

# Technical Guide

## 9.2 Disposal of Used Chemical Containers & Holchem Collection

### Introduction

The Environment Agency, SEPA, Natural Resources Wales and NIEA have published technical guidance on the classification of waste which is known as WM3. This document can be viewed here:- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/427077/LIT\\_10121.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427077/LIT_10121.pdf).

This guide describes how to classify your waste and assign an EWC (European Waste Catalogue) code; this code is required by waste companies so that they can complete the waste notes correctly and consign the waste to the correct treatment facility. If you choose not to have Holchem collect your rinsed and emptied containers for re-use, then the above guidance needs to be followed to classify your waste. There are some important points to note within the document, these include:

1. If the container holds any chemical or residue, then the waste should be classified based upon that chemical. In the case of Holchem's products this will almost certainly mean that the waste will be classified as hazardous. **NB: The packaging cannot be classed solely as waste packaging if it contains, or is contaminated by, hazardous substances**
2. For the containers to be classified as waste packaging, they must be 'empty' (the quotation marks around the word 'empty' are used by the Environment Agency). By 'empty' the Environment Agency mean that any small amount of residue remaining cannot be removed by physical or mechanical means using normal industry standards or processes. **NB: No further detail is given on what these standards and processes entail but one could assume that rinsing with water would qualify as a normal process.**
3. If it is rinsed and emptied and does not contain any hazardous residue or contamination, then the waste can be classified on the packaging alone. We believe that the EWC Code for such material will be: 15 01 02 Plastic Packaging. **NB: Fulfilling this requirement would mean that the packaging would be fit to be collected FOC without any waste documentation by Holchem**
4. If the container is rinsed but still contains residues or is contaminated by a hazardous substance, then a different EWC Code will apply and we believe that this will be: 15 01 10 - Packaging containing residues of or contaminated by hazardous substances.

So, in summary:

- Containers not rinsed and residual amounts of chemical remaining - Hazardous Chemical Waste (EWC code will depend on original contents but likely to be from 06 01, 06 02, 07 06 or 16 10)
- Containers rinsed and emptied but residues remaining (which are **not** non-hazardous) - Contaminated Packaging Waste 15 01 10
- Containers rinsed and emptied and does not contain any residues or non-hazardous residues only - Packaging Waste 15 01 02

**NB: We strongly advise that you and your waste service provider verify these codes as it is your responsibility to classify the waste your business produces.**

The first two waste types are classed as 'Absolute Hazardous' (AH) and will therefore have to be disposed of as hazardous waste. This will involve the following:

- Engaging the services of a specialist hazardous waste collection and treatment/disposal company. To do this you will have to:
  - Identify a carrier who is competent and licensed to carry the load
  - Identify a provider who is competent and licensed to receive the containers
  - Conduct audits on both companies to satisfy your duty of care requirements
- Complete a waste consignment note for every collection. These will need:
  - Part 1 to be completed by yourself (consignor) with a unique identifier used for the load
  - Part 2 to be completed by the transport company
  - Part 3 to be completed by the waste company (consignee)
  - Retained by yourself for 3 years
  - A completed copy returned to you by the consignee
  - Details of the load to be sent to the Environment Agency by the consignees
- Record the packaging on your packaging waste returns (if applicable to your company - check that this extra waste stream will not implicate you in the The Producer Responsibility Obligations (Packaging Waste) Regulations 2007)

- Determine if producing the hazardous waste will require you to apply for an environmental permit from the Environment Agency

**NB: Hazardous waste carriers and treatment centres usually place a charge per consignment note as part of the collection and treatment process.**

The third (Packaging Waste 15 01 02) is classed as 'Absolute Non-hazardous' (AN) and only a waste transfer note is required, and these can be arranged annually in the form of a 'season ticket' with your waste consignee. **(NB as long as the waste and the carrier/consignee do not change).**

There is now no need (from 1<sup>st</sup> April 2016) to register as a producer of hazardous waste however you must use an identification system for your waste load. This is based upon the first six letters or numbers of your company name followed by five letters or numbers of your own choosing to create a unique code for that load.

Disposal of hazardous waste limits somewhat your choice of service provider as not every waste treatment company or site can handle hazardous waste. Aside from the higher costs incurred treating hazardous waste, the smaller number of waste sites that can process hazardous waste usually results in a premium being charged for the service.

If you do classify the packaging as hazardous waste, then you will also need to consider how you store, segregate and handle it on site and the Hazardous Waste Regulations should be consulted regarding this. Consideration must also be given to whether you will require an environmental permit.

## Holchem Collection of Empty Containers

The containers used for Holchem chemicals are designed for re-use and once laundered re-enter the supply chain. This reduces our (and your) impact on the environment and demonstrates us both following the waste hierarchy. **NB in order for us to do this the containers MUST be rinsed, empty of all hazardous residues (water is not a hazardous residue) and in a re-usable condition.**

On occasion, some packaging has been returned to Holchem which does not meet the required standard – namely they contain chemical residue, are damaged beyond reasonable repair or in fact was not packaging supplied by Holchem. Returning packaging in this state amounts to the transportation of waste, something that we are not permitted to undertake under the terms of our waste carrier license. Operating in this way potentially implicates both Holchem (as transporters) and your Company (as producer of the waste) in non-compliance with the law.

Our drivers have been instructed to strictly apply the requirement of not accepting any packaging returns which fall outside of the accepted parameters. We have introduced an Empty Packaging Collection Note system whereby a signature will be required from a representative of your company as a declaration that the empty containers are suitable for collection – namely that they are in good condition, were originally supplied by ourselves and that they have been rinsed and emptied.

If this declaration cannot be made, then our drivers will be unable to accept the empty containers for return. If the packaging cannot be collected then a reason for the rejection will be given on the spot in writing, as well as some literature which will explain the decision. If we reject the packaging, we will of course collect them on a future collection as long as they meet the required standard (see below).

As the holder of an environmental permit (No. EPR/NP3434CE) our environmental management system is audited regularly by the Environment Agency. We have been informed by the EA that the practice of re-using chemical containers is being scrutinised with the aim of developing new legal guidelines which will allow us all to continue to reap the environmental benefit of re-using packaging whilst remaining compliant with the waste regulations.

We have increased the frequency of our internal audits and all non-conformances will be recorded and a notification sent to the company or site from where they were collected. If there are recurrences of non-conformances relating to specific sites then, if these cannot be resolved after consultation with customers, this part of the service offered by Holchem will be withdrawn. In addition, any subsequent charges that Holchem incur due to the transport and disposal of such waste may be charged back to the customer.

**In summary**, in order for Holchem to collect packaging from your premises it **MUST**:

1. Have been emptied and rinsed (with water)
2. Be in generally good condition and be fit for laundering – i.e. no obvious leaks, little deformation
3. Have originally been supplied by Holchem
4. If being transported on a pallet, be securely wrapped with lids applied to the containers.