

Management of hazardous waste following the ban on co-disposal of hazardous and non-hazardous wastes at landfills

A synopsis of the Environment agency position:

The ban on co-disposal of hazardous and non-hazardous wastes at landfills comes into force on 16th July 2004

- Sites not classified as landfills for hazardous wastes will only be able to accept non-hazardous wastes or stable, non-reactive hazardous waste deposited in separate cells
- Failure to comply with the ban is an offence under the landfill (England and Wales) Regulations 2002 as amended (the Regulations) and carries a maximum sentence of an unlimited fine and up to 5 years imprisonment.

Hazardous waste will have to be treated prior to landfill disposal. That treatment must:

- Be a physical/thermal/chemical or biological process including sorting;
- Change the characteristics of the waste; and
- Do so in order to
 - Reduce its volume
 - Reduce its hazardous nature
 - Facilitate its handling
 - Enhance its recovery
- Compaction is NOT pre-treatment

What is hazardous waste?

Waste is hazardous when it contains properties or substances that might make it harmful to human health or the environment. The European Commission's directive controlling the management of such waste is defined on the basis of a hazardous waste list and many of these wastes are already regarded as 'special waste' in the UK.

Up until now this list has included substances such as chemicals, asbestos and other toxic substances. However, the European Commission has recently revised its list of hazardous wastes and incorporated it into the European Waste Catalogue. This revised list includes a number of things not previously considered to be hazardous, such as **fluorescent tubes, computer monitors, batteries** and scrap cars. These are known as "Newly Hazardous Wastes" and are subject to the regulations.

Who will the ban affect?

The ban will affect not only the operators of landfill sites but **also their customers and producers of hazardous wastes**

Any person that deals with waste is under a duty of care to take reasonable steps to ensure that:

- **Waste is taken only to appropriately authorised facilities**
- Waste is prevented from escaping their control; and
- When the waste is transferred, it is transferred to an authorised person and a written description of the waste is given to that person

Every person dealing with waste has an obligation to comply with the law.