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How to comply with the new waste regulations by [Ankit Jain](#)

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The regulations implement the revised EU Waste Framework Directive 2008/98, which sets requirements for waste collection, transport, recovery and disposal of waste.

Not every business is affected by the new regulations however anyone carrying out the following waste related services will need to comply:

Produce Waste

Import Or Export Waste

Carry Or Transport Waste

Keep Or Store Waste

Treat Waste

Dispose Of Waste

Operate As Waste Brokers Or Dealers

Using the waste management hierarchy correctly is crucial, the areas to consider in order of priority are:

1. Prevention
2. Preparing for reuse
3. Recycling
4. Recovery, eg energy recovery
5. Disposal.

From 28 September 2011, whenever you pass waste on to someone else, you will have to declare on the waste transfer note, or consignment note for hazardous waste, that you have applied the waste management hierarchy.

You must also include on the waste transfer note the 2007 Standard Industrial Classification (SIC) code of the person transferring the waste. You should continue to use the 2003 SIC codes on hazardous waste consignment notes.

If you have an environmental permit for an operation which generates waste, you will have to apply the waste management hierarchy. This will be a condition of new environmental permits, and will be added to existing permits when they are reviewed.

For companies wishing to register as a waste carrier, dealer or broker there is a new two tier system in place:

Upper Tier Registration

You need to register as an upper tier carrier or broker if you want to carry, broker or deal in other people's controlled waste, unless you are in one of the lower tier categories listed below. You also need to register as an upper tier carrier if you carry your own construction or demolition waste. Controlled waste includes commercial, industrial, household and hazardous waste.

If you were previously registered with the Environment Agency as a waste carrier or broker, you do not need to do anything. The Environment Agency will automatically add the ability to be a dealer to your existing registration. When your waste carrier or broker certificate is due to be renewed, it will be replaced by an upper tier waste certificate.

Upper tier registration lasts for three years, the same as waste carrier or broker registration currently. You will have to pay a fee to register or renew your registration.

Lower Tier Registration

You need to register as a lower tier carrier if you only carry, broker or deal in:

Animal By-Products

Waste From Mines And Quarries

Waste From Agricultural Premises.

You also need to register as a lower tier carrier if you carry, broker or deal in other people's waste and are:

A Waste Collection, Disposal Or Regulation Authority

A Charity Or Voluntary Organisation.

From the end of December 2013 you will also need to register as a lower tier carrier if you normally and regularly carry controlled waste produced by your own business, other than construction or demolition waste.

Registration as a lower tier carrier, broker or dealer is currently free and lasts indefinitely, unless your registration is revoked or withdrawn.

If you were previously registered as an exempt carrier of waste (known as a professional collector or transporter of waste), you do not need to do anything, you will have been automatically transferred to a lower tier carrier, broker or dealer.

Hazardous waste regulations also see a small change to the current regulations:

The regulations introduce a new category, H13 Sensitizing, to the list of properties defining waste as hazardous. Sensitizing substances cause hypersensitization, ie the substance will cause adverse effects if you inhale it or it penetrates your skin and you are then further exposed to the substance.

The former category H13 now becomes H15. This adds ecotoxicity to the properties that can define a leachate as hazardous. These changes mean that some non-hazardous wastes may be reclassified as hazardous wastes.

Some areas of waste have now been excluded from the previous legislations waste controls;

Waste controls no longer apply to activities dealing only with excluded wastes. For example, you no longer need an environmental permit or exemption from the Environment Agency for:

landspreading animal by-products that are covered by the Animal By-Product Regulation, organic fertilisers and soil improvers made from Category 2 and 3 processed animal protein, milk spread outside the farm of origin or digestive tract content

incinerating dead pets in crematoria with a capacity of less than 50kg per hour.

Some faecal matter, straw, farming and forestry materials are also excluded from waste controls. This depends on how you use the material and the potential for harm to the environment or human health.

Most radioactive waste is controlled by radioactive substances regulation, and does not require waste control. However, activities involving wastes covered by certain radioactive substances exemption orders now require an environmental permit. Other waste controls such as the duty of care also apply to these wastes.

By studying, following and acting in a responsible manner as laid out in the new regulations your business will not only be fulfilling legal requirement but also helping the long term future of the environment.

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a [General Waste Collection](#) is a UK based waste management company that is committed to the environment and helping clients to comply with their duty of care.

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