1 HAZARDOUS WASTE (ENGLAND AND WALES) REGULATIONS 2005

1.1 The Regulations

The Hazardous Waste Regulations 1996 in England and Wales were replaced by the Hazardous Waste Regulations 2005 on 16 July 2005. The new Regulation moves the emphasis for hazardous waste management into the waste producer's domain for the first time. The hazardous waste producer is required (unless exempt):

- To notify all premises producing hazardous wastes with the Environment Agency (unless exempt) every 12 month period.
- To keep a hazardous waste register at each site producing hazardous wastes.
- To pre-treat hazardous wastes to reduce its quantity and hazard.
- To categorise the wastes (European Waste Code – EWC) and determine which hazards are present.
- To comply with the designated landfill Waste Acceptance Criteria (WAC).
- To comply with the prohibition on mixing hazardous waste.

Exempt premises include offices, shops, agricultural purposes, medical and ships. Network Rail premises are not exempt. There are hazardous conditions for mobile premises that will apply to Network Rail, please see below.

1.2 Important Definitions

- **Waste**: Waste is anything that you discard, intend to discard or that is required to be discarded.
- **Hazardous Waste**: 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).
- **Premise Code**: A unique code given by the Environment Agency to a specific premise.
- **Mobile Services**: Where the producer operates a service that produces a small amount of hazardous waste (less than 200kg at one site over a 12 month period) from a premise that they don't own or occupy.
- **Consignments of hazardous waste**:
  - Consignment note: Identification form that accompanies the waste.
  - Consignee: Site for recovery or disposal.
  - Consignor: Causes the waste to be removed from the premise which it was produced or held.
  - Schedule of carriers: Where more than one carrier transports or is to transport the.
  - Consignment.

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1.3 Site Notification

Hazardous Waste Arising on the Network Rail Infrastructure (England and Wales only).

Any industrial premise that produces any amount of hazardous waste in a 12 month period is required to notify (register) the premise with the Environment Agency. Each premise will be given a unique reference number known as a “premise code”. This premise code will be required on the consignment notes used to transfer hazardous wastes from the site to waste management facilities. You will not be able to remove any hazardous waste unless the site has a premise code. Each notification must be renewed annually if any hazardous waste will be produced or stored during the course of the 12 month period. The rail infrastructure and associated facilities and worksites are considered industrial premises. Network Rail in its entirety is not considered a single premise under these regulations.

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