

Waste Management in the Construction Industry

An Introduction to the Building Blocks

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Together, we stand for
a world beyond waste.

Today's Agenda

- WHAT IS WASTE
- TYPICAL CONSTRUCTION WASTES
- CLASSIFICATION AND SAMPLING
- DUTY OF CARE PRACTICALITIES



When does a waste become a waste?

“Waste’ means any substance or object which the holder **discards** or **intends** or **is required to discard**”

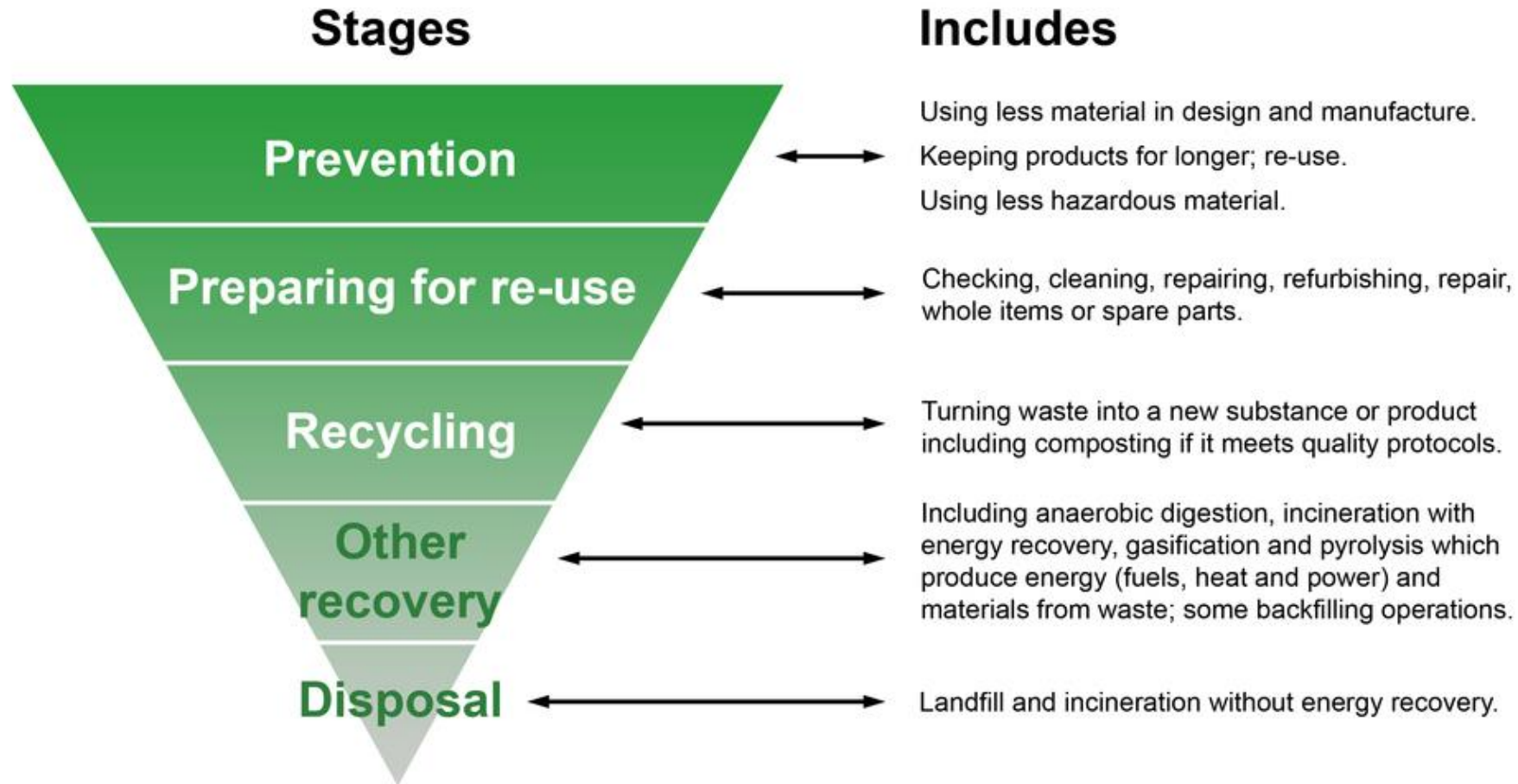
The meaning of ‘discard’ is interpreted using case law.

Waste ‘holder’ – producer of the waste or any other person who is in possession of the waste.



The Waste Hierarchy

The Waste Hierarchy



Typical Construction Wastes



The exception to the rule...

“uncontaminated soil and other naturally occurring material excavated in the course of construction activities where it is certain that the material will be used for the purposes of construction in its natural state **on the site from which it was excavated”**

Waste Framework Directive (2008/98/EC) Chapter 1, Article 2

Need to demonstrate that the excavated material is uncontaminated via Site Investigation or Preliminary Risk Assessment (Phase I)



What might not be a waste?

Clean and naturally occurring materials

- Excavated surplus material (clean and naturally occurring) **may** be suitable for reuse **off-site** at another site under the CL:AIRE DoWCoP



Not clean and natural materials

- Excavated and stockpiled material (not clean and natural) not suitable to stay in current location **may** be suitable for reuse on the **same site** under the CL:AIRE DoWCoP



Once decided it's a
waste...



Classification

Every waste type produced needs to be classified! Technical Guidance WM3 can help with this.

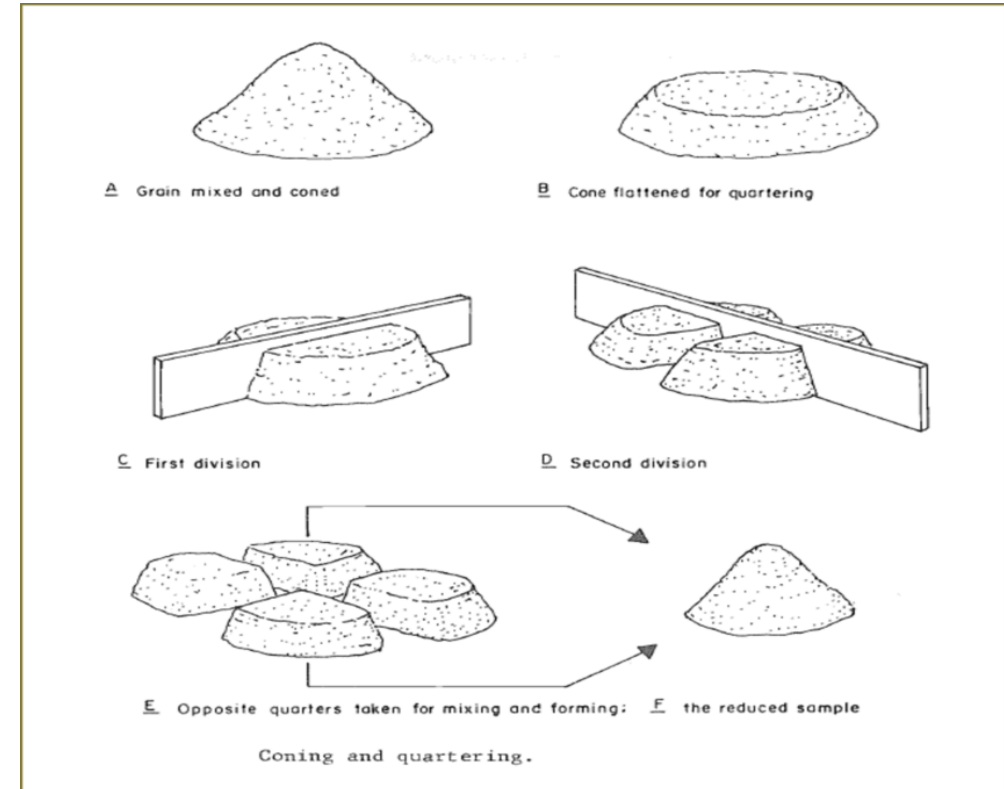
- Depends on origin of waste
- Some wastes are simple to classify and only have one option – ‘absolute codes’
- Other wastes need to be sampled and classified to find the right option – ‘mirror entry’
- The List of Waste / EWC code determines reuse /disposal route
- Sampling and analysis will help classify, if required



Sampling

Needs to be **representative** – don't choose the clean looking pieces!

- Pre-development documentation – Phase 2 Site Investigation
- In-situ / post-excavation
- Consider how much waste is present
- Liaise with laboratory/consultant
- Utilise industry standard sampling methods



WM3 and WAC testing



The tea bag analogy...

WM3 testing is looking at what is inside the tea bag

- Standard suite of testing in WM3 guidance
- Might need some additional determinants if there is suspected contamination
- Results must be analysed using specialist software or manually (will need to demonstrate workings) to determine hazardous properties
- Helps to determine List of Waste / EWC code for classification
- **Supports landfill disposal but additional WAC testing may be required**

WAC testing is looking at what leaches out of the tea bag

- Several different WAC testing suites – 2 stage inert is the most commonly used
- Provides results which can be compared against the different landfill requirements which can be compared without software
- Informs whether the waste can be disposed of in certain landfill type
- **Does not provide LoW/EWC Code for disposal**
- **Does confirm inert / haz landfill acceptability once EWC confirmed**



End routes

You may need an idea of this prior to sampling and testing!

- **Environmental Permit** – Allows medium or higher risk waste activities to be undertaken
- **Waste Exemption** – Allows certain low risk waste activities to be carried out without the need for a Permit
- **Regulatory Position Statements** – the EA will not require a permit to carry out certain activities
- **Quality Protocol** – Sets out end of waste criteria for the production and use of a product from a specific waste type
- **DoWCoP** – Aims to prove that the material is not a waste through the provision of a Materials Management Plan (MMP)



Remember – Duty of Care

Waste Duty of Care: Code of Practice (Environment Agency, 2018)

Applies to anyone who produces, carries, keeps, disposes of, treats, imports or has control of waste in England and Wales.

Obligations:

- Preventing the unauthorised or harmful deposit, treatment or disposal of waste
 - Ensuring waste is only transferred to an authorized person



Remember – Duty of Care

In practical terms:

- Check the disposal site permit – does it accept the waste code? Check against EA Public Register?
- Check the waste carriers' licence – is it upper tier? Is it in date?
- Receive a Waste Transfer Note / Hazardous Waste Consignment Note – check compliance with EA requirements
- Undertake inspections and audits on disposal sites

The potential consequences

Financial risks

- Illegal deposits of waste are subject landfill tax from 1 April 2023 at the standard rate (£102.10 per tonne)
- Environmental pollution penalties moving to be unlimited

Operational risks

- Loss of waste carrier licences, unable to hold an Environmental Permit, accreditations

Reputational risks

- Impact on public and customer perception



Questions?

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