

# TBT: Waste Management (WM1)

## Duty of Care

### What?

Anyone who produces, imports, keeps, stores, transports, treats (including segregating) or disposes of waste must take all reasonable steps to ensure that waste is managed properly. It also applies to anyone who acts as a broker and has control of waste. Every load of waste it's received or passed to others must have a Waste Transfer Note (WTN), for non-hazardous.

The transfer of Hazardous/Special waste must be accompanied by Waste Consignment Note (WCN). These documents should have the following information and signed by both parties involved in the transfer:

- Producer of the waste (name, address, postcode, telephone, email, fax);
- Description of the waste (i.e. contents, quantity, component, concentration, hazard code for WCN);
- Consignment note code for WCN;
- European Waste Catalogue number (i.e.200101 Paper and cardboard, six figure number);
- SIC Code (2007); 68320 (WCN)
- Disposal site (name, address, postcode, telephone, email, fax, licence/reg.);
- Carrier's certificate (name, address, telephone, email, fax, reg. number, vehicle reg.);
- Signature of the waste carrier and waste producer;
- Date and time of transfer;

### Why?

It's a legal requirement, this duty of care is imposed under section 34 of the Environmental Protection Act 1990.

- it is a criminal offence if you do not take all reasonable measures available to you to meet your duty of care. You could face prosecution and, on conviction, a fine and criminal record.
- WTNs and WCNs ensure that there is a clear audit trail from when the waste is produced until it is disposed of.
- It is recommended to retain copies of WTNs for a minimum of 2 years. Also keep records at the site where the hazardous waste was stored, treated or disposed, any related documents, records of rejected loads for a minimum 3 years.
- You must check that anyone you pass your waste to holds the relevant registration, permit or exemption for the type of waste you pass to them.



### Do

- ✓ Before signing, check if all sections on your WTN or WCN are correct. If they are not correct, request the driver to rectify or refuse the collection.
- ✓ Check if the Waste Carrier licence/permit/exemption is up-to-date on the Environmental Agency's portal.
- ✓ Check if the Waste Disposal licence/permit/exemption is up-to-date on the Environmental Agency's portal.
- ✓ Keep the evidences that you can use to demonstrate you have met your duty of care.

### Don't

- x Sign WTN or WCN if all the sections are not completed or correct.
- x Don't sign the WTN or WCN unless you have been trained and so be sure it is correct.
- x Use contractors that are non-compliant with the Environmental Agency.
- x Move waste of one premises to another (even if it is the same client) before checking the Waste Carrier licence, the site licence and without a WTN. (unless there is an exemption in place).