

Suite 806**POLLUTION, EFFLUENT & WASTE MANAGEMENT*****What is Waste?******Disposing of Waste and Special Waste******What is Pollution?******What is Effluent?***

Please note that the information provided herein is not intended to be absolute. It is a compilation of information which has been harmonized to adhere to the foundation of principles as put forth by The UN, the United States and the Commonwealth so it is important that you should check current details with your particular government.

All businesses have an impact on the environment. For example, every business produces some sort of waste – and all waste has the potential to cause pollution. The scale of your business' environmental impact depends on the types of activity you undertake and how effectively you manage your environmental responsibilities.

You must ensure your business complies with a range of environmental rules covering areas such as:

- Pollution prevention
- Handling and management of waste
- Dealing with dangerous or hazardous waste
- Disposing of liquid wastes

But a responsible environmental management policy isn't just about legal compliance. It can also save your business money – and boost your reputation.

806.01 WHAT IS WASTE?

Waste is defined as any substance or object that you:

- Discard
- Intend to discard
- Are required to discard

It's not just materials you dispose of which qualify as waste – those sent for recycling or treated in-house may also be waste. Materials can still be waste even if someone has a use for it, it has value or it is in working order.

Waste could be potato peelings thrown away by a café, unwanted rubble created by a construction company or perhaps outdated computer equipment in an office.

Special waste

Some waste is defined as special waste. This may be because it has hazardous characteristics – for example, a pharmacy's old prescription drugs or paint stripper from a decorating business.

But many businesses' everyday waste may be classified as special waste, too – for example, lead-acid batteries, solvent-based inks and fluorescent tubes.

The safety data sheets provided with some substances contain information on whether they must be managed as a special waste when discarded.

The Special Waste Regulations 1996 are expected to be replaced by the Hazardous Waste Regulations in 2005. The provisional timetable shows some provisions coming into force in April 2005 and the bulk of the regulations in July 2005. These new regulations will increase the range of hazardous wastes subject to control.

See general guidance on hazardous waste in England on the NetRegs website.

Scotland will be retaining the special waste regime. Regulations amending this regime came into force in July 2004. Find details of the legislation in force in Scotland on the SEPA website.

Business in Northern Ireland can read information on special waste on the Environment and Heritage Service for Northern Ireland website.

806.02 DISPOSING OF WASTE AND SPECIAL WASTE

You need to ensure that all your business' waste is managed and disposed of legally. You mustn't use domestic disposal services or recycling facilities.

Implement a responsible waste-management policy

You must ensure the proper and safe storage, handling, transportation and management of all your business' waste.

There's no time limit to this duty of care. It extends until your waste is properly disposed of, even if it's no longer in your hands.

See the pages in this guide on how to comply with waste storage and disposal regulations and special waste regulations.

Implementing a responsible waste-management policy will help to:

- Comply with environmental regulations and avoid potentially heavy penalties
- Save you money by using raw materials more efficiently
- Bring environmental benefits
- Improve your reputation

You should consider the following points when drawing up a waste-management policy:

- Can you change your practices or processes to minimise your waste?
- Can you, or somebody else, re-use or recycle your waste?

- Are you segregating different types of waste and are your waste receptacles appropriately labelled? If general waste is contaminated by special waste, the entire container may need to be treated as special waste, making disposal much more expensive.
- Are your storage facilities suitable for the types of waste that you produce?
- Do your employees require training in handling different types of waste and what to do if a spillage occurs?

It's important to conduct regular audits to ensure your approach to waste is effective.

Comply with waste storage and disposal regulations

To ensure you deal with waste properly, safely and legally you should pay particular attention to a number of areas:

- **Storage** - waste should be segregated, stored in suitable containers and labelled appropriately. Ideally it should be kept under cover and in a secure area.
- **Handling** - your waste must only be handled and transported by an authorised body such as your local authority, or a contractor registered with your environmental regulator. Ask your contractor for evidence of their registration. The carrier should only dispose of your waste at a site authorised to accept waste of that type.
- **Disposal or recovery** - your waste must only be treated, recovered or disposed of by businesses authorised to do so by either a waste management license, a Pollution Prevention and Control permit, an Integrated Pollution Control authorisation or an exemption from the requirement to hold a license.
- **Records** - you must complete a waste transfer note when handling over your waste – or have a valid season ticket exempting you from individual transfer notes. You must keep transfer notes for at least two years.

If you have special waste – including lead-acid batteries and florescent tubes – you need to comply with separate regulations.

Special waste regulations

Some waste is defined as “special waste” because of its hazardous or dangerous character. For example, it could have irritant properties, be explosive, flammable, corrosive, oxidising or carcinogenic.

Remember that the everyday waste of many businesses may be classified as special waste, eg:

- Lead-acid batteries
- Solvent-based inks and paints
- Waste oils
- Pesticides
- Preservatives
- Acids
- Prescription medicines

Some types of waste only become classed as special waste when their hazardous components reach certain thresholds, such as a given concentration.

If your business generates special waste you must:

- Provide storage in appropriate secure, accessible containers
- Inspect containers at least once a week
- Train staff in procedures to handle special waste
- Keep an inventory of stored special waste
- Ensure handling and transportation is only carried out by registered or exempt waste carriers
- Use the consignment-note system to give your environmental regulator advance notice of special-waste movement
- Ensure recovery or disposal of waste is only carried out by business authorised to do so
- Keep your consignment notes for at least three years

Some hazardous waste – for example, agricultural, mining, quarrying and radioactive waste – is subject to separate legislation.

And if your business stores, treats or disposes of special waste on behalf of others, you must either have a waste-management license, Integrated Pollution Control authorisation or Pollution Prevention and Control permit, or register an exemption.

806.03 WHAT IS POLLUTION?

Pollution includes emissions into the air and water and onto land that:

- Damage the environment
- prove harmful – or even fatal – to human beings, plants and animals
- cause a nuisance to members of the public
- are unsightly

Key causes of pollution include:

- burning of fossil fuels and other materials giving off dust, smoke and fumes
- oil spills
- accidental release of raw sewage
- poor waste management
- chemicals, salt, wash waters, waste products, trade effluents, slurry and fuels entering the soil, surface water or ground water
- excessive noise, heat or vibration generated by your business' activities

Comply with pollution legislation

Your business is responsible for the impact it has on the environment.

If you carry out certain processes as part of your business you may have to obtain permission from your environmental regulator under Integrated Pollution Control (IPC) or Pollution Prevention and Control (PPC) legislation. Examples of such processes include:

- combustion and incineration
- metal manufacture
- certain activities involving asbestos
- coating activities, printing and textile treatment
- treatment of animal or vegetable matter

Under the Integrated Pollution Prevention and Control (IPPC) system an integrated approach to the control of emissions to air, water and land from certain activities is being introduced, with all affected industry sectors due to be regulated in this way by 31 October 2007.

Some businesses which have less potential to pollute are regulated for emissions to air only under the local air pollution prevention and control (LAPPC) system.

In essence this means that if your business is involved in certain specified activities you must apply for a permit to operate. This requires you to implement an effective system of environmental management.

For example, you must assess risks and plan to use benchmarked best practice techniques.

The body you must apply to for a permit depends on the nature of your processes – it will be either your environmental regulator or your local authority. The Environment Agency covers the most potentially hazardous sites.

Non-compliance can result in prosecution and stiff penalties.

In the United States:

The Environmental Protection Agency (EPA)

<http://www.epa.gov/osw/>

EPA Technical Assistance Resources (by Region)

<http://www.epa.gov.epaoswer/hazwaste/minimize/>

Air & Work Management

<http://www.awma.org/>

Pollution Prevention Resource Exchange

<http://www.p2rx.org/>

806.04 WHAT IS EFFLUENT?

Any liquid waste coming from your business, which you intend to discharge to sewer, or to surface or ground water, or onto land, is known as trade effluent unless it is domestic sewage or clean uncontaminated surface water. Other liquid wastes from your business are likely to be subject to control under waste management legislation.

Examples of trade effluent include liquid wastes that contain:

- detergents
- cooling waters
- chemicals
- small amounts of oil – though if the oil level is above designated thresholds it must be disposed of as a special waste
- biodegradable liquids
- sludges
- wash waters

Many businesses will produce trade effluent – from those carrying out mining and quarrying activities to car-washing business and textile manufactures.

You'll need a written consent from either your environmental regulator or local water company to discharge trade effluent. Making a discharge without consent may be an offence and could lead to enforcement action.

Comply with effluent regulations

You must ensure any trade effluent that your business produces is discharged responsibly – and obtain certain prior consents depending on how you discharge it.

Trade effluent Discharged to....	Consent Required	Body giving consent
Surface waters or ground Waters, rivers, streams Canals, lakes, reservoirs, Ponds, ditches, coastal Waters and estuaries	Discharge consent	Environmental regulator – Environment Agency in England and Wales; Scottish Environment Protection Agency in Scotland; Environment and Heritage Service in Northern Ireland
Sewerage system	Trade effluent Consent or a Trade effluent Agreement	Local water and sewerage company in England and Wales; Scottish Water in Scotland; Water Service in Northern Ireland

Your environmental regulator or sewerage company or authority may not allow you to discharge certain types of trade effluent into the environment or sewerage system.

In this case the effluent must be handled and disposed of as waste or special waste.

Some trade effluents may be covered by Integrated Pollution Control (IPC) or the Pollution Prevention and Control (PPC) Regulations, meaning discharges have to be authorised by your environmental regulator.

You can minimise your effluent discharge and take steps to avoid accidents by:

- clearly labelling your drainage system and mapping its connections to ensure discharges are made to the correct system
- storing your chemicals, fuels and effluent responsibly in an area where spillage will be contained, particularly waste water containing oil
- training your employees in proper handling techniques and what to do in the case of spillage
- isolating clean surface water run-off from general drainage
- using drip trays under equipment
- providing suitable spill kits and absorbent materials
- ensuring your site is secure

Reducing your effluent discharge could also save you money.

Responsibilities under environmental law:

UNITED KINGDOM

http://www.environment-agency.gov.uk/netregs/mgmt_guidelines

Overview on waste at the Environment Agency

http://www.environment-agency.gov.uk/yourenv/eff/resources_waste/

In the United Kingdom: All about waste, landfill, pollution, trade effluent, surface and ground water, cost-effective control measures, regulations:

<http://www.environment-agency.gov.uk>

CANADA

The following link provides information on the Government of Canada.

http://www.canada.gc.ca/depts/major/depind_e.html

The following link provides information on the Individual Provinces.

<http://bsa.cbasc.org/gol/bsa/interface.nsf/vSSGBasic/su10000e.htm>

IRELAND

The Government of Ireland Official Gateway

<http://www.irlgov.ie/>

Irish local government Council websites:

<http://www.outlood.com/localgov/eire.htm>

AUSTRALIA

Australian Commonwealth Government Gateway

<http://www.australia.gov.au/>

General Information

<http://gov.info.au/>

Federal, State and Local Government

<http://www.nia.gov.au/oz/gov/>

NEW ZEALAND

The Government of New Zealand Gateway

<http://www.govt.nz/>

The E-Government site for New Zealand

<http://www.e.govt.nz/>

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