An Overview of The Hazardous Waste Regulations

Introduction
Hazardous waste (referred to as special waste in Scotland) is any waste with hazardous properties that may make it harmful to human health and the environment.

The regulations covering hazardous waste in the UK are:

- The Hazardous Waste (England and Wales) Regulations 2005
- The Hazardous Waste (Northern Ireland) Regulations 2005
- The Special Waste Regulations 1996

These regulations have been introduced to control the storage, transport and disposal of hazardous waste to ensure it is appropriately managed and any risks are limited.

Who Is Affected?
These regulations will affect anyone who produces, transports, recovers, disposes of or oversees the managements of such activities in relation to hazardous waste.

What Do You Need To Do?

Consignment Notes
Any organisation involved in the transfer of hazardous waste must ensure that the transfer is covered by a consignment notes. Consignment notes provide details of each party involved in the transfer of waste and the type of waste being moved in order to ensure it is handled safely. These notes must be kept on file for a period of 3 years.

Waste Hierarchy
Anyone who produces, handles or manages hazardous waste must take all reasonable measures to apply the waste hierarchy when they transfer the waste i.e. they must manage the waste in order of preference by:

- Prevention
- Re-use
- Recycling
- Recovery
- Disposal

Consignment notes now include a declaration that the waste hierarchy has been applied before transferring the waste.

England & Wales - Specific Requirements
In England and Wales organisations must register their premises with the Environment Agency if they produce or hold more than 500kg of hazardous waste in a year unless:
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- The waste has been fly-tipped on the premises in which case it will be dealt with by the Local Authority or Environment Agency
- The waste was produced by one or more mobile services i.e. a service which operates from one premises but work is carried out on other premises e.g. plumber (although if the mobile service produces more than 500kg of hazardous waste per year at a single customer site may need to register)

Registration costs £18 per site. To register please click here.

In England and Wales the consignee i.e. person who receives the hazardous waste must complete a quarterly declaration to the Environment Agency to confirm they have received the waste onto their site or they have produced hazardous waste on and disposed of it on the same site.

Scotland - Specific Requirements
Organisations that produce special waste in Scotland must purchase codes from the Scottish Environment Protection Agency (SEPA) and pre-notify SEPA of the movement of special waste.

Northern Ireland - Specific Requirements
Organisations that produce hazardous waste in Northern Ireland must purchase codes from the Northern Ireland Environment Agency (NIEA) and pre-notify the NIEA of the movement of hazardous waste. The consignee i.e. person who receives the hazardous waste must also send a completed Deposit copy of the consignment note to the local NIEA office.

Useful Links
- Further guidance for England & Wales can be found here
- Further guidance for Scotland can be found here
- Further guidance for Northern Ireland can be found here