

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 (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 management 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 note. 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.

Duty of Care

Any organisation involved in the transfer of hazardous waste must ensure that they fulfil Duty of Care requirements.

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

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- Recovery
- Disposal

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

England – Specific Requirements

From 1 April 2016 the requirement to register a premises no longer applies for sites in England. In England the consignee i.e. person who receives the hazardous waste must complete a quarterly declaration to the relevant enforcement 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.

Wales – Specific Requirements

In Wales organisations must register their premises with Natural Resources Wales if they produce or hold more than 500kg of hazardous waste in a year. There are certain exemptions, for example if 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)

In Wales the consignee i.e. person who receives the hazardous waste must complete a quarterly declaration to the relevant enforcement 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

[The Hazardous Waste \(England and Wales\) Regulations 2005](#)

[The Hazardous Waste \(England and Wales\) \(Amendment\) Regulations 2009](#)

[The Hazardous Waste \(England and Wales\) \(Amendment\) Regulations 2016](#)

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[The Hazardous Waste \(Wales\) Regulations 2005](#)

[The Hazardous Waste \(Wales\) \(Amendment\) Regulations 2009](#)

[The Hazardous Waste \(Miscellaneous Amendments\) \(Wales\) Regulations 2015](#)

[The Hazardous Waste \(Miscellaneous Amendments\) \(Wales\) Regulations 2018](#)

[The Hazardous Waste Regulations \(Northern Ireland\) 2005](#)

[The Hazardous Waste \(Amendment\) Regulations \(Northern Ireland\) 2005](#)

[The Hazardous Waste \(Amendment No. 2\) Regulations \(Northern Ireland\) 2015](#)

[The Special Waste Regulations 1996](#)

[The Special Waste \(Amendment\) Regulations 1996](#)

[The Special Waste \(Amendment\) Regulations 1997](#)

[The Special Waste \(Scotland\) Regulations 1997](#)

[The Special Waste Amendment \(Scotland\) Regulations 2004](#)

[The Special Waste Amendment \(Scotland\) Amendment Regulations 2004](#)

[Directive 2008/98/EC on waste and repealing certain Directives](#)

(The link to the Directive directs you to the main page on Eur Lex, however to ensure that you fulfil all requirements please ensure you also take account of the “Relationship between documents” section and in particular the “Amended by” sub-section which can be found by ensuring you are using the “Document information” tab (at the top of the page) and scrolling down.)

Contact Us

We offer a range of services to assist companies with waste compliance. If you would like more information about how we can help you please call us on 03450 682 572 or email info@valpak.co.uk.

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