effectively “empty”. This means that all reasonable efforts must have been made to remove any left-over contents from the container. This may involve for example physical or mechanical means such as draining or scraping. The method of emptying will depend upon the container and the substances involved.			Paper and cardboard	15 01 01
			Plastic	15 01 02
			Wooden	15 01 03
			Metallic	15 01 04
			Composite	15 01 05
			Mixed	15 01 06
			Glass	15 01 07
			Textiles	15 01 09
Cloths, rags, absorbents contaminated with traces of chemicals or non-edible oils	15 02 02*		Cloths, rags, absorbents not contaminated with traces of chemicals or non-edible oils	15 02 03

Waste Electronic and Electric Equipment	Waste type	List of waste code (EWC)	Waste type	List of waste code (EWC)
	Hazardous		Non-hazardous	
	Lamps and bulbs of the following types: <ul style="list-style-type: none"> fluorescent tubes energy saving 	20 01 21*	Lamps and bulbs of the following types: <ul style="list-style-type: none"> incandescent LED halogen 	20 01 36
	Lead acid batteries	16 06 01*	Alkaline batteries	20 01 34 or 16 06 04
	Ni-Cd batteries	20 01 33* or 16 06 02*		
	Fridge freezers, chillers, air conditioning units	20 01 23* or 16 02 11*		
	Monitors, notebooks, laptops and TV's of the following types: <ul style="list-style-type: none"> CRT (cathode ray tube) LCD (liquid crystal display) Plasma 	20 01 35* or 16 02 13*	Flat screen TV's, laptops, notebooks, monitors with LED backlights	20 01 36 or 16 02 14
	Electrical devices containing: <ul style="list-style-type: none"> oils or fuel lead acid battery Ni-Cd battery fluorescent tube asbestos 	20 01 35* or 16 02 13*	Small electrical items not containing: <ul style="list-style-type: none"> oils or fuel lead acid battery Ni-Cd battery fluorescent tube asbestos 	20 01 36 or 16 02 14
	such as: cameras mobile phone smoke detectors power tools lawn movers chain saws hedge trimmers photocopiers projectors computer tower		such as: vacuum cleaners hairdryers desk phones kettles toasters keyboards mice	
	Removal of all hazardous components will make the item non-hazardous.			

Waste from vehicles	Waste type	List of waste code (EWC)	Waste type	List of waste code (EWC)
	Hazardous		Non-hazardous	
	Waste vehicles	16 01 04*	Tyres	16 01 03
Lead acid batteries	16 06 01*			
Waste fuel oil or diesel	13 07 01*			
Waste petrol	13 07 02*			
Mixed diesel / petrol (miss-fuelled)	13 07 03*			
Oil filters	16 01 07*			
Anti-freeze	16 01 14*16			
Brake fluid	01 13*			

General wastes from canteen, offices, toilets, car parks	Waste type	List of waste code (EWC)	Waste type	List of waste code (EWC)
	Hazardous		Non-hazardous	
	Interceptor sludge	13 05 03*	Gully washings not containing oil, diesel, fuel	20 03 03
Oily water from interceptor	13 05 07*	20 01 08		
Solids and grit from interceptor	13 05 01*	20 01 25		
		20 01 10		
		20 03 07		
		20 03 01		
		20 01 99		
Clinical waste and healthcare waste - Refer to the most recent edition of the <i>'Safe Management of Healthcare Waste'</i>				

Appendix C – Product Labels related to Hazardous Properties

H1 - Explosive	 
H2 - Oxidising	 
H3 - Flammable	 
H4 - Irritant	 
H5 - Harmful	 
H6 - Toxic	 
H7 - Carcinogenic	  
H8 - Corrosive	 
H9 - infectious	<p>Not subject to labelling requirements</p> <p>Refer to guidance Safe Management of Healthcare Waste (see Appendix A)</p>

H10 - Toxic for reproduction	
H11 - Mutagenic	
H12 - Releases toxic or very toxic gases in contact with water, air or an acid.	
H13 - Sensitising	
H14 - Dangerous for the Environment	
H15 - Waste capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics above.	Not subject to labelling requirements

Appendix D – A Completed Consignment Note

PART A Notification Details

1. Consignment note code: **ABC123/AB001**
2. The waste described below is to be removed from:
(name, address, postcode, telephone, e-mail & fax)
The Green Grocer, High Street, New Town, The Shire, XX12 3YY
Tel 0123 456789, GG@hotmail.com
3. Premises Code (where applicable) :
ABC123
4. The waste will be taken to (name address and postcode):
The Waste Treatment Plant, Low Street, Old Town, The Shire
YY12 4XX
5. The waste producer was (if different from 2)
(name, address, postcode, telephone, e-mail & fax) :

PART B Description of waste

1. The process giving rise to the waste(s) was: **Grocery shop** 2. SIC for the process giving rise to the waste: **52.21**
3. WASTE DETAILS (where more than one waste type is collected all of the information given below must be completed for each EWC identified).

Description of Waste	List of Wastes (EWC) code	Qty (kg)	The chemical / biological components of the waste, their concentrations mg/kg or %	Physical Form	Hazard code(s)	Container type, number & size
Part filled tins of gloss paint	20 01 27*	8 kg	di-isobutyl ketone <1% ethyl methyl ketoxime naptha D4 dearomatised 10-30% naptha D6 high flash <1% xylene <1%	liquid	H3-B	3 x 10 litre tins

The information given below is to be completed for each EWC identified

EWC code	Description for Carriage (UN identification number(s), Proper shipping name(s), UN class(es), Packing group(s))	Special Handling requirements
20 01 27*	1263, PAINT, Class 3:Flammable liquids, III	EMS F-E, S-E Emergency Action Code *3YE Hazard No. (ADR) 30 Tunnel Restriction Code (D/E)

PART C Carrier's certificate

(If more than one carrier is used, please attach a schedule for subsequent carriers. If a schedule of carriers is attached tick here)

I certify that I today collected the consignment and that the details in A2, A4 and B3 are correct & I have been advised of any specific handling requirements.

Where this note comprises part of a multiple collection the round number and collection number are:

Carrier driver name (please PRINT) **Tony Driver**

On behalf of (name, address, postcode, telephone, e-mail & fax)
The Waste Treatment Plant, Low Street, Old Town, The Shire, YY12 4XX
Tel : 0987 654321 e.mail: waste@hotmail.com

Carriers registration no./ reason for exemption reason:
CB/XZ1234AB

Vehicle registration no: **AB07 WEE**

Signature **T.Driver** Time **16:00** Date **29/12/2012**

PART D Consignor / Holders certificate

I certify that the information in A, B & C has been completed and is correct, that the carrier is registered or exempt and was advised of the appropriate precautionary measures. All of the waste is packaged and labelled correctly and the carrier has been advised of any special handling requirements.

I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011.

1. Consignor name (please PRINT) : **Mr Eric Smith**
On behalf of (name, address, postcode, telephone, e-mail & fax):
The Green Grocer, High Street, New Town, The Shire, XX12 3YY
Tel 0123 456789, GG@hotmail.com

Signature **E. Smith** Time **16:00** Date **29/12/2012**

PART E Consignee's Certificate (where more than one waste type is collected all of the information given below must be completed for each EWC)

Individual EWC code(s) received	Quantity of each EWC code received (kg)	EWC code accepted / rejected	Waste Management operation (R or D code)
20 01 27*	8	accepted	R02

1. I received this waste at the address given in A4 on Date: **29/12/2012** Time: **17:00**

2. Vehicle registration no (or mode of transport if not by road): **AB07 WEE**

3. Where waste is rejected please provide details:

I certify that the waste management licence / permit / authorised exemption no(s).

authorises the management of the waste described in B at the address given at A4

Where the consignment forms part of a multiple collection, as identified in Part C, I certify that the total number of consignments forming the collection are

Name: **Peter Harris**
On behalf of (name, address, postcode, tel, e-mail & fax):
The Waste Treatment Plant, Low Street, Old Town, YY12 4XX Tel : 0987 654321 e.mail: waste@hotmail.com

Signature: **P. Harris**

Date: **17:15** Time: **29/02/2008**