



## Hazardous Waste Regulations 2005

### Introduction

Waste is hazardous when it contains substances or properties that might make it harmful to human health or the environment. The legal definition of “hazardous” is based around different properties, some of which are in everyday usage, i.e. explosive and flammable, while others are more obscure, e.g. ecotoxic or sensitising. As an organisation that produces hazardous waste we must comply with the legal obligations that control how we store, transport, treat and dispose of it.

### Examples of hazardous waste

Typical examples of hazardous waste include:

- asbestos
- chemicals, e.g. waste laboratory chemicals and printer toner
- electrical equipment with potentially harmful components such as cathode ray tubes, e.g. computer monitors and televisions
- fluorescent light tubes and energy-saving light bulbs
- vehicle and other lead-acid batteries
- oils (except edible oils), e.g. engine oil
- refrigerators containing ozone-depleting substances
- solvents, e.g. aerosols
- pesticides

### Duties of the University

The University MUST (subject to emergency procedures):

- ensure consignment notes are completed in full and records maintained for 3 years
- waste is described accurately with the correct European Waste Catalogue Code
- ensure that hazardous wastes are not mixed with other hazardous waste and that non-hazardous and hazardous wastes are not mixed on site
- take care to ensure staff segregate and dispose of waste in the correct receptacles

Hazardous waste must be taken into account when assessing risks under general health and safety legislation, e.g. under the Control of Substances Hazardous to Health Regulations 2002.

### What are the risks of non-compliance?

We have a duty of care under the Environmental Protection Act (EPA) and Hazardous Waste Regulations, to ensure correct storage, collection and treatment of any waste. A breach of EPA can lead to a £5,000 fine in the Magistrate’s Court or unlimited in the higher courts. Imprisonment is also a potential risk in severe circumstances. The regulations introduced a £300 fixed penalty notice for those contravening the regulations. This may be applied where hazardous waste deliberately mixed with non-hazardous waste, incorrectly described waste, failing to comply with requirements for consignment notes and records.

### Further Information:

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**If you are unsure whether your waste is hazardous, or not sure how to dispose of your hazardous waste, please contact the Safety, Health and Wellbeing Team for advice.**

# Compliance Briefing Note: 002



## What is the University doing?

We have introduced the following measures to ensure compliance with the Hazardous Waste Regulations:

- Published a Hazardous Waste guidance note and provided access to further information (see specific guidance regarding assessment, storage and consignment of Hazardous Waste)
- Details of our (University and individual) obligations under this legislation are included within the Environmental Sustainability in the Workplace Online Training Course

## What do staff need to do?

- ensure the waste is stored safely and securely to prevent pollution
- ensure that hazardous wastes are not mixed with other hazardous waste and that non-hazardous and hazardous waste are not mixed on-site
- as far as practicable the storage of wastes should be kept to a minimum. This is both good housekeeping and, in the case of hazardous wastes, reduces the risks associated with storage
- be aware that items of Waste Electrical and Electronic Equipment (WEEE) may be hazardous waste.
- ensure that hazardous materials are disposed of according to the A-Z Waste guide
- if you dispose of materials with a contractor, you MUST complete a consignment in full and retain it for a period of 3 years
- if you are unsure whether your waste is hazardous, or not sure how to dispose of your hazardous waste, please contact the Health and Safety Team for advice
- observe safety precautions, e.g. as prescribed by COSHH, when storing and handling hazardous waste.

## Contractors

Visiting contractors (producing hazardous waste) are responsible for notifying the relevant authority for the waste they produce while working on site. This is not the same as the University of Exeter premises codes.

Contractors SHOULD NOT dispose of waste materials using University disposal routes.

## Other Relevant Guides / Legislation

- University A-Z Waste Guide ([www.exeter.ac.uk/sustainability/campus/wasteandrecycling/a-z/](http://www.exeter.ac.uk/sustainability/campus/wasteandrecycling/a-z/))
- Premises Registration Numbers
- How to determine if waste is hazardous
- Limits for storing waste
- Your Duty of Care compliance briefing note
- Waste Electronic and Electrical Equipment compliance briefing note
- Liability: A legal overview
- Penalties and Fines Briefing Note