

What a waste



Very Toxic



Toxic



Harmful



Irritant



Corrosive

New laws on Special Waste came into effect on April 1st in England, Scotland and Wales, known as the Duty of Care under the Environmental Protection Act 1990. This requires anyone who has the responsibility for controlled waste to take all reasonable steps to ensure its correct disposal. These steps are • To prevent the illegal management of special waste by themselves or any other persons. • To prevent the escape of waste. • To ensure on the transfer of waste that the waste goes through a section 17 transfer schedule, and only through properly authorised persons. • That records are kept for at least two years

Failure to comply with the Duty of Care or with the requirements to provide and retain appropriate documentation is now a criminal offence, with no limit on the fine that may be imposed on conviction or indictment.

The dumping of waste or the treating of it without a licence may result in a fine of £2,000 (from April 1993, £20,000) in a Magistrates Court or unlimited fines and/or up to two years prison in a Crown Court. If the most poisonous waste is involved, the £2,000 Magistrates fine may also include (and/or) six months in prison, and in the Crown Court the fine could be unlimited or five years in prison. Breach of Duty of Care or its regulations are subject to a maximum of £2,000 in a Magistrates Court or an unlimited fine in a Crown Court.

Furthermore it is the greenkeeper's responsibility to ensure that the Special Waste disposal contractor is Local Authority registered. The contractor must also provide you with details of their registration number. Failure to obtain this information can result in fines.

Special Waste can be identified from the table below, however as a guide, any product carrying a hazard symbol as shown can be interpreted as Special Waste.

The most important item in assessment with regards to pesticides is * above. This statement simply means if the pesticide will cause discomfort or damage to skin or eye tissue over a period of 15 minutes then it is Special Waste. Having identified Special Waste (with pesticides in mind) what disposals are likely?

- 1 Any full containers of pesticide no longer cleared for use by MAFF or no longer required.
- 2 Any empty containers that have contained these products.

How do you dispose of special waste?

Disposal by burning? – NO

The burning of pesticides or empty pesticide containers must have approval from the air division of H.M.I.P and the Environmental Department of the Local Authority. Fumes or smoke present a serious health risk and should burning take place the following must be adhered to. • Burning must take place in an open space at least 15 m from a public highway and not in a location where any smoke produced is likely to drift over people or livestock or move towards any highway, housing or business premises. • Any containers must be open and placed on a very hot fire a few at a time. • The fire must be supervised constantly. • Care must be taken to avoid breathing any smoke the fire produces. • The fire must be extinguished before being left. As far as we are aware, no approval has ever been given for illegal burning. The penalty is £2,000 (as from April 1st 1993, £20,000 or 6 months imprisonment).

Disposal by burial – NO.

It is an offence to cause or knowingly permit any poisonous noxious or pollutant matter to enter * any controlled waters. These include rivers, lakes, canals, estuaries, coastal waters and underground waters. A consent to discharge issued by the National Rivers Authority must be obtained and to date no known approval for burial has been given. (* eg. by leeching.)

Fine for illegal disposal £2,000 (20,000 or 6 months imprisonment from April 1st 1993).

Empty containers washed and then disposed of? – YES.

• Providing they are thoroughly cleaned. Following research by the Waste Technical Division of the DOE it was found that this takes at least 6 rinses. Even then some residue may remain in the curl, thereby you will commit an offence. • That you gain approval from your Local Authority to take the ‘clean’ empty containers to a landfill site. • That all necessary waste transfer notices have been completed.

Disposal in a correct and legal manner through a licensed Special Waste contractor – YES

• Providing they are registered. • You complete a section 17 consignment note.

A number of special waste contractors are already registered and a special section has been set up within the Local Authority Unit to ensure consistent standards of enforcement and to deal with pesticide matters.

♦ Contributed by Carl Crome, marketing director of Maxwell Hart Ltd. Their national Special Waste disposal company is Envirogreen. Tel: 0345 125398.

SPECIAL WASTE ASSESSMENT PROCEDURE

