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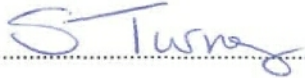
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Business Process Document

Waste Management Manual

Endorsement & Authorisation

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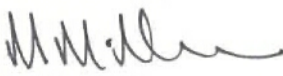
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Issue record

Issue	Date	Comments
	January 2006	Draft of Network Rail Waste Management Manual
1	June 2006	New guidance document

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1 Purpose

This Manual provides a toolkit to help Network Rail comply with waste legislation and to outline best practice for waste management.

- It clearly outlines obligations under UK law.
- It gives details on managing specific waste streams.

2 Scope

This document applies to any one in Network Rail or working on their behalf who is producing, holding, consigning, or acting as a waste broker for controlled waste.

3 Reference Documentation

[Environment Policy](#)
[NR/CS/ENV/001](#)
[NR/SP/ENV/002](#)

On Knowledge Hub / Connect
 Environment Management Standard
 Specification for environment risk management

4 Definitions

Waste

Waste is any substance or object that a producer or holder **discards, intends to discard** or is **required to discard**.

Waste arises when something is no longer fit for purpose, when it has no further use or value, and the item is discarded as waste. When wastes are disposed of carelessly, substances that the waste may be composed of may contaminate air, land and water leading to adverse impacts on flora and fauna and can also affect human health and interfere with human activities.

Also, minimising waste through effective resource utilisation strategies will save money, through reduction of money spent on new equipment or materials and reduced disposal costs. Recycling saves money through avoiding landfill tax, reducing the need for raw material extraction and reducing pollution associated with landfill or incineration. The principles of reduce, reuse recycle are often used to describe a sustainable strategy for resource and waste management.

Network Rail is a waste producer, waste carrier and broker, and waste manager.

Controlled waste

Waste arising from a household, industrial or commercial waste and does not include waste from mines and quarries or from agricultural premises.

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Hazardous waste

A waste is hazardous if it is included in the Hazardous Waste List and it displays one of the 14 categories listed in Annex III to the Hazardous Waste Directive (HWD); e.g., toxic, corrosive or dangerous to the environment.

Note: In this document, the term hazardous waste is used when the requirements are applicable to both England/Wales and Scotland.

Special Waste

The term used in Scotland for hazardous waste.

Waste producer or holder is the person that decides:

A material or product has no further use, or the material can no longer be used as is without treatment, and decides to discard it.

Waste carrier is the person or organisation that is:

Licensed by the Scottish Environmental Protection Agency (SEPA) or the Environment Agency for the transfer of waste by road or rail from the producer's site to a waste management facility or other licensed intermediary facility.

Waste broker is a person that is:

Licensed to make arrangements for the transfer of waste from a waste producer to a waste management facility

Consignor:

The person that causes the waste to be removed from a premises (site or location) – this could be the waste producer, waste holder or a third party.

Consignee:

The person at a waste management facility who receives the waste as a result of it being transferred by a waste carrier. The consignee must check that the waste received is in accordance with the conditions of the waste management license or PPC permit.

Waste transfer

The physical movement of waste by vehicle or train by a waste carrier.

Waste transfer note:

The written description that must accompany all non-hazardous or inert waste if moved or transferred.

Consignment note:

The written description that must accompany all hazardous waste if moved or transferred.

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5 How to Use this Handbook

Section 6: Duty of Care READ THIS SECTION FIRST

This section outlines the legal obligations that apply to all waste management activities.

Section 7: Hazardous Waste

Read this to find out the legal requirements for transferring, storing and treating hazardous waste and how hazardous waste is identified.

Section 8: Waste Exemptions

All activities that deposit, dispose or recover waste require a waste management license; however there are some activities that are excluded or exempt from this requirement. This section provides information on the types of activities and waste exemptions applicable to Network Rail.

Section 9: Frequently Asked Questions

This section gives information on questions that are frequently asked regarding waste and waste management.

Section 10: Tables Pages (Alphabetical)

These give information on storing and disposing different types of waste. To use these sections, look up the type of waste in the Index (Section 13: Page 87). There is also an activity index (Section 12: Page 86) where wastes are listed by activity.

Section 11: Auditing and Monitoring of Wastes

This section is designed to assisting in compiling information necessary for regulatory compliance as well as to monitor the production and waste management hierarchy in order to improve environmental performance.

Section 12: Activity Table

This section lists contact details relevant to waste.

6 Legal Requirements

The sections below highlight the key legal requirements associated with the production and management of waste. A more detailed listing of waste legislation is given in Appendix A.

6.1 Waste Offences

The Environmental Protection Act 1990 made it a criminal offence to:

- Actually or knowingly permit the deposit of WASTE in or on any land without a Waste Management Licence.
- Actually or knowingly permit WASTE to be treated, kept or disposed of in or on any land without a Waste Management Licence.
- Treat, keep or dispose of WASTE in a manner likely to cause pollution of the environment or harm to human health.

Penalties for these offences will include:

- On summary conviction - maximum £20,000 fine and/or 6 months imprisonment.
- On conviction on indictment - unlimited fine and/or maximum 2 years imprisonment. (For Hazardous Waste offences - maximum 5 years imprisonment).
- Penalties for flytipping in England and Wales under the Clean Neighbourhood and Environment Act 2005 - maximum £50,000 fine with up to 5 year in prison.
- Breaches of the Duty of Care are punishable by an unlimited fine.

6.2 Duty of Care

It is everyone's legal duty as a waste producer to:

- keep waste safe and secure
- provide a written description of the waste when it is transferred to a different company
- ensure the person you give waste to is licensed to take it.

6.3 Keep Waste Safe and Secure:

This means that waste must be stored and contained so that it cannot escape, and covered where necessary to prevent rain water falling on it; corroding containers and causing pollution. Further advice is given in Section 10: Information Tables.

6.4 Provide a Written Description of the Waste –Waste Transfer Note

All waste **must** have a written description that accompanies it. The waste transfer note must have the following details:

- Waste description (See Section 10: Information Tables)
- Date
- Waste quantity
- European Waste Catalogue (EWC) Code (See Section 10: Information Tables)
- Network Rail address and signature of a Network Rail employee

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- Name and address of company taking the waste away, their WASTE CARRIER'S LICENCE NUMBER and a signature of their employee.

Waste transfer notes come in all shapes and sizes, and are usually provided by the contractor who takes the waste away. Check that all the information listed above is accurately recorded on the note.

- **Waste Transfer Notes** are only used for **inert waste** or **non-hazardous wastes**
- **Waste Consignment Notes** must be used for **hazardous wastes** (see Section 7)

If there is a repeated removal of the same waste from the same site to the same place, an ANNUAL WASTE TRANSFER note may be used. However some waste management contractors may not utilise this facility.

Some sites may be exempt from waste management licensing because they recycle particular waste types. Others may be licensed due to the quantity, activity and types of wastes processed at the site.

Waste transfer notes are a legal record and must be kept for two (2) years.

6.5 Ensure the Person you Give Waste to is Licensed to Take It

A waste carrier's licence is issued by the Environment Agency and is valid for three years. Anyone who transfers other's waste must have a waste carrier's license. Transferring waste means moving the waste from one site to another by road, rail or air. A producer may carry their own waste without needing to register unless they are carrying construction or demolition waste which then needs to be registered.

The freight train operators collecting wastes will have waste carrier licenses. All companies we use to take waste away must have a valid waste carrier's license. Please note: Network Rail is a registered carrier (TNE/374063/CB) for the transfer of construction and demolition waste and is also licensed as waste broker and able to make arrangements for the transfer of wastes.

A waste carrier's license can be withdrawn from any carrier for breaches of the regulations at any time, so it is important to make systematic and regular checks. It may be necessary to check out the waste carrier or the site that the waste is taken to by the carrier. This may be required when using a new waste carrier or when you might have concerns about the waste carrier. This can be done by ringing the Environment Agency or SEPA with the details provided by the carrier or by visiting the waste site and checking out the sites waste management license status. The Environment Agency will be able to confirm the current status of the carrier and the waste site.

It is also Network Rail's responsibility to check that the site where the waste is going is licensed under the Waste Management Regulations 1984 to take it. If you have any doubts at all, contact your local Environmental Specialist.

7 Hazardous Waste

7.1 What is Hazardous Waste?

Hazardous waste is a dangerous material or material contaminated with dangerous substances that could subject persons, animals or plants to a material risk of death, injury or impairment of health, or could threaten pollution or contamination of any controlled water (surface or groundwater).

To find out if a waste is Hazardous:

1. Look it up in the waste tables in Section 10: Information Tables of this manual and see what it says. If the waste is listed in these tables, the European Waste Code and the waste description will be given. In most cases, if the **waste is hazardous (coloured red in the tables)**, hazard code(s) will be given. If the waste **may be hazardous (coloured blue in the tables)** the waste will be hazardous if it contains dangerous substances above a certain level. In such cases, a chemical analysis may be required to confirm if the waste is hazardous (See Section 7.8 below).
2. If it is not listed in the Section 10 tables and you know what it is, obtain and check the product or material safety data sheet (MSDS) that should have been provided by the material supplier (telephone the supplier for a copy, if necessary). Information about the hazards and the correct disposal should be given on this data sheet. The European Waste Code and a waste description should also be provided. If in doubt ask for help from your local Environmental Specialist.
3. If you don't know what it is, the waste will need to be tested and assessed before it is removed. Please refer to your Environment Specialist for help if this situation ever arises.
4. Check the packaging that the waste was originally supplied in for hazard labels. As a general rule, if the package has an orange hazard label on it, the material will be hazardous waste. Use your Environment Specialist to confirm the hazard, waste description and European Waste Catalogue code. If you get it wrong, you could end up in court with a criminal conviction.

7.2 Notification of Hazardous Waste Arisings on the Network Rail Infrastructure (England and Wales only)

In general, all sites producing or storing any amount of hazardous wastes in any period of one year must register (notify) the site with the Environment Agency. Each notification must be renewed annually if any hazardous waste will be produced or stored during the course of the 12-month period.

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For wastes arising on the rail infrastructure, all associated rail depots in England and Wales will be notified by Network Rail and will have a unique reference number known as a “premises code”. This reference number will be used to provide evidence of site notification as required by the regulations and will be written onto the consignment notes used for the transfer of hazardous wastes to waste management facilities. You will not be able to remove any hazardous waste unless the depot has a premises code.

The Environment Agency will issue an alpha numeric registration number for the premises code. This will have the general form of XYZ123. This number will also form part of the consignment note code.

Contractors and lessees within depots, railway stations, and on Network Rail infrastructure, unless exempt by the provisions of the regulations, will need to notify their premises with the Environment Agency.

If a contractor or lessee of property chooses or needs to remove hazardous wastes arising from the Network Rail infrastructure by road, hazardous wastes that is not to be consigned through a depot (therefore no premises code), then the contractor or lessee will need, unless an exemption applies, to obtain a premises code. The contractor and/or lessee will need to notify the Environment Agency with details of the location of the waste arisings and/or their premises in order to provide a “premises code” – See mobile provisions below.

Under the Hazardous Waste Regulations 2005, hazardous wastes can only be taken and transferred from notified or exempt sites (e.g. shops, offices, hospitals, etc) by waste carriers. Offices and in some cases other premises producing less than 200kg of hazardous wastes per annum do not need to notify with the Environment Agency and may treat their hazardous wastes under the mobile provisions of the regulations.

The notification provision does not apply if the waste arises in Scotland and is transferred to England.

7.2.1 Mobile Provisions

These provisions allow a mobile operator that produces small amounts of hazardous waste (less than 200kg at one site over a 12 month period) from visiting a number of premises that they don't occupy or own to register their main operating premises instead of each site visited.

However, if any of the sites visited by the contractor exceed 200kg of hazardous in any 12 month period. The site(s) of collection that exceed this limit will need to be notified with the Environment Agency.

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7.2.2 Trackside wastes

Where hazardous waste is generated at trackside, the wastes will need to be consigned through the nearest depot for treatment, recovery or disposal so that the “premises code” of the depot can be used. If the waste is transferred off the rail infrastructure and directly by the public highway (i.e. not through a depot or use of the depot premises code), the location of the source of the hazardous will need to be notified to the Environment Agency before the waste is removed.

Small quantities (less than 200kg/12-month period) of hazardous wastes (such as oils from transformers) picked up from the trackside by a contractor can be treated under the mobile provisions of the Hazardous Waste (England and Wales) Regulations 2005 by a service contractor. The premises from which the service contractor operates will need to be notified.

If a piece of equipment such as a transformer or batteries are removed for repair, spares or tested for viability or reuse and returned by a service contractor, the wastes would arise at the site where the repairs were carried out. Therefore, it would be the service companies responsibility to notify their own site and use this as the premises code for the disposal, treatment or recovery of any hazardous waste arising.

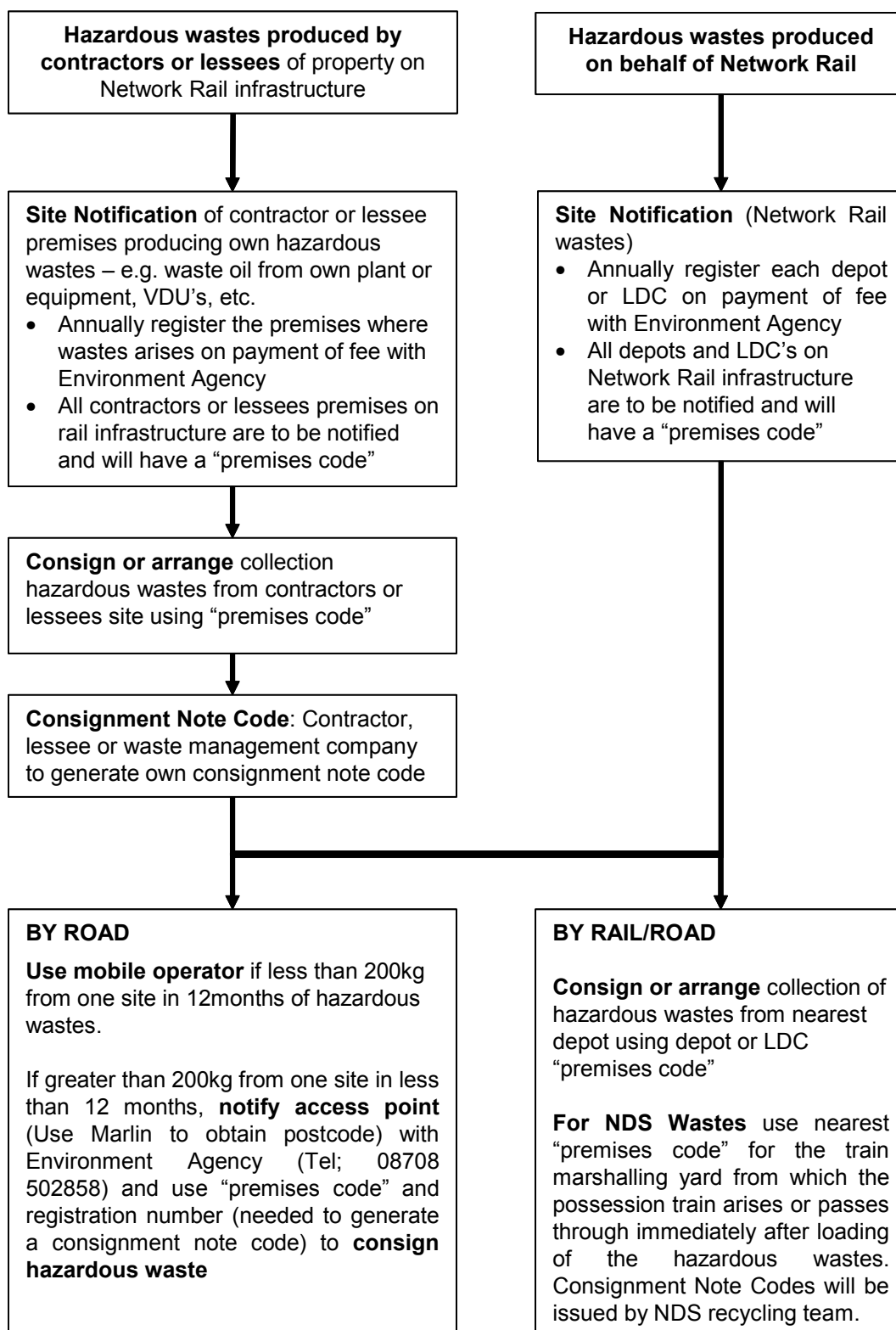
7.2.3 Ballast wastes

Hazardous ballast wastes will be consigned with reference to the “premises code” of the notified train marshalling yard that the possession comes from or passes through immediately after the loading of the hazardous ballast wastes. During maintenance activities if small quantities of contaminated ballast are generated, the premises code of the relevant depot should be used to consign the hazardous waste. The wastes can be consigned to hazardous waste landfill site or when available to a permitted PPC facility for treatment or recovery of the wastes.

7.2.4 Emergency Situations

Under Sections 61to 63 of the Regulations, in emergency situations the sites of hazardous wastes arisings can be notified retrospectively as soon as it reasonably practicable.

Hazardous Waste (England and Wales) – Site Notification and Movement of Hazardous Waste



7.3 Management Issues

The following should be followed to ensure compliance with the management of hazardous waste requirements:

1. Ensure hazardous wastes are kept separate from non-hazardous wastes.
2. Keep incompatible and hazardous wastes with different European waste codes separate – do not mix different hazardous wastes, this is an offence under the regulations.
3. Ensure hazardous wastes are stored in covered-leak proof containers
4. Ensure storage areas are checked regularly.

7.4 Health and Safety - Handling of Hazardous Wastes

Under the Control of Substances Hazardous to Health (COSHH) Regulations 2002 there is a legal duty of care to handle the hazardous materials safely and in a way that eliminates or minimises the impact on health. The duty to manage the impacts for occupational exposure lies principally with the employer or contractor.

A COSHH risk assessment should be used to confirm the need for additional protective or control measures when handling hazardous wastes.

7.5 The Consignment of Hazardous Waste (England and Wales)

Every movement and transfer of the waste must be accompanied by the consignment note and each party handling, storing, transferring, treating or disposing of the hazardous waste needs to sign and retain a copy for their records. In England and Wales, the consignment notes will include a schedule of carriers to allow the transfer of hazardous wastes between carriers. Consignment notes for hazardous wastes can be downloaded from the Environment Agency web site. An electronic copy (Excel file) of a consignment note is given in Appendix B.

Unlike the requirements under the previous Special Waste Regulations, it is no longer required to pre-notify the movement of hazardous waste with the Environment Agency.

7.5.1 Completing Consignment Notes

If a waste contractor consigns the hazardous waste on your behalf, the hazardous waste consignment notes will be managed for you. If your site or depot is handling only small amounts of hazardous waste, this could be the preferred method of operation. The site should provide the waste management contractor with their “premises code” unless exempt under the regulations (e.g. as an office).

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“Consignment note codes” are generated from the alphanumeric registration number or “premises code” provided by the Environment Agency on notification of the site producing or storing hazardous waste.

The “premises code” takes the form XYZ123 and this forms the first part of the consignment note code. The second part is a five part alphanumeric of the form; e.g. A0001. Each consignment note code must be unique.

For premises generating their consignment note code, it is recommended that the first year of the hazardous waste regulations (reporting period July 2005 to June 2006) start with A, then B for the year 2006 – 2007, C for the year 2007-2008, and so forth. It is recommended that the remaining digits of the consignment codes are generated sequentially numerically (A0001, A0002, A0003 for three consignments during the reporting year – 2005-2006).

For contaminated ballast being managed by NDS, letters can be used to signify which waste carrier has been used. For example A may represent GB Railfreight, B – EWS, C Freightliner. For example, a registration code for hazardous ballast to be taken by EWS would be XYZ123/B0001. If the waste is part of a multiple collection the letter M is added to the code – XYZ123/B0001M.

For **Fly tipped waste** the following method is used. The first part of the consignment code is made up of FLY plus the first three letters of the postcode. So if fly tipped waste is removed from a location with a post code BB10 3LT, the first part of the consignment note code is FLYBB1. The second part of the number is generated from the first three letters of the waste collection companies name plus a two letter alphanumeric. For example, fly tipped waste picked up by Neales Waste in Blackburn postcode BB10 3LT may have the consignment code FLYBB1/NEAA1. All consignment note codes must be unique.

The waste producer needs to provide an accurate description of the waste and hazards arising from the wastes (See sections below) and a premises code. Parts A&B of the consignment note will be completed by the waste producer. For hazardous wastes produced on behalf of Network Rail, the address of the appropriate depot should be provided for the “premises code” that is utilised in Part A.

The waste carrier will complete Part C.

The consignor will complete Part D. The consignor is the person who causes the waste to be removed from the premises; this could be the waste producer or another party such as a Network Rail or Contractor.

If more than one waste carrier is to be used e.g. for ballast wastes where rail and road transport is required, the consignor will prepare a copy of

the schedule of carriers and provide copies of this schedule to the first carrier. Each carrier shall complete the certificate on each copy, give one copy to the previous carrier and take the remaining copies with the consignment to the consignee or the next carrier.

On acceptance of the hazardous wastes at the final stage (such as at a landfill site or recycling facility), the consignee will complete Part E on the two copies provided by the carrier, retain one copy and give the other copy to the final waste carrier making the delivery. The consignee is the person to whom the waste is transferred for recovery or disposal.

7.5.2 Records

It is a legal requirement that the producer or holder of the hazardous waste shall keep records (or register) of the quantity, nature and origin of the waste. Where appropriate, the producer or holder should keep a record of the destination, frequency of collection, mode of transport and treatment of the waste. Where waste is transported, the waste producer or holder shall keep record details of carriers.

The waste producer and holder shall keep records for three (3) years.

A **register of hazardous wastes** will consist of:

- List of hazardous waste consignments
- Copies of consignment notes
- Details of analysis of contaminants and necessary leachate tests that are required to satisfy the receiving hazardous waste landfill sites waste acceptance criteria.
- Waste hazard categorisation details
- Details of pre-treatment methods employed
- Details of waste carriers, waste management facilities and permitted waste treatment and recovery facilities

Each depot or notified site will keep a register of wastes that arise within its premises (including waste that was produced on the rail infrastructure and consigned through the depot).

For Network Rail NDS the records shall be kept centrally by the ballast recycling team at York for wastes that are consigned using the 12 train marshalling yards throughout England and Wales.

Please note that leachate tests may need to be carried out on non-hazardous wastes going to non-hazardous landfill or inert landfill sites. Details of leachate tests can be found by contacting the landfill site operator or the Environment Agency prior to making disposal arrangements.

It is a legal requirement that the Consignee (landfill or recovery operator) sends a form to the Producer that provides detail on the receipt of the hazardous waste. The form must specify the date the hazardous waste was received and the mode of disposal/recovery. The quarterly form must be sent to the Producer within one month of the end of the quarter. This information must be held at the premises for three years.

7.5.3 Quarterly Returns to the Environment Agency

If the hazardous wastes are consigned from the depot where the waste arises to a Pollution Prevention and Control (PPC) permitted depot (for storage or treatment) within the rail infrastructure, this PPC facility (which would be the consignee) must complete quarterly returns to the Environment Agency as required under the Hazardous Waste (England and Wales) Regulations 2005.

7.6 The Special Waste Consignment Note (Scotland only)

7.6.1 Scotland

Pre-notification of the movement of 'special waste' is still required in Scotland and a period of three (3) days must pass before the waste can be moved.

In Scotland, every movement of '**special waste**' must be accompanied by a consignment note. A consignment note is a five part self-carbonising form that has five sections A to E and is obtained from SEPA (fee payable). The parts are colour coded as follows.

A: White	=	Pre-notification copy (MUST be sent to SEPA)
B: Yellow	=	SEPA deposit copy
C: Pink	=	Waste disposer's copy (landfill operator)
D: Gold	=	Waste carriers copy
E: Green	=	Waste producers copy (Network Rail or contractor)

All parts are titled to indicate which parts should be kept, by whom, and for how long.

7.6.2 When Documentation is Provided by Waste Management Contractors (Scotland only):

This process occurs when there is a prior agreement with the waste contractors whereby they provide the completed consignment note documentation.

The contractor will complete Parts A, B & C of the consignment note and must complete the note three working days in advance of the scheduled waste movement and pre-notify SEPA. The local manager responsible for the waste must confirm that this has been carried out and seek proof.

At the time of the waste lift the waste contractor must present the consignment note to the responsible manager for completion of Part D. This must then be kept in the depot or project files.

7.6.3 When You Have To Complete Documentation Yourself

Consignment notes need to be obtained from SEPA well in advance of the 'special waste' removal. (The consignment note may be provided by the waste contractor). To obtain these forms call 01786 457700.

Parts A & B of the consignment note must be checked by the person responsible for disposing of the waste. **Pre-notification:** At least three days before collection, the top sheet (pre-notification) must be sent to SEPA.

The licensed waste carrier collects the waste and completes Part C. The Network Rail person responsible for the waste completes part D and retains the green sheet. The licensed waste carrier takes the remaining three sheets.

On arrival at the disposal site the licensed waste carrier gives the three sheets to the disposal contractor who completes Part E. The disposal contractor keeps the pink sheet, sends the yellow sheet to the SEPA office and returns the gold sheet to the waste carrier.

7.6.4 Exemptions from Pre-Notification

Certain types of Special Waste movements are exempt from pre-notification. These include:

- The second and subsequent movements of the same type of waste moving from the same producer to the same disposal/recovery facility (where the first movement has been pre-notified and transported);
- Special wastes moved between sites belonging to the same corporate body where that waste is to be stored prior to disposal/recovery
- Where the site receiving the waste holds a suitable licence/permit/exemption to receive the waste;
- Off-specification special waste consisting of products or materials being returned to their originator
- Movements consisting solely of lead-acid batteries

7.6.5 Keeping Consignment Notes

All consignment notes must be kept in depot or project files for a minimum of three years.

7.7 Assessing Hazardous Wastes

Where the nature and hazard of the waste cannot be identified directly by referring to the product safety data sheets or hazard information provided by suppliers, Technical Guidance WM2 (available from Environment Agency/SEPA web site) should be used. This is an assessment procedure that categorises wastes in terms of 14 hazard types (H1 to H14). The method is useful for determining hazards from mixed wastes or materials containing dangerous substances e.g. hazardous ballast wastes. (Materials that contain dangerous substances are considered as “mirror entry” wastes). Such a method usually relies on chemical analysis of the dangerous substances.

Hazard assessment descriptions that are determined (e.g. toxic, carcinogenic, corrosive, mutagenic etc.) and hazard codes (H1 to H14) must be entered onto the hazardous waste consignment note.

If you have difficulties in categorising waste hazards, please contact your Environment Specialist.

7.8 Pre-treatment Requirement

Hazardous waste producers have a requirement under the Landfill Regulations 2002 (Scotland 2003) to pre-treat hazardous wastes that are destined for landfill disposal. This may be achieved through simple physical methods such as squeezing oil filters to remove and recover oil or sorting hazardous from non-hazardous wastes to ensure that amount of wastes going to landfill as hazardous waste is reduced. The Environment Agency has produced a three point test to guide producers of hazardous wastes on acceptable pre-treatment methods to comply with the Landfill Regulations 2002 (Scotland 2003). This is shown in Appendix 2.

Waste producers may be able to comply with the pre-treatment through discussion with your local waste management contractor who will advise of appropriate treatment methods and may provide appropriate advice and facilities (e.g. separate waste wheelie bins) for this purpose.

7.9 Waste Acceptance Criteria

For hazardous wastes to be accepted at hazardous or non-hazardous waste landfill sites it must satisfy the site's waste acceptance criteria (WAC).

The criteria will include:

- Limits on contaminants
- Limits on leachable contaminants
- Limits on the types of waste accepted
- Proof of pre-treatment – for hazardous wastes, proof may be requested to demonstrate that measures have been made to reduce

the quantity and hazardous nature of the wastes (Environment Agency - 3 point test).

- Hazard categorisation and consignment note

Wastes exceeding landfill site limits of contaminants or leachates will not be accepted at the landfill site for disposal and must be treated further to stabilise or remove contaminants, even if they have already undergone pre-treatment. Some hazardous wastes may be collected and treated by waste management companies with PPC authorisations. Please note this will have a significant impact on disposal costs for hazardous wastes.

7.10 Responsibilities of Each Party for Waste Transfer

7.10.1 Waste producer

- Register sites storing or producing hazardous wastes with the Environment Agency
- Store it safely and securely on site
- Segregate hazardous from non hazardous wastes
- Select an appropriate waste recovery, treatment or disposal method
- Describe waste fully and accurately on a Waste Transfer Note
- Pack waste securely
- Ensure waste falls within the terms of the carriers and the waste acceptance criteria for the receiving waste management facility
- Check the carrier's registration
- Make reasonable checks on the carrier/ waste manager
- Report offences to the Agency
- Check contractors are complying with Network Rail Contract Conditions Environment (RT/LS/S/015) Section **5.17** and **5.18**

7.10.2 Waste Carrier

- Ensure hazardous wastes are only collected from exempt or notified sites
- Make a quick visual inspection to check accuracy of description
- Ensure adequacy of packaging while waste is in their control
- Ensure waste does not escape
- Repack waste if necessary
- Re- describe waste if treated or re- packed (if necessary)
- Label waste for transport if hazardous
- Check waste management license of sites where wastes is being transferred
- Report offences to the Agency

7.10.3 Waste Broker

- Be well informed about nature and hazards of waste
- Ensure correct and adequate description of the waste
- Ensure hazardous wastes are only collected from exempt or notified sites
- Ensure disposal site licence is valid and waste can be accepted by the site
- Ensure carrier is currently registered
- Check that documentation has been completed
- Action causes for suspicion
- Report offences to the Agency

8 Waste Exemptions

Under the Environment Protection Act 1990 a waste management license is required for the deposit, recovery or disposal of controlled waste. However, certain activities are excluded because they covered under another regulatory control regime and authorisation or are exempted from the waste management licensing requirement.

The exemptions from waste management licensing are mainly for small-scale waste storage and waste recovery operations and are subject to certain limitations including general rules under which the waste activity can take place and cover such details as the types and quantities of permitted waste, the methods of disposal or recovery, and pollution control measures. While there is no requirement to obtain a waste management license, for the majority of exemptions there is still the requirement to register the activity with the Environment Agency or SEPA.

The exempt activities are identified in Schedule 3 of the Waste Management Licensing Regulations 1994. Pertinent exemptions for Network Rail activities include:

Waste Management Licensing Regulations 1994, Schedule 3: Exemptions

Activity	Schedule 3 paragraph	Need to Register	Comment
Recovery or reuse			
Waste for the benefit of land	7A*	Yes	The spreading of waste soil, wood on operational railway land for the treatment of land for ecological improvement (waste from vegetation management/renewals is not subject to this paragraph)
Land reclamation	9A*	Yes	Spreading of soil, rock, arising from construction or demolition work to reclaim or improve the land
Construction and soil materials	13	Yes	Manufacture from waste which arises from demolition or construction work of aggregate, rock, soil, wood etc. and stored on site for offsite use; such as NDS activities at the LDC.

Activity	Schedule 3 paragraph	Need to Register	Comment
Waste for construction	19A*	Yes	The storage and use of waste arising from demolition, construction, tunnelling or excavation to construct, maintain or improve railway land; e.g. using waste to stabilise an embankment
Preparatory treatment of waste plant matter	21	Yes	Chipping, shredding, cuttings or pulverising waste plant matter if the purpose is carried out for recovery or reuse, generally offsite
Operations leading to recovery/reuse or disposal			
Crushing, grinding, size reduction of bricks, tiles or concrete	24	No	Activity covered under another authorisation (applies to NDS activities)
Waterway dredging	25	Yes	Deposit of waste arising from inland waters e.g. clearing track drainage
Recovery or disposal as part of the production process	26	Yes	Chipping, shredding, cuttings or pulverising waste plant matter through vegetation management to leave for mulching etc.
Railway ballast	34	Yes	Deposit of spent ballast if the land is operational and does not exceed 10te/metre from which ballast derives
Storage of waste not at the place of production	40	No	Temporary storage with restrictions
Storage of waste at place of production	41	No	Temporary storage with restrictions

* Additional requirements and fees associated with the application and exemption

Network Rail holds network-wide exemptions with the Environment Agency for Schedule 3 Paragraphs 25, 26 and 34. For other exemptions that are location and activity specific it is the responsibility of the Network Rail asset or the Contractor conducting work on the behalf of Network Rail to register the exempted activity with the Environment Agency. While not mandatory a form, WMX00, is available from the Environment Agency for notification of an exempt activity under Schedule 3 Paragraphs 5, 6, 11, 13-15, 17, 18, 20-22, 26-35.

As of July 2005, the Environment Agency forms must be used to register the exempted activities under Paragraph 7A, 9A and 19A and a fee (£546 for initial application, and £412 for renewals) paid.

The general requirements for new, renewals and major changes to current registrations for all exempted activities are:

1. Use Environment Agency forms for the application of exemption:
 - Form WMX7 using waste for land treatment – Paragraph 7A
 - Form WMX9 using waste for reclamation
 - Form WMX19 using waste for construction
2. Submit form at least 35 days prior to commencement of activity
3. A map or plan where the exempt activity will be carried out

4. Information about the establishment/undertaking the activity and where and how the waste will be used, among other information

In addition, the analysis of the waste and the receiving soil is required as well as certification by a technical expert that the activity will confer ecological improvement for exemptions 7A and 9A.

If in doubt, contact your local Environment Specialist.

9 Frequently Asked Questions

1. *What is waste?*
2. *What is hazardous waste?*
3. *What is clinical waste?*
4. *What is my responsibility if I am storing waste?*
5. *What is my responsibility if I am organising the removal of waste?*
6. *What are waste management licensing exemptions?*
7. *What is and where can I find the European Waste Catalogue (EWC) Codes?*

9.1 What is Waste?

Waste is anything that you decide to dispose of or that is required to be disposed.

Other definitions of wastes refer to items that have fallen out of the chain of general utility. Items that can be immediately re-used without physical changes are not waste, for example a milk bottle. However, if there is no intention to reuse the item, then this would become a waste.

9.2 What is Hazardous Waste?

Hazardous waste is waste that could cause harm to human health or damage to the environment unless it is properly managed. Examples of hazardous waste include asbestos, oil, solvents and chemicals. If in doubt, ask. If you don't know what something is you must find a way to identify it or get it tested before throwing it away or arranging collection of the waste for disposal.

9.3 What is Clinical Waste?

Clinical waste can include sharps, human waste, clothing contaminated with blood, urine and faeces, animal wastes and unfortunately from time to time human remains. In most cases, this is treated as a non-hazardous waste stream, though it can be hazardous waste if it has the potential to cause infection. Specialist clinical waste companies are available throughout the UK who are able to advise on containment and collect this waste stream.

9.4 What is My Responsibility if I am Storing Waste?

If you are storing any controlled or hazardous waste you must keep waste safe and prevent its escape, ensuring that there is no unauthorised or harmful deposit, treatment or disposal. You are only allowed to store a limited amount (23,000 litres of liquid waste and 80 cubic metres in a secured container and 50 cubic metres in a secure place) of hazardous waste for no more than twelve months.

9.5 What is my Responsibility if I am Organising the Removal of Waste?

You need to ensure that, you can describe the waste properly and identify any hazards that may arise from the waste. If the waste is transferred or disposed, it goes only to an authorised person such as a waste collection authority, a holder of a waste management licence, a registered waste carrier or someone exempt from a licence or registration such as a charity. Any party claiming to be exempt will be able to produce a letter or document from the Environment Agency or SEPA confirming this status.

The waste cannot be removed or disposed in a way that causes environmental pollution or harm. You also need to ensure that when waste is transferred, it is accompanied by a waste transfer note, which must be completed and signed by the waste producer, the waste carrier, and the waste management facility (consignee) at time of transfer.

9.6 What are Waste Management Licensing Exemptions?

Exemptions under the Waste Management Licensing Regulations 1994, Schedule 3 are designed to help waste producers segregate and collect for recovery purposes and to provide guidance on storage on wastes.

In England and Wales, after 30 September 2005, sites operating under certain exemptions listed in Schedule 3 of the regulations will need to be registered annually. Such activities affected will include waste management facilities where exemptions are used to store and process aggregate wastes for recovery and other activities such as vegetation management works where landspeading is used. Please refer to your Environment Specialist for further details.

9.7 What is and where can I find the European Waste Catalogue (EWC) Codes?

The EWC is a hierarchical list of waste descriptions established by the European Commission. It provides a method of identifying the type of waste by listing waste types according to the process or industries from which they arise. Refer to the tables in Section 4 for the EWC codes for the specific waste types or to your Environmental Specialist.

10 Information Tables

Table Ref: A-Z, 1-20	TYPE OF WASTE
Waste Type:	A description of the waste
Classification:	Is the waste Inert, NON-HAZARDOUS or HAZARDOUS?
European Waste Catalogue Code:	European Waste Catalogue Code refers to the specific number relevant for the type of waste. This code must be included on the transfer note. Categories (Colour coded – as in European Waste Catalogue): <u>Hazardous waste:</u> Red = Hazardous regardless of any threshold concentration. Blue = Hazardous waste only if substances are present above threshold concentrations. <u>Non-hazardous waste:</u> Black = Non hazardous categorisation.
Paperwork:	Documents required to remove the waste from Network Rail sites to a third party; either a waste transfer note or a consignment note.
Hazard:	Hazard categories (these may be dependant on levels of contaminants present and assessment using WM2 Technical Guidance – Environment Agency /SEPA).
Pre-treatment:	Pre-treatment method required for compliance with Landfill Directive 2002.
Waste Acceptance Criteria:	Type of landfill site that will accept the waste and any conditions that may be imposed for acceptance of waste by landfill operator.
Waste Management Options: Best Practice: (Preferred Options)	<u>Options:</u> • Sustainable procurement • Waste minimisation options • Re-use options • Recycling options
Legal Compliance:	Additional comments on legal compliance.
Storage and Containers:	Necessary storage and containment conditions to ensure wastes do not escape into the environment.
Labelling:	Necessary labelling to ensure third parties understand the nature of the waste stored and the hazards present.
Waste Licensing Exemptions (where relevant):	Some waste management options are beneficial and so do not need a waste management licence, however they often need to be pre-notified and registered with the Environment Agency. Contact your local environment specialist for guidance.
Other Comments:	Forthcoming changes, further information, precautions to take etc.
Environmental Risks:	Specific environmental effects of the different materials found in each waste type. These include effects on humans, plants and animals; and to air, soil and water.

Table Ref: A1	ASBESTOS CONTAINING MATERIALS
Waste Type:	Asbestos lagging and other insulating products, tiles, cloths, cements, buried or tipped asbestos, etc.
Classification:	HAZARDOUS
European Waste Code:	<u>Hazardous waste:</u> 17 05 03* Soil and stones containing dangerous materials 17 05 07* Track ballast containing dangerous materials 17 06 01* Insulation materials containing asbestos 17 06 05* Construction materials containing asbestos <u>Non-hazardous waste:</u> 17 05 04 Soil and stones other than 17 05 03 17 05 08 Track ballast other than 17 05 07 *Note: For hazardous waste categorisation the level of asbestos has to exceed the 0.1%w/w hazard level or 1000 mg dm⁻³
Paperwork:	Consignment Note required for hazardous wastes.
Hazard:	Carcinogenic (H7), Toxic (H6)
Pre-treatment:	Assessment, removal and secure containment by specialist contractor.
Waste Acceptance Criteria:	At hazardous or non hazardous waste landfill site permitted for disposal of asbestos wastes.
Waste Management Options: Best Practice: (Only Option)	 <u>Removal by specialist contractor only.</u> <u>Refer to Safety Management procedures.</u>
Storage and Containers:	Not to be stored on site. Temporary sealed storage to be arranged with specialist asbestos removal.
Labelling:	Liaise with specialist contractor. Rail Transport – Placard: Class 6.1 – Toxic Substances.
Other Comments:	Environment Agency guidance “Hazardous Waste, Brief Guide, Asbestos and asbestos contaminated wastes” – see Environment Agency web site.
Environmental Risks:	Airborne asbestos fibres can cause serious lung diseases if inhaled. Smokers are at greater risk. Most asbestos materials are capable of releasing airborne fibres under certain circumstances. NEVER DISTURB DISCARDED ASBESTOS

Table Ref: B1	BALLAST
Waste Type:	Waste Ballast
Classification:	NON-HAZARDOUS or HAZARDOUS dependent on levels of contamination – Classified by Network Rail procedure RT/LS/P/044.
European Waste Catalogue Code:	<u>Hazardous waste:</u> 17 05 07* Ballast with dangerous substances <u>Non hazardous waste:</u> 17 05 08 Ballast other than in 07 05 07
Paperwork:	If contamination levels exceed hazard assessment levels (WM2 Technical Guidance) – use Consignment Notes. Below these levels use Waste Transfer Notes.
Hazard:	For waste assessed as hazardous (WM2 Technical Guidance) hazards is likely to include H7 (Carcinogenic), Other hazard categories such as H14 (Ecotoxic) may also arise.
Pre-treatment:	Method 1: Risk assessment, physical sorting to reduce quantity of hazardous wastes going to landfill and aid recovery of ballast. Method 2: Washing of contaminated ballast in PPC authorised facility to recycle ballast wastes (at time of compilation - not currently available).
Waste Acceptance Criteria:	Description of hazards present (WM2) on Consignment Note with Analysis of wastes. Approved pre-treatment; Method 1 – Ballast procedure RT/LS/P/044. Fulfills all requirements of the receiving landfill sites Waste Acceptance Criteria (Levels of contaminants, physical properties, form, containment) – check with receiving permitted landfill site. Dependant on levels of contamination can be accepted at Non-hazardous landfill site (Category B, Non Hazardous Ballast) and hazardous (Category B, Hazardous Ballast) landfill sites.
Waste Management Options: Best Practice: (Preferred Options) Legal Compliance:	<u>Options:</u> - Recycling of Category A, Non Hazardous Ballast wastes at Depots for use in Construction industry. - Pre-treatment of contaminated Category B, Non Hazardous and Hazardous Ballast waste by washing and recycling of treated ballasts for use in construction industry. All engineering work that involves removal of ballast must be carried under Network Rail procedure RT/LS/P/044. If ballasts are to be removed by road, normal Duty of Care procedures apply. Carriers must ensure that vehicles are covered to prevent dust.
Storage and Containers:	Ballast should be damped down with water (preferably grey water) to prevent dust in windy conditions. Hazardous ballast should be stored in contained areas. Non hazardous and

Table Ref: B1	BALLAST
	hazardous waste should be kept separate or in separate bays to avoid mixing. Category A ballast is suitable for uncontained storage on hard standing surfaces.
Labelling:	Rail Transport: For hazardous ballast – Placard: Class 6.1 – Toxic Substances Depot Storage: Clear labelling of contained storage areas or bays for Category B, Hazardous Ballast wastes.
Waste Licensing Exemptions (where relevant):	Deposit and keeping of spent ballast - Up to 10 tonnes/ m of track from which the ballast derives. The site needs to be pre-registered with the Environment Agency or SEPA under exemption clauses of the Waste Management Licensing Act 1994 – Clause 13(1)(b) and 13(4)(ii). Up to 20,000 tonnes of Category A ballast wastes can be stored and processed for recycling at a depot that has registered under exemption clauses.
Other Comments:	“Controlling of Environmental Effects of recycled and secondary aggregates production – Good Practice Guide”, (Department of Environment, Food and Rural Affairs (Defra), Feb 2000.
Environmental Risks:	Ballast contaminated with fines, e.g. cleared from wet beds may cause silt pollution if removed and left on line side close to surface waters such as rivers and streams. Stored ballast need to managed and damped down to prevent dust nuisance. Ballast heavily contaminated with oil or other contaminants may pollute surface waters in proximity of work being carried out. Contractors should put in place physical shielding supported by oil absorbents to prevent unintentional pollution of the water course throughout work activities.