

How to Manage Business Waste

Introduction

This leaflet offers guidance for your business and outlines your responsibilities in respect of the different waste materials that you need to dispose of.

Every business produces waste, from office paper, ink cartridges, tyres, unserviceable mechanical and electrical components, to unused food products, wood and scrap metals. All waste has to be disposed of so that it does not harm the environment and environmental law stipulates how it is removed from your business premises and where it can be deposited.

Under the Environmental Protection Act 1990 (Section 45) business rates collected by the County Council do not cover the collection or disposal of commercial / business waste.

Duty of Care

As a business you are required to take all reasonable steps to:

- Store your waste safely and securely to ensure that it does not escape and pollute or harm the environment.
- Ensure that the person(s) who disposes of your waste is authorised by Natural Resources Wales (formerly the Environment Agency) to transfer, recycle or dispose of it safely. You should also obtain a written description of the waste and a transfer note (completed and signed by a representative from your business and the person collecting your waste).
- If you collect business waste from someone else you should ensure that **you** are registered with Natural Resources Wales as a waste carrier and ensure **you** have written description of the waste and a transfer note (completed and signed by a representative of the business whose waste is being removed and the person transferring the consignment of waste).
- The waste transfer note will need to be kept for a period of two years required for inspection by the County Council or Natural Resources Wales.

Failure to comply with these requirements may incur a fine of £300.

Businesses are responsible for the waste they produce

The Welsh Government in their "Towards Zero Waste" strategy sets out guidelines for the business sector to become more sustainable.

It is now a legal requirement for all businesses to apply the 'waste hierarchy' to the way they manage their waste. This means that when waste is created businesses should explore ways of reducing, reusing, recycling, recovery and then disposal as a last option. Guidance on applying the waste hierarchy and ideas for dealing with different types of waste are available from the Department for Environment, Food and Rural Affairs (DEFRA).

You will be in breach of the Environmental Protection Act 1990 (Sections 33, 34 & 79) if you take your business waste home and dispose of it in your own household waste or if you burn it. Burning of waste causes environmental pollution or harm to health and carrying out an activity without an environmental permit from Natural Resources Wales may result in prosecution.

Waste Disposal and Recycling

Trade or commercial waste with exception of **electronic or electrical waste, clinical, liquid waste, hazardous waste, tyres and chemical waste** can be taken to the commercial waste area of the Household Waste Recycling Centre either at Nantycaws, Carmarthen, Trostre, Llanelli or Llangadog transfer stations. There may be a charge for this service.

For collection and safe disposal of the other items please make arrangements with a licensed waste collector/company, a list of these type of organisations can be found online or telephone business directory.

It is a criminal offence to dispose of commercially generated waste in household waste and recycling bins/bags; Community Recycling Banks, or domestic waste area of the Household Waste Recycling Centres.

Any business found disposing its waste in this manner may be prosecuted and incur a substantial fine.

Packaging Waste

If your business makes, fills, sells, handles or produces packaging or packaging materials, it needs to be aware of the packaging legislation.

Waste Electrical and Electronic Equipment (WEEE)

Any business involved in manufacturing, selling, importing, recycling or treating electrical and electronic should be aware that under the WEEE Directive, it is now illegal to dispose of this at a landfill site.

Businesses may also need to register as a producer if it is placing electronic goods onto the U.K. market. Similarly if the business is involved in either refurbishing or repairing WEEE equipment, it is also obliged to register this activity as an exemption and must pay a fee, and has to notify Natural Resources Wales.

Hazardous Waste

Some types of waste are classified as hazardous, for example fluorescent tubes, computer monitors, mineral oils, lead acid batteries, fridges, tyres, asbestos, plasterboard. This waste is harmful to the environment and human health. If you produce any of these on your premises it needs to be dealt with it in accordance with the hazardous waste regulations.

Batteries

Battery producers and retailers are now responsible for battery recycling. If your business produces more than one tonne of batteries per year, you should join an approved 'compliance scheme' that will manage collection and recycling.

From the 1st of February 2010, distributors of portable batteries / accumulators, who sell over 32 kg of portable batteries per annum from an individual store, must provide a free in-store battery take back facility for any member of the public to recycle of waste batteries.

Litter and Refuse

The Environmental Protection Act 1990 imposes duties on landowners and occupiers of land to keep land in their ownership clear of litter and refuse.

Where a litter problem can clearly be traced to a business/trade premises, the Council has power to issue a Street Litter Control Notice on the owner.

The Council may also charge a fee to a business for the removal of its shopping trolleys that have been abandoned on the highway or other public areas. These may be stored for a specified period and subsequently disposed of in accordance with the law.

All businesses must: -

- Ensure they have adequate storage space for trade waste, either inside the premises or in an enclosed area outside. Please ensure that your bag(s) or container(s) are placed out on evening before collection or as agreed with the waste collection provider.
- Have litter/recycling bins outside the business premises (by agreement with the County Council) if you have a take-away food outlet. You should also display notices encouraging customers to use them.

Additional legislative information can be found on:

www.gov.uk/browse/business/waste-environment

www.naturalresourceswales.org.uk

www.environment-agency.gov.uk/wastecarriers

www.wales.gov.uk/topics/environmentcountryside

www.defra.gov.uk/publications

www.cwmenvironmental.co.uk