



Code of Best Practice
Pesticide Waste

Version 1.0 August 2014





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This Code is not applicable to any item not deemed as waste by the pest controller.

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Definition of waste

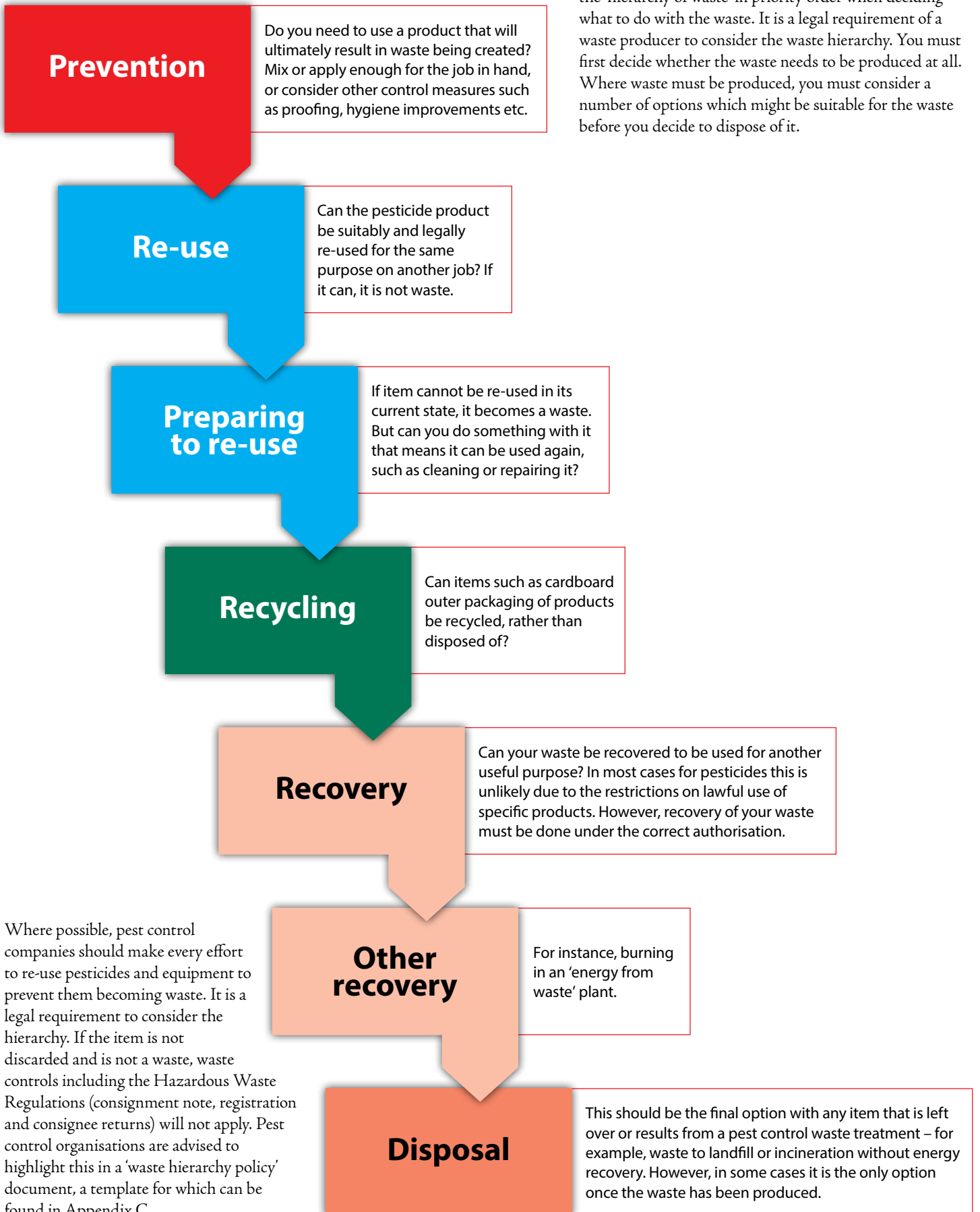
The definition of waste is set down in legislation (Directive 2008/98/EC), which states that waste is:

“Any substance or object which the holder discards or intends or is required to discard.”

Pest control company representatives make decisions on a day to day basis about what is waste.

Reference www.gov.uk/government/publications/legal-definition-of-waste-guidance

Hierarchy of waste



Any pest controllers who manage waste in some way (including production, recovery or disposal) should apply the 'hierarchy of waste' in priority order when deciding what to do with the waste. It is a legal requirement of a waste producer to consider the waste hierarchy. You must first decide whether the waste needs to be produced at all. Where waste must be produced, you must consider a number of options which might be suitable for the waste before you decide to dispose of it.

Where possible, pest control companies should make every effort to re-use pesticides and equipment to prevent them becoming waste. It is a legal requirement to consider the hierarchy. If the item is not discarded and is not a waste, waste controls including the Hazardous Waste Regulations (consignment note, registration and consignee returns) will not apply. Pest control organisations are advised to highlight this in a 'waste hierarchy policy' document, a template for which can be found in Appendix C.

Duty of care

'Duty of Care' is a self-regulating system for the disposal of waste based on good business practice. It places a legal duty on anyone who has any responsibility for controlled waste to ensure that it is managed properly and recovered or disposed of safely (the only exception to this is the occupier of a domestic property and the waste they create – but they have a legal duty to pass their waste onto someone who is authorised to accept it).

This duty reaches from the point of creation of the waste to the final point of recovery or disposal. Even if you pass the waste onto another organisation, it is your responsibility to ensure that they have the correct authorisations in place to manage your waste. If a waste company cannot prove they are authorised to carry waste, contact your local Environment Agency in whichever part of the UK you are operating.

Finally, the 'Duty of Care' places a legal requirement on you to provide an accurate written description of the waste, including any hazards or specific handling requirements associated with it. (See sections on transfer notes and consignment notes).

The list of wastes

The List of Waste Regulations 2005 brought the use of the European Waste Catalogue (EWC) into law across the United Kingdom. In order to correctly manage your waste, you must first identify the six-digit code from the List of Wastes (or EWC). It is essential that waste is accurately described for various reasons, including informing the receiver of the waste of exactly what is being handed over. The use of the List of Wastes allows standard descriptions to be used, which can be understood by everyone.

Appropriate Codes for pest control waste

Waste can be anything that your business owns or produces that you no longer need, and it can be divided into wastes that are:

HAZARDOUS – for example spent rodenticide.

NON-HAZARDOUS – for example paper and packaging that has not been in contact with pesticides.

Some wastes can be classed as hazardous or non-hazardous depending on the level of dangerous substances these contain - these are known as mirror entry wastes and you would need to do a detailed assessment of them. Some waste is always hazardous, regardless of the presence of dangerous substances they contain. These are known as absolute hazardous wastes.

A hazardous waste is defined as a waste that has one or more of the fifteen specified hazardous properties listed in Annex III to the Waste Framework Directive (WFD) – for further detail please refer to the guidance document 'Technical Guidance WM2'. These properties include flammable, corrosive and carcinogenic.

www.gov.uk/government/publications/hazardous-waste-technical-guidance-wm2 and for general guidance see www.gov.uk/managing-your-waste-an-overview

It is the responsibility of your organisation as the waste producer to assess your waste and assign it the correct code as is applicable to the List of Wastes. The List is broken down into chapters, and examples of Codes that may be applicable to some of your key waste types are listed below – hazardous codes applicable to pest control are indicated in **bold**:

Chapter 15

Waste packing: absorbents, wiping cloths, filter materials and protective clothing not otherwise specified

15 01	packaging (including separately collected municipal packaging waste)
15 01 01	paper and cardboard packaging
15 01 02	plastic packaging
15 01 04	metallic packaging
15 01 06	mixed packaging
15 01 10*	packaging containing residues of, or contaminated by dangerous substances
15 02	absorbents, filter materials, wiping cloths and protective clothing
15 02 02*	absorbents, filter materials (including oil filters not otherwise specified), wiping clothes, protective clothing contaminated by dangerous substances
15 02 03	absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02

Empty packaging containing residues of, or contaminated by, dangerous substances that possess a hazardous property is classified as 15 01 10*

For example, some rodenticides have very low quantities of dangerous substances. Even though the actual waste rodenticide must be classified as hazardous waste (it is an absolute hazardous waste), packaging contaminated with some of these products will not be hazardous because the level of dangerous substances is so low. However, you should check the REACH compliant Manufacturers' Safety Data Sheet (MSDS) or talk to your supplier to get the right information to make this assessment.

For wipes, you should also follow the guidance in WM2, as follows:

15 02 02*	absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by dangerous substances
15 02 03	absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02

When assessing these types of wastes the term 'contaminated with' has the same meaning as 'containing'. These codes should be treated the same as any other mirror entries. This means that if dangerous substances are present at or above the threshold values, the waste will be hazardous and assigned the 15 02 02* code. The weight of the absorbent or other material can be taken into account when assessing the material and its contents against threshold limits.

The following codes should only be used where you are unable to find a suitable code elsewhere in the list:

Chapter 16

Wastes not otherwise specified in the list

- 16 03 off-specification batches and unused products
- 16 03 05*** **organic wastes containing dangerous substances**
- 16 03 06 organic wastes other than those mentioned in 16 03 05
- 16 05 gases in pressure containers and discarded chemicals
- 16 05 04*** **gases in pressure containers (including halons) containing dangerous substances (mirror entry)**
- 16 05 05 gases in pressure containers other than those in 16 05 04

Chapter 20

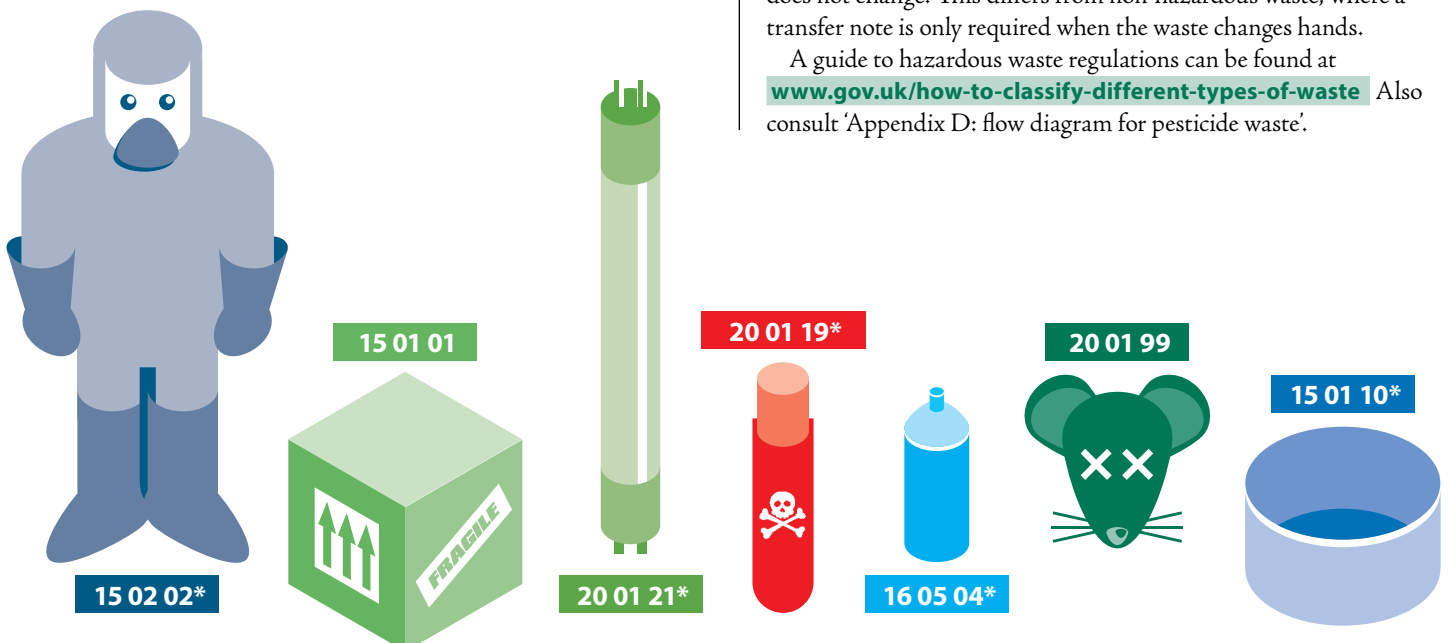
Municipal wastes

- 20 01 19* **pesticides**
- 20 01 21* **fluorescent tubes and other mercury-containing waste**

Any code accompanied with an asterisk * is hazardous.

Please note this is not an exhaustive list. A full list of waste codes is available from Technical Guidance WM2 – Interpretation of the definition and classification of hazardous waste (3rd edition, August 2013).

www.gov.uk/how-to-classify-different-types-of-waste



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Transfer notes

When you give your non-hazardous waste to someone else, your 'Duty of Care' requires you to complete a transfer note. A transfer note gives the receiver of the waste a description of what they are receiving for movement and/or disposal, and must be signed by both the producer and the receiver. Copies of transfer notes must be retained for two years. A transfer note template accompanies this document in Appendix A. Transfer notes can be in paper or electronic format, but must contain certain information.

A declaration is required on waste transfer notes and on hazardous waste consignment notes confirming that the waste producer has taken into account the requirements of the waste hierarchy and the relevant government guidance.

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Hazardous waste

Hazardous waste is waste that contains hazardous properties which have the potential to cause greater harm to the environment and human health than non-hazardous waste. As a result, strict controls apply from the point of its production, to its movement, management, and recovery or disposal.

Movement of hazardous waste differs from the movement of non-hazardous waste. The movement of hazardous waste must have a corresponding consignment note. Consignment notes must accompany hazardous waste when:

- Hazardous waste is moved from any commercial premise (not domestic)
- Hazardous waste is moved between two premises belonging to the same company
- Hazardous waste is moved from a commercial customer's premises being serviced by a service business (e.g. pest control, washroom services, air conditioning etc.)

A consignment note is required even if the ownership of the waste does not change. This differs from non-hazardous waste, where a transfer note is only required when the waste changes hands.

A guide to hazardous waste regulations can be found at www.gov.uk/how-to-classify-different-types-of-waste. Also consult 'Appendix D: flow diagram for pesticide waste'.

Hazardous pest control waste

The UK's regulatory bodies advise that the correct List of Wastes code for waste such as spent rodenticide is 20-01-19*, from Chapter 20 'Municipal Wastes and Similar Commercial, Industrial and Institutional Wastes Including Separately Collected Fractions'.

Code 20-01-19* is applicable for waste from 'Biocides, Fungicides, Herbicides, Pesticides'. Code 20-01-19* is an absolute entry. This means that any waste created coded 20-01-19* will always be hazardous waste, so you do not have to assess the levels of dangerous substances in the waste. It must be handled and treated as hazardous waste. Every movement of that waste, from the customer's premise to the final point of disposal must be accompanied with a consignment note.

Hazardous waste does not require consigning when it is being removed from a domestic property. The first consignment will take place when the waste is moved from your store to the waste contractor.

In England and Wales hazardous pesticide waste must be consigned if it is collected from the commercial customer's site (not a domestic premises). However, if the waste is the property of the pest control contractor, there is no requirement to leave a copy of the consignment note – you only leave a copy when the hazardous waste changes ownership. This means an electronic system can be used to record the A to B movement of waste (from customer's site to the pest control depot).

In Scotland any pest control waste deemed to be special waste i.e. hazardous waste must be managed in accordance with the Special Waste Regulations 1996 (as amended). Guidance on how to consign special waste can be found at www.sepa.org.uk/waste/waste_regulation/special_waste.aspx

In Northern Ireland any pest control deemed to be hazardous waste must be managed in accordance with the Hazardous Waste Regulations (Northern Ireland) 2005 (as amended). Guidance on how to consign hazardous waste can be found at www.doeni.gov.uk/niea/waste-home/regulation/regulations_hw.htm This contains details of the fees and charges involved and the procedures to be followed.

If you receive hazardous waste at your premises, such as when spent rodenticide is brought back from a commercial customer's site, (an A to B consignment), you are a consignee. In England and Wales consignees must submit quarterly consignee returns to the Environment Agency, listing all the consignments received (every movement of spent rodenticides and pesticides made from your customer's sites).

In England you must pay the Environment Agency a fee on a quarterly basis for each consignment – £10 per single consignment, £5 per multiple consignment. Wales is bringing in its own charging structure from 2015. Returns should be submitted in April, July, October and January for the preceding quarter. This fee is replaced in some cases with a quarterly £10 fee – please refer to 'Section 9 Regulatory position statement'.

When your organisation makes its first consignee return, your company will appear on the Environment Agency database. If you fail to complete any future returns this will flag with the Environment Agency who will likely contact you, and if they believe an offence may have been committed, an investigation may be instigated. Always submit a nil return if no waste has been generated. N.b. registration as a lower tier waste carrier does not result in your company appearing on the consignee return database.

Pest species bodies (carcasses) do not need to be classified as hazardous waste because they are usually classified as 20 01 99, a non-hazardous entry. This classification applies unless a disease

outbreak has been caused, when the Animal By-products Regulations may apply, though this is rare.

Care must be taken over carcass disposal to prevent the accidental ingestion of biocides by non-target species. Speak to your local regulatory body, trade association, waste carrier or supplier for further advice.

Regulatory position statement (RPS)

In England and Wales the environment agencies do not have the power to change the law, however they have some flexibility with regard to enforcing the requirement to submit detailed consignee returns. This is done through a Regulatory Position Statement, where it can be demonstrated that there will be no additional environmental harm and the cost of full compliance might otherwise be prohibitive.

This is known as a derogation, and while it reduces the cost burden of consigning waste, consignment notes are still legally required for every movement of the waste. The derogation allows the waste consignee to pay a fee of £10 a quarter for all related wastes movement covered by the derogation, avoiding a charge for every single movement of the waste.

Based on work led by the British Pest Control Association, the Environment Agency has agreed to include 20 01 19* municipal pesticides under this regulatory position statement. This advice has been supported by the Executive Board of the British Pest Control Association.

The derogation for municipal pesticides only applies to the first movement of the waste (A to B from the customer's site to your pest control store) Subsequent movements (B to C, pest control store to waste contractor/distributor) require full line-by-line (£10 charge per line) reporting to the EA on the returns sheets by the consignee.

The movement of hazardous waste from domestic premises does not require consignment notes and a removal of pesticide waste from such a site is not considered a 'movement' under the EA 'returns' reporting system. The first consignment is from the pest controller's store.

Derogation will only apply if the consignment is reported properly. If you do not consign then the full return must be made, and a charge of £10 per movement will be made. Natural Resources Wales will be required to adopt this Environment Agency position for Wales.

Waste producers in Scotland are advised to refer to the SEPA website for guidance on how to consign their special waste www.sepa.org.uk/waste/waste_regulation/special_waste.aspx

Waste producers in Northern Ireland are advised to refer to the NIEA website for guidance on how to consign their hazardous waste www.doeni.gov.uk/niea/waste-home/regulation/regulations_hw.htm

Both these countries operate slightly different systems, where notification is usually given to the authorities before hazardous (or special) waste is moved. There is no requirement to give these authorities consignee returns.

Storing hazardous waste

If you intend to store hazardous waste such as spent rodenticide at your store, even for a short period of time, you must:

- Ensure that it is stored safely and securely to prevent pollution
- Ensure that it is packaged and labelled correctly
- Keep different types of hazardous waste separate
- Keep hazardous and non-hazardous waste separate
- Keep liquid hazardous waste in a dedicated area, with a bund or barrier to contain spills and leaks
- Regularly check storage areas for leaks, deteriorating containers or other potential risks
- Display written instructions for storing and disposing of each type of hazardous waste
- Maintain an inventory of the hazardous wastes kept on your premises, and where they are stored - this will help the emergency services to deal with any incident effectively and safely.

www.gov.uk/government/uploads/system/uploads/attachment_data/file/69353/pb13569-wfd-guidance-091001.pdf

Registering as a hazardous waste producer

In England and Wales, if the sites you visit produce more than 500kg of hazardous waste in any 12 month period, they must be registered as a hazardous waste producer. They will have a unique registration number for their site, and this must be renewed on an annual basis. If your customer produces less than 500kg of hazardous waste, there is no need for them to register. However, if you produced more than 500kg of hazardous waste at your customer's site in any 12 month period, you would need to register the premises, although we would expect this to be extremely rare. As a service provider you may be able to operate under the mobile service provisions of the Regulations.

www.naturalresourceswales.gov.uk/content/docs/pdfs/apply-and-buy/waste-permitting/HWR07-mobile-services-a-guide-to-the-hazardous-waste-regulations.pdf?lang=en

The four home countries

Different legislation and costs may apply in each of the four home countries. Further details on waste legislation can be found via:

Environment Agency 03708 506 506

www.environment-agency.gov.uk

Northern Ireland Environment Agency

Hazardous Waste Team 028 9056 9710

www.doeni.gov.uk/niea/waste-home/regulation/regulations_hw/further_information.htm

Scottish Environment Protection Agency 01786 457700

www.sepa.org.uk/waste/waste_regulation/special_waste.aspx

Natural Resources Wales 0300 065 3000

www.naturalresourceswales.gov.uk

Further reading

EA Hazardous waste pages

www.gov.uk/dispose-hazardous-waste

DEFRA waste hierarchy guidance

www.gov.uk/government/publications/guidance-on-applying-the-waste-hierarchy-to-hazardous-waste

Legal definition of waste

www.gov.uk/government/publications/legal-definition-of-waste-guidance

Appendix A: transfer note template

Duty of care: waste transfer note Keep this page and copy it for future use. Please write as clearly as possible.

Section A – Description of waste

A1 Description of the waste being transferred

 List of Waste Regulations code(s)

A2 How is the waste contained?
 Loose Sacks Skip Drum
 Other _____

A3 How much waste? For example, number of sacks, weight

Section B – Current holder of the waste – Transferor

By signing in Section D below I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011 Yes

B1 Full name

 Company name and address

 Postcode _____ SIC code (2007) _____

B2 Name of your unitary authority or council

B3 Are you:
 The producer of the waste?
 The importer of the waste?
 The local authority?
 The holder of an environmental permit?
 Permit number _____
 Issued by _____
 Registered waste exemption?
 Details, including registration number

 A registered waste carrier, broker or dealer?
 Registration number _____
 Details (are you a carrier, broker or dealer?)

Section C – Person collecting the waste – Transferee

C1 Full name

 Company name and address

 Postcode _____

C2 Are you:
 The local authority?

C3 Are you:
 The holder of an environmental permit?
 Permit number _____
 Issued by _____
 Registered waste exemption?
 Details, including registration number

 A registered waste carrier, broker or dealer?
 Registration number _____
 Details (are you a carrier, broker or dealer?)

Section D – The transfer

D1 Address of transfer or collection point

 Postcode _____
 Date of transfer (DD/MM/YYYY) _____

D2 Broker or dealer who arranged this transfer (if applicable)

 Postcode _____
 Registration number _____
 Time(s) _____

Transferor's signature _____
 Name _____
 Representing _____

Transferee's signature _____
 Name _____
 Representing _____

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The UK Government edoc programme provides a safe and secure method of storing your waste transfer records. They are stored for the full 2 years required by law – or longer if you need them – and you have instant access through smart search and reporting functions that can transform your data into valuable information to support your business needs.

edoc is a voluntary system. It is not mandatory to use it. You can


fulfil your legal duty of care for waste in other ways, for example by continuing to use paper waste transfer notes, but edoc offers a simple and efficient system with added value.

edoc does not allow you to record hazardous waste consignments. It is a standalone system and is not integrated with waste permit or licence databases. You are responsible for ensuring that any business to which you transfer waste is appropriately authorised to accept it.

Appendix B: hazardous waste consignment note template

Form HWCN01v111

**The Hazardous Waste Regulations 2005:
Consignment Note**

 Environment Agency
(Delete as appropriate)

PRODUCER'S/HOLDER'S/CONSIGNOR'S COPY

PART A Notification details

1 Consignment note code:
 2 The waste described below is to be removed from (name, address, postcode, telephone, e-mail, facsimile):
 3 Premises code (where applicable):
 4 The waste will be taken to (name, address and postcode):
 5 The waste producer was (if different from 2) (name, address, postcode, telephone, e-mail, facsimile):

PART B Description of the waste If continuation sheet used, tick here

1 The process giving rise to the waste(s) was: PEST CONTROL 2 SIC for the process giving rise to the waste: 74.7013

3 WASTE DETAILS (where more than one waste type is collected all of the information given below must be completed for each EWC identified)

Description of waste	List of wastes (EWC code)(6 digits)	Quantity (kg)	The chemical/biological components in the waste and their concentrations are:		Physical form (gas, liquid, solid, powder, sludge or mixed)	Hazard code(s)	Container type, number and size
			Component	Concentration (% or mg/kg)			
<u>SPENT RODENTICIDE BAIT</u>	<u>200119</u>	<u>0.1</u>	<u>PESTICIDE</u>	<u>0.005%</u>	<u>SOLID</u>	<u>NA</u>	
<u>EMPTY AEROSOL CONTAINERS</u>	<u>160504</u>	<u>0.2</u>	<u>SOLVENT</u>	<u>7%</u>	<u>SOLID</u>	<u>H3A</u>	

The information given below is to be completed for each EWC identified

EWC code	UN identification number(s)	Proper shipping name(s)	UN class(es)	Packing group(s)	Special handling requirements
<u>200119</u>	<u>NA</u>	<u>RODENTICIDE</u>	<u>NO CLASS</u>	<u>N/A</u>	<u>NONE</u>
<u>160504</u>	<u>1950</u>	<u>AEROSOLS</u>	<u>2</u>	<u>N/A</u>	

PART C Carrier's certificate **PART D Consignor's certificate**

(If more than one carrier is used, please attach schedule for subsequent carriers. If schedule of carriers is attached tick here.)

I certify that I today collected the consignment and that the details in A2, A4 and B3 are correct and I have been advised of any specific handling requirements.
 Where this note comprises part of a multiple collection the round number and collection number are:

1 Carrier name:
On behalf of (name, address, postcode, telephone, e-mail, facsimile):

 2 Carrier registration no./reason for exemption:

 3 Vehicle registration no. (or mode of transport, if not road):

 Signature:
 Date: Time:

I certify that the information in A, B and C has been completed and is correct, that the carrier is registered or exempt and was advised of the appropriate precautionary measures. All of the waste is packaged and labelled correctly and the carrier has been advised of any special handling requirements.
 I confirm that I have fulfilled my duty to apply the waste hierarchy as required by Regulation 12 of the Waste (England and Wales) Regulations 2011.
 1 Consignor name:
On behalf of (name, address, postcode, telephone, e-mail, facsimile):

 Signature:
 Date: Time:

PART E Consignee's certificate (where more than one waste type is collected all of the information given below must be completed for each EWC)

Individual EWC code(s) received	Quantity of each EWC code received (kg)	EWC code accepted/rejected	Waste management operation (R or D code)

1 I received this waste at the address given in A4 on: Date: Time:
 2 Vehicle registration no. (or mode of transport if not road):
Name:
On behalf of (name, address, postcode, telephone, e-mail, facsimile):
 3 Where waste is rejected please provide details:

 I certify that waste permit/exempt waste operation number:

 authorises the management of the waste described in B at the address given in A4.
 Where the consignment forms part of a multiple collection, as identified in Part C, I certify that the total number of consignments forming the collection are:
 Signature:
 Date: Time:

HWCN01v111

Consignee returns must be completed and submitted every quarter:

- January-March – by 30 April
- April-June – by 31 July
- July-September – by 31 October
- October-December – by 31 January.

Even if you do not handle any waste during a quarter, you should submit a nil return.

Appendix C: waste hierarchy policy template

Waste hierarchy policy

[Company name] and our pest control employees recognise our responsibilities regarding the creation and movement of both hazardous and non-hazardous waste. We are committed to the safe and legal management of any waste that we create as part of our daily work routines.

Hierarchy of waste

[Company name] understands the requirements of the hierarchy of waste and we strive to ensure that the actual creation of waste is the final option whenever we carry out a service visit. Wherever possible and lawful, our organisation will re-use our products and equipment, rather than dispose of them as waste.

Waste pesticides and pesticide that can be re-used will be clearly labelled and segregated in service vehicle and pesticide stores.

Hazardous waste

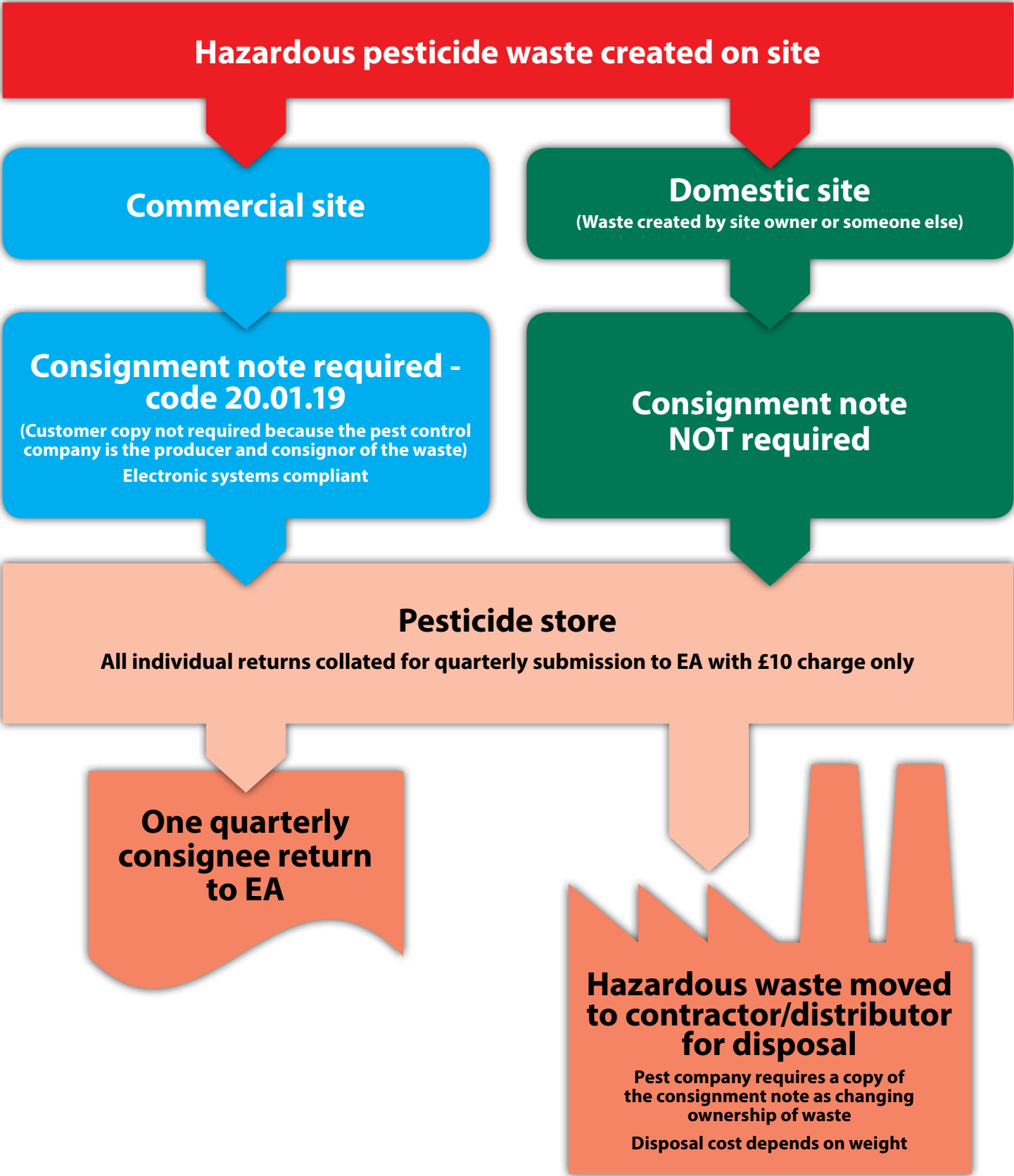
Hazardous waste is created by our regular work practices, we will ensure that such waste is correctly labelled and that a suitable consignment note accompanies the movement of the waste. All legal requirements regarding both hazardous and non-hazardous waste will be met by our organisation, and information and returns will be submitted to the [Environment Agency] at the appropriate frequency.

[Date]

[Signature]

[Company name]

Appendix D: flow diagram for pesticide waste





ABOUT BPCA

The British Pest Control Association (BPCA) is a not for profit organisation representing the interests and development of its members; those companies involved in public health pest control. Formed in 1942, BPCA is the lead body for the pest management industry within the UK. Our 600+ company members protect public health, property and the environment.



Produced by the British Pest Control Association with support from the Environment Agency for England.



The document has also been reviewed by

- The Scottish Environment Protection Agency
- The Northern Ireland Environment Agency
- Natural Resources Wales

This document will be reviewed by October 2015.

