**Hazardous Waste Regulations 2018**

**Introduction**

Waste is hazardous when it contains substances or properties that might make it harmful to human health or the environment. The legal definition of “hazardous” is based around different properties, some of which are in everyday usage, i.e. explosive and flammable, while others are more obscure, e.g. eco-toxic or sensitising.

As an organisation that manages hazardous waste we must comply with the legal obligations that control how we store, transport, treat and dispose of it.

**Examples of hazardous waste include:**

* Asbestos
* Chemicals e.g. waste laboratory chemicals and printer toner cartridges
* Electrical equipment with potentially harmful components such as cathode ray tubes, e.g. computer monitors or televisions
* Fluorescent light tubes and energy saving light bulbs
* Vehicle and other lead-acid batteries
* Oils (except edible oils) e.g. engine oil
* Refrigerators containing ozone depleting substances
* Solvents e.g. aerosols
* Pesticides
* Hazardous Waste Containers

**Our duties**

As the service provider on the Penryn Campus for the University of Exeter and Falmouth University, Falmouth Exeter Plus MUST (subject to emergency procedures):

* Classify all waste produced and/or stored on site to check if it’s hazardous
* Separate and store hazardous waste safely
* Use authorised businesses to collect, recycle and/or dispose of hazardous waste, check that waste carriers are registered and destination waste sites have environmental permits
* Ensure consignment notes are completed in full (keeping one copy and giving two copies to the carrier collecting the waste) and that records (known as a ‘register’) are kept on file for 3 years
* Keep copies of any consignee returns
* Keep a record of any missing information
* Use the correct SIC Code
* Ensure waste is described accurately with the correct European Waste Catalogue Code
* Ensure that hazardous wastes are not mixed with other hazardous waste and that non-hazardous waste and hazardous wastes are not mixed on site
* follow the guidance on rejected loads if hazardous waste is rejected by the destination site
* Take care to ensure staff segregate and dispose of waste in the correct receptacles

Hazardous waste must be taken into account when assessing risks under general health and safety legislation, e.g. the Control of Substances Hazardous to Health Regulations, 2002.

**If you are unsure whether or not your waste is hazardous, please contact your Health and Safety Advisor for advice.**

**Storage of Hazardous Wastes**

The fact that wastes are hazardous means that greater care must be taken in their storage. When storing hazardous waste substances, attention must be paid to labelling, record keeping, spill prevention and mixing of incompatible materials.

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

* Ensure it is stored safely and securely to prevent pollution
* Store it under cover, away from direct sunlight, wind and rain
* Ensure waste is secure from the general public, in particular children, and clearly marked so as to indicate the hazards of the stored material
* As far as practicable keep the storage of wastes to a minimum, not only is this good housekeeping but it also reduces the risks associated with storage of hazardous waste
* Keep different types of hazardous waste separate as well as keep hazardous and non-hazardous waste separate
* Regularly check storage areas for leaks, deteriorating containers or other potential risks
* Display written instructions for sorting and disposing of each type of hazardous waste

**Consignment of Hazardous Waste**

When hazardous waste is moved it must be accompanied by correctly completed paperwork called a consignment note. The note must be prepared before it’s moved and, the hazardous waste producer (or holder) must complete **ALL** the details of the consignment note, with the exception of the final disposal route.

The Government has published guidance which details the information the consignment note must contain, who has to complete each part and when it has to be completed. <https://www.gov.uk/guidance/hazardous-waste-consignment-note-supplementary-guidance>

Copies of consignment notes **MUST BE** kept for 3 years. At the Penryn Campus copies of all consignment notes must be sent to the FX Plus Facilities Manager casey.thomas@fxplus.ac.uk.

Should a hazardous waste load be rejected by the consignee, you have responsibility for deciding what happens to it next. Further guidance is available at: <https://www.gov.uk/guidance/hazardous-waste-rejected-loads-supplementary-guidance>

# Consignee returns

Consignee returns are reports on any hazardous waste received, treated or disposed of by a business. As a waste producer or holder FX Plus must be provided consignee returns every quarter from the consignee dealing with hazardous waste removed from the premises. If the consignee does not supply these we must ask for them in writing as we need them for our records.

If consignee returns are not provided you must stop using them and inform the Environment Agency immediately.

**Training**

Staff involved in handling hazardous waste should receive training in line with applicable health and safety regulations, e.g. the Control of Substances hazardous to Health Regulations, 2002. Specialist training is also needed for anyone responsible for the assessment of hazardous waste.

**What are the Risks of Non-Compliance?**

We have a duty of care under the Environmental Protection Act (EPA) and Hazardous Waste Regulations to ensure correct storage, collection and treatment of waste. A breach of EPA can lead to a £5000 fine in the Magistrate’s Courts or unlimited in the higher courts. Imprisonment is also a potential risk in severe circumstances.

The regulations introduced a £300 fixed penalty notice for those contravening the regulations. This may be applied where; hazardous waste is deliberately mixed with non-hazardous waste, waste is incorrectly described, or through failure to comply with requirements for consignment notes and records.

**What do staff need to do?**

* Ensure that hazardous wastes are not mixed with other hazardous waste and that non-hazardous and hazardous waste are not mixed on site
* Be aware that items of Waste Electrical and Electronic Equipment (WEEE) may be hazardous waste
* Ensure that hazardous waste are correctly disposed of
* If materials are disposed of via a contractor, you MUST retain the consignment note for a period of 3 years
* If you are unsure whether your waste is hazardous, or note sure how to dispose of your hazardous waste, please contact your Health and Safety Team for advice
* Observe safety precautions e.g., as prescribed by COSHH when handling hazardous waste.
* At the Penryn Campus copies of all consignment notes must be sent to the FX Plus Facilities Manager (casey.thomas@fxplus.ac.uk)

**What do contractors need to do?**

Visiting contractors producing hazardous waste are responsible for the waste they produce while working on site. This is not the same as the Falmouth Exeter Plus premises code for Penryn Campus.

Contractors MUST NOT dispose of waste materials using Falmouth Exeter Plus disposal routes

https://www.gov.uk/guidance/hazardous-waste-consignment-note-supplementary-guidance