



1. Introduction

The purpose of this document is to ensure that within Veolia, the waste Duty of Care, as defined in Section 34 of the Environmental Protection Act (EPA) 1990 (Reference 3.2), are correctly adhered to.

2. Scope

This procedure applies to all Veolia operational divisions in England, Wales, Scotland, Northern Ireland and their associated locations and activities. In the Republic of Ireland, Duty of Care regulations are not directly applicable but do have applicable provisions which follow the core principles.

3. References

- 3.1 Waste (England and Wales) Regulations SI 2011/988
Environmental Protection (Duty of Care) (Scotland) Regulations 2014 SSI 2014/4
Controlled Waste and Duty of Care (Amendment) Regulations (Northern Ireland) 2014 and any subsequent amendments (made in accordance with section 34 of the EPA 1990 (reference 3.2))
- 3.2 Environmental Protection Act 1990 (EPA 1990).
- 3.3 Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015 SI 2015/426
Controlled Waste (Registration of Carriers and Seizure of Vehicles) (Amendment) Regulations 1998 (Scotland) SI 1998/605
Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999 SI 1999/362 and any subsequent amendments
- 3.4 Hazardous Waste (England and Wales) (Amendment) Regulations 2009 (England) SI 2009/507
Hazardous Waste (Wales) (Amendment) Regulations 2009 SI 2009/2861
Hazardous Waste (Amendment) Regulations (Northern Ireland) 2015 SI 2015/238
Special Waste Regulations SI 1996/972 (in so far as it relates to Scotland; plus additional Special Waste Amendment (Scotland) Regulations SSI 2004/112.
- 3.5 Hazardous Waste (Miscellaneous Amendments) Regulations 2015 (England) SI 2015/1360
List of Wastes (Wales) Regulations WSI 2005/1820 and any subsequent amendments (relevant to wastes in Wales).
Hazardous Waste (Amendment) Regulations (Northern Ireland) 2015 SI 2015/238
Waste (Meaning of Hazardous Waste and European Waste Catalogue) (Miscellaneous Amendments) (Scotland) Regulations 2015 SI 2015/188
- 3.6 Waste Management Licensing (Scotland) Regulations SSI 2011/228.
- 3.7 Pollution Prevention and Control (Scotland) Amendment Regulations 2014 SI 2014/267 Northern Ireland
- 3.8 Environmental Permitting (England and Wales) (Amendment) Regulations 2015 SI 2015/918
- 3.9 Landfill (Scotland) Amendment Regulations 2013 SI 2013/222
Landfill (Amendment) Regulations (Northern Ireland) 2013 SI 2013/161 .
- 3.10 Hazardous Waste, Interpretation of the definition and classification of hazardous waste and its associated appendices "WM3" (Environment Agency) (the most recent version available on the Environment Agency website).
- 3.11 The revised Waste Management, the Duty of Care: Code of Practice (available on the DEFRA website).
- 3.12 Veolia Procedure OPS/2/001: Rejecting Hazardous Waste in Bulk Road Tankers in the UK.
- 3.13 A Guide to Consigning Special Waste (available on the SEPA website).
- 3.14 The Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002



4. Definitions

Authorised Person:	These include Waste Collection Authorities; the holder of a waste management authorisation or waste management permit exemption; or a registered or exempted waste carrier.
Authorised Waste Carrier:	e.g. A waste haulier/carrier authorised as a registered waste carrier by virtue of the Controlled Waste (Reference 3.3 for specific country legislation)
Broker:	A person, establishment or undertaking arranging the recovery or disposal of waste on behalf of others including those who do not take physical possession of the waste.
Carrier/Transferer:	A person who collects a waste from the premises at which it was produced or being held and delivers it to a consignee/transferee.
Consignee/Transferee	The person to whom the waste is being transported for disposal or recovery.
Consignor/Transferor:	The person who causes the waste to be removed from the premises at which it is produced or is being held.
Controlled Waste:	As defined by Section 75(4) of the EPA 1990 (reference 3.2).
Hazardous Waste:	As defined by the country specific Hazardous waste regulations and Special Waste Regulations Scotland (Reference 3.4).
Hazardous Waste Notification of Premises:	WALES ONLY: Producers of more than 500kg of hazardous waste per annum must be registered with Natural Resources Wales (NRW) before Hazardous Waste can be collected. Registration must be renewed annually. England no longer requires registration; Scotland, Northern Ireland and Ireland also are not required to register.
Holder:	The producer of the waste and/or the person who is in possession of it.
List of Wastes:	Regulations that assign correct EWC codes for classifying waste see various country specific regulations (Reference 3.5)



SIC Code:	Standard Industry Code (2007) available from the Environment Agency website. Please note that only 2007 SIC codes can now be used.
Waste Management Authorisations:	Includes Waste Management Licences, PPC Permits, Environmental Permits, Waste Management Licence exemptions and Environmental Permitting exemptions (Reference 3.6, 3.7 and 3.8).
Waste Producer:	The person whose activities produce waste or a person who carries out pre-processing, mixing or other operations resulting in a change in the nature or composition of this waste.

5. Procedure

5.1 General

- 5.1.1 Every division of Veolia, where it is involved in the transfer of controlled waste, must fulfil the following requirements of the relevant waste Duty of Care regulations (Reference 3.1). Where appropriate, divisional procedures may be put in place to reflect this procedure and identify the methods and documentation employed. Every Division shall ensure that an individual/ individuals are nominated to have overall responsibility for ensuring this procedure is complied with.
- 5.1.2 The regulations apply to anyone who imports, produces, carries, keeps, treats or disposes of controlled waste, or as a broker, has control of such waste.
- 5.1.3 The regulations require that waste holders take all reasonable measures to:
- Prevent unauthorised or harmful deposit, treatment or disposal of controlled waste
 - Prevent the escape of waste from their control, or that of any other person
 - Ensure that any transfer of waste is only to an authorised person, and accompanied by a written description adequate to help any subsequent holder avoid breaching the duty.
 - Ensure waste is only deposited or received from facilities that hold the correct permit or exemption to do so
- 5.1.4 As a waste producer, holder, broker and carrier, the Company has responsibilities under the Duty of Care regulations to make suitable checks on any haulier or third party disposal facility. If a waste transfer involves a third party carrier, confirmation of the current registration must be obtained by the holder/consignor. Confirmation can be obtained from the carrier or from the regulators' public records and evidence stored on site. For third party disposal sites, evidence must be sought and stored on site to show the site is permitted to accept the waste movement. Sites should hold a full copy of the permit of the intended disposal site and evidence of the waste carrier's registration. Evidence of these checks, must be noted and tracked on site through your own system or the DOC tracker (SYS/2/018/006). Each entry must be reviewed at least annually to



ensure registrations or permits have not expired or been revoked in this time. It is the responsibility of each location manager to ensure registration checks are included in their local procedures.

- 5.1.5 If the waste movements involve large volumes of waste or the waste is of a hazardous nature then a risk based approach should be implemented and a Third Party Duty of Care Assessment (SYS/2/018/005) undertaken. Identified required actions should be recorded in the audit findings section of SYS/2/018/005 including updating close out dates of tasks.
- 5.1.6 The regulations prescribe for a transfer note system whereby all waste transfers between holders including brokers must be accompanied by a waste transfer note. Where the waste transfer is of a Hazardous nature defined by the relevant regulations (Reference 3.4) (See also guidance on classification reference 3.15), a Consignment Note must accompany the waste transfer between holders.
- 5.1.7 Where there is a requirement to dispose at any landfill, a pre-treatment declaration must have been completed, in accordance with relevant legislation (Reference 3.8 and 3.9)
- 5.1.8 For all incoming waste it is best practice to check for the waste carriers registration of the haulier.
- 5.1.9 Where it is found that a carrier is not registered, they should be made aware of their legal requirement to be registered and an appropriate record made in the site diary or similar. If they are repeat offenders, advice from the Regulator should be considered.
- 5.1.10 No Consignment Note or Waste Transfer Note is required from a householder for their own waste.

5.2 Divisional Procedures

- 5.2.1 Each Division shall ensure that they develop and operate procedures that meet the requirements of this document and in particular:
- Define the waste streams.
 - Determine the most appropriate methods of carriage and disposal.
 - Ensure a process exists for agreeing the contract for carriage and disposal.
 - Ensuring all paperwork is appropriate and complete, and includes confirmation of collection and disposal of waste.
 - Identifies the most appropriate method of booking waste at disposal sites.

5.3 Waste Transfer Note

- 5.3.1 The Waste Transfer Note must be kept for a minimum of 2 years to meet the requirements of Duty of Care (unless other statutory requirements extend this period e.g. Landfill operations). Guidance on required content and completion (for England) can be found in SYS/2/018/001&002.



5.3.2 The Waste Transfer Note may reflect a single transfer of waste or describe periodic transfers ('Season' Waste Transfer Note) of the same waste between the same parties (Note that Best Practice is that the 'season' should not be in excess of 12 months).

5.4 Consignment Notes

5.4.1 Consignment Notes replace Waste Transfer Notes for each and every transfer of Hazardous Waste, these must be kept for a minimum of 3 years (unless other statutory requirements extend this period e.g. Landfill operations). Guidance on required content and completion (for England) can be found in SYS/2/018/003&004.

5.4.2 Wales is now the only country that requires hazardous waste premises registration with the regulator to allow movements of hazardous waste where the minimum threshold of 500kg is exceeded.

5.4.3 Producers in Scotland and Northern Ireland both require a pre-notification authorisation from the relevant authority.

NOTE: Copies must be prepared for each party involved in the transfer of hazardous/Special waste, typically, Consignor, Carrier and Consignee.

5.4.4 Where more than one carrier is involved in England and Wales, a Schedule of Carriers must be compiled prior to the transfer.

5.4.5 For Multiple Collections in England and Wales, the Consignment Note must include a record of the round number and collection number (ensuring that, together with the consignee details and date, a unique reference is generated), with (unlike previously) a separate Consignment Note for each collection.

5.4.6 For Multiple Collections (Carrier Rounds) in Scotland, waste collected on a 'round' is consigned using a system with an additional form called a 'carrier schedule'. This is used in conjunction with the consignment note.

5.4.7 If hazardous waste needs rejecting please use the principles referred to in Veolia procedure OPS/2/001 Rejecting Hazardous Waste in bulk road tankers in the UK (Ref 3.12).

5.5 Hazardous Waste Returns (England and Wales).

5.5.1 The producers/holders/consignors, carriers and consignees of Hazardous Waste must keep records of Hazardous Waste transfers and the consignee is required to submit quarterly hazardous waste returns to both the producer and Environment Agency. For more detailed guidance on submission see "Hazardous Waste: Consignee Returns Guidance".

5.6 Cross-Border Movements (England/Wales to/from Scotland)

5.6.1 For details, see the Environment Agency's Cross-Border Movement guidance and from Scotland, SEPA's guidance

5.6.2 For movements of Special (Hazardous) waste from Scotland to England or Wales:

- Pre-notification to SEPA is required together with Scottish Consignment Notes.



- The consignee receiving the waste must return a copy of the completed (deposit) Note to SEPA.
- The consignee must include these waste receipts in their returns to the Environment Agency and pay the relevant fee to the Environment Agency.

5.6.3 For movements of Hazardous waste from England or Wales to Scotland:

- Pre-notification to SEPA is required, but not the purchase of a separate Consignment Note code. English/Welsh Consignment Notes can be used, but additional copies are required for pre-notification and to provide a completed (deposit) copy to SEPA.
- As for all Hazardous Waste collections in Wales, Premises Registration is required for producers exceeding annual limits of 500kg.
- The Scottish Consignee is required to provide a return to the producer but not a quarterly return to the Environment Agency.

5.7 Training

Each Division shall ensure that any person who has responsibility for Duty of Care activities within this document is suitably trained to enable them to carry these out.

6. Variation

None.

7. Documentation

Document Ref:	Title:	Minimum Retention Period:
SYS/2/018/001	Controlled Waste Transfer Note	See 5.3.5
SYS/2/018/002	Guidance - Controlled Waste Transfer Note	N/A
SYS/2/018/003	Veolia Consignment Note for Hazardous Waste	See 5.4.11
SYS/2/018/004	Guidance – Hazardous Waste Consignment Note	N/A
SYS/2/018/005	Third Party Duty of Care Assessment	3 years
SYS/2/018/006	DOC Tracker	N/A