

Three And Easy?

On 1 June 2015, the revised regulatory guidance for Hazardous Waste, WM3, came into effect. **Paul Rendle-Barnes**, group senior development manager at Avanti Environmental, highlights what has changed and the implications for waste producers

The new *Technical Guidance WM3: Guidance on the classification and assessment of waste* or "WM3" for short, replaced WM2 at the beginning of June. WM3 provides guidance on changes to EWC (European Waste Catalogue) codes, revision of hazardous properties and the adoption of a new system of chemical classification.

Published jointly by the Environment Agency, the Scottish Environmental Protection Agency, Natural Resources Wales and the Northern Ireland Environment Agency, this document forms the Technical Guidance, or instructions, used to classify waste across the UK under the Hazardous and Special Waste Regulations. The new requirements included in the guidance became law from the 1 July 2015 with the implementation of The Hazardous Waste (Miscellaneous Amendments) Regulations 2015 in England, and comparative pieces of legislation in each of the UK countries.

What's Changed?

ONE KEY requirement of the guidance is that any waste packaging that contains any residue or contamination of

a product that is a hazardous waste must be classified as hazardous. As part of your waste duty of care you must classify the waste your business produces before it is collected, disposed of or recovered.

This identifies the controls that apply to the movement of the waste in order to complete the relevant waste documents and records. You must identify suitably authorised waste management options to prevent harm to people and the environment. Furthermore, for most wastes, you will need to identify if the waste has a hazardous property before you can classify or describe it.¹

The regulations include all types of packaging – steel or plastic drums, intermediate bulk containers (IBCs) and flexible intermediate bulk containers (FIBCs) – bulk bags etc, for example. The change means that packaging – such as empty mineral oil drums and used sacks, which contained either liquids or powders – will have to be reclassified as hazardous unless it can be proved that the packaging has been fully cleansed with the hazard removed. So, what does this mean for your waste?

Any packaging that has contained a hazardous product



but has not been cleansed or decontaminated by an approved method (with appropriate treatment of the decontamination residue), is to be automatically considered a hazardous waste, regardless of its weight or the concentration of the potentially hazardous substance originally contained in the packaging.

The packaging should not be crushed or baled for scrap recovery, as it is controlled under both the Hazardous or Special Waste Regulations and the UN/ADR Dangerous Goods transport laws, which require the label to remain in place and legible when carried.

Such waste must now be consigned and treated in accordance with the Hazardous or Special Waste Regulations and the requirements of the EU Waste Framework Directive. The Directive requires that waste must be disposed of in accordance with the Waste Hierarchy.

To help you understand the complex new requirements on waste classification, the Environment Agency created the *Technical Guide to WM3*. This reference manual has been created for those involved in producing, managing and regulating waste. Although you need to be competent in hazardous waste and have some knowledge of chemistry to fully utilise the document, it has created some handy steps to assist, shown in Table 1.²

Remaining Compliant

CHARTERED WASTE Manager, and commercial projects and recalls manager at Avanti, Chris Vasey, reminds us that "Packaging just 'being emptied' doesn't count. In order to be fully compliant with the new WM3 regulations, businesses will need to work with their waste management supplier."

Chris advises that:

- the premises from which the waste is removed must be notified as hazardous waste producers (in England and Wales only)
- the waste packaging must be consigned as hazardous waste if it has not been decontaminated by an approved method
- the site receiving the waste must have a suitable permit or licence to accept the waste
- the site receiving the waste must send quarterly consignee returns to the relevant Agency and the waste producer (in England and Wales only).

Furthermore, you must sign to confirm a legal declaration that you have applied the waste hierarchy on every consignment note!

Responding To The Changes

THIS DOESN'T mean we can compromise on environmentally friendly ways of dealing with

Steps to classify the waste

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| Step One | Check if the waste needs to be classified |
| Step Two | Identify the code or codes that may apply to the waste |
| Step Three | Identify the assessment needed to select the correct code |

Steps to assess the waste

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| Step Four | Determine the chemical composition of the waste |
| Step Five | Identify if the substances in the waste are "hazardous substances" or "persistent organic pollutants" |
| Step Six | Access the hazardous properties of the waste |
| Step Seven | Assign the classification code and describe the classification code |

NB: this procedure is a general guide and applies in most circumstances and must be used with the supporting appendices. If you are unsure, seek advice.

Table 1: waste classification

our waste; we must still reduce our reliance on finite resources and look at ways in which we can sustainably reuse our waste, whilst ticking those compliance boxes.

Avanti, for example, provides both closed and open loop schemes designed to extend the useful life of the packaging supply chain; or, alternatively, sustainable solutions for unwanted/contaminated packaging IBCs and FIBCs, 205-litre drums and smaller packaging, such as 20-litre containers. We also have an extensively equipped recycling centre, capable of re-processing your contaminated packaging, including production lines able to process the most dense plastics into films and are fully licensed for the storage and processing of hazardous and non-hazardous contaminated packaging.

Avanti's sites specialise in wash plant technology, enabling us to offer a varied range of decontamination and cleaning of multiple polymers. This service encompasses a wide range of industries including food, automotive, chemical, pharmaceutical and general manufacturing.

Processes such as these not only meet all regulatory compliance requirements, but also avoid the risk of fines or costly prosecutions for both us and the customer.

David Williams, senior environmental manager at Avanti, commented: "We have set corporate objectives to reduce our reliance on finite natural resources and become a zero to landfill business. We are proud to say that our packaging waste services are helping us to make real progress towards these objectives; we're seeing the benefit and so are our customers." ■

References

1. <https://www.gov.uk/waste-legislation-and-regulations>)
2. Environment Agency; Waste Classification: Guidance on the classification and assessment of waste (1st Edition 2015)



The Author

Paul is the group senior development manager for the Avanti Environmental Recycling Division. A member of the Chartered Management Institute Paul has been with the Avanti Group for almost six years. Prior to that he owned and operated his own polymer recycling plants for over 10 years. With a professional background in engineering and management, Paul's extensive knowledge enables him to provide a professional approach to business solutions and guidance to the Avanti Group customer's diverse range of sectors.