

# Welcome to Packaging waste and Technical Guidance WM2

Hazardous Waste Team  
Environment Agency



# Objectives of today

To help you understand

- when packaging is waste
- What controls apply to hazardous waste
- when waste packaging is hazardous waste
- how we intend to regulate it

# When packaging is waste

Hazardous Waste Team  
Environment Agency



# Case by case approach

*‘.....whether or not a substance or object is waste must be determined on a case-by-case basis in the light of all the circumstances...’*

[www.defra.gov.uk](http://www.defra.gov.uk)

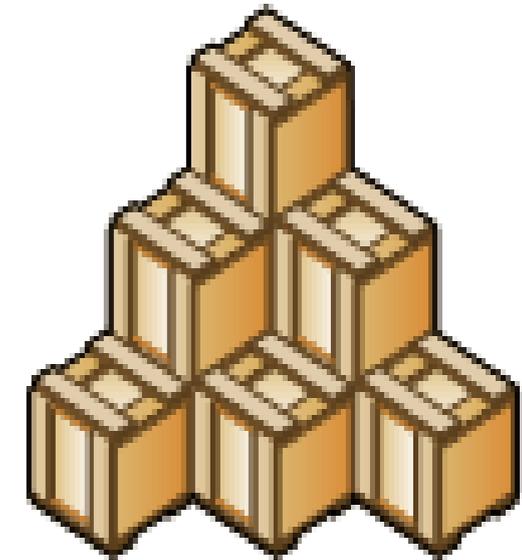
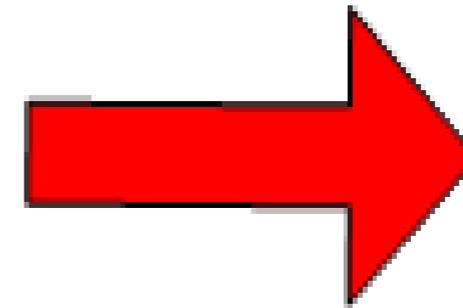
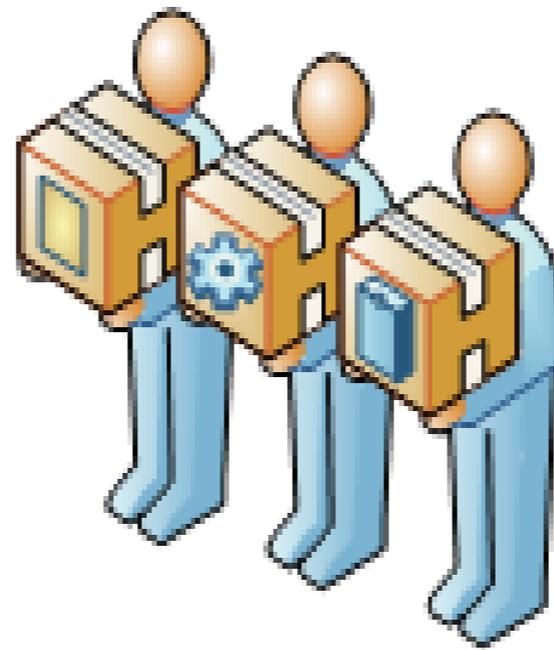
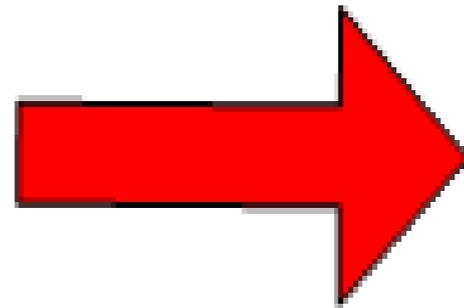
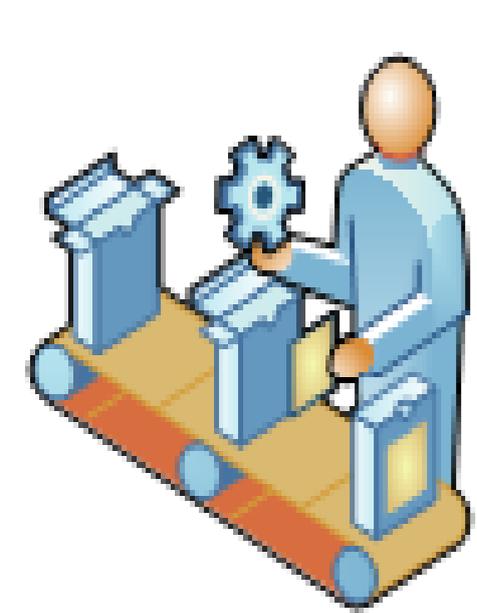
**Guidance on the legal definition of waste and its application**

Date: August 2012

# Packaging pathways

The following slides

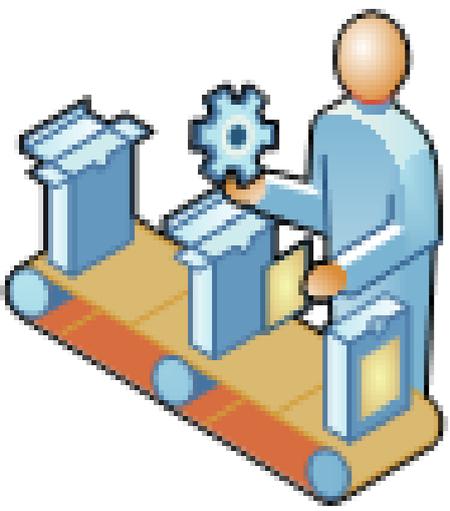
- illustrate the general principles of waste / non-waste pathways, and
- Provide a 'non-waste' example
- Discuss what is 're-use'



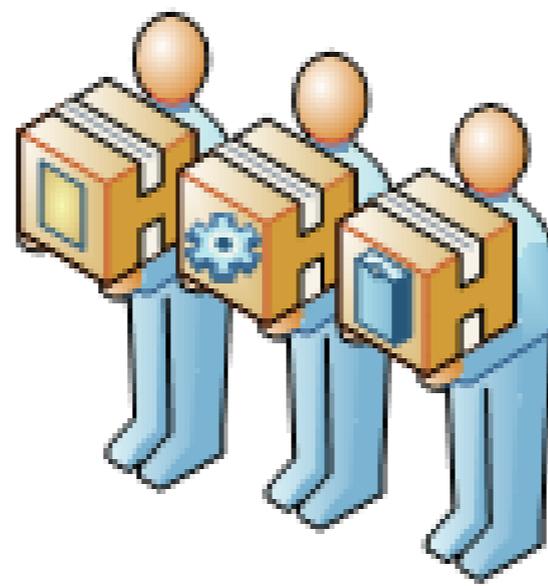
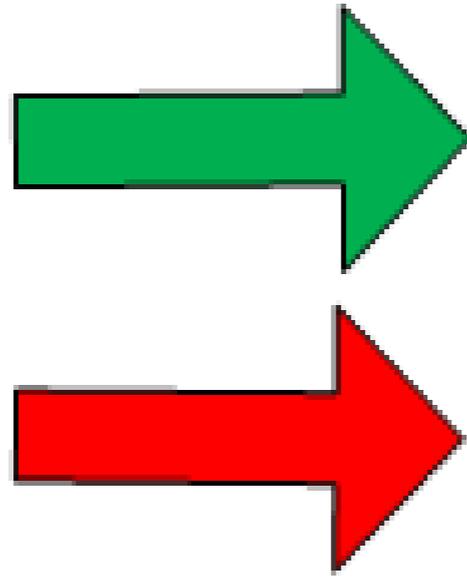
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Supplier

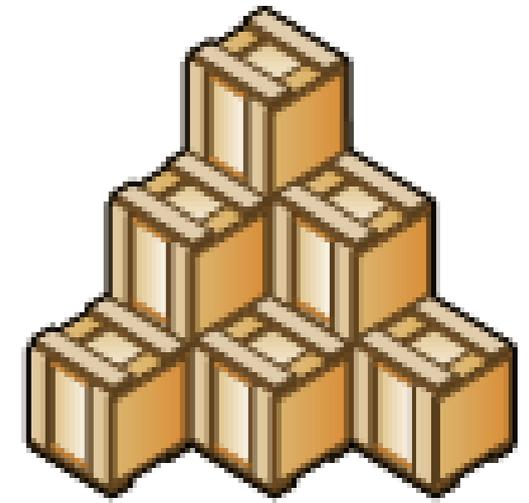
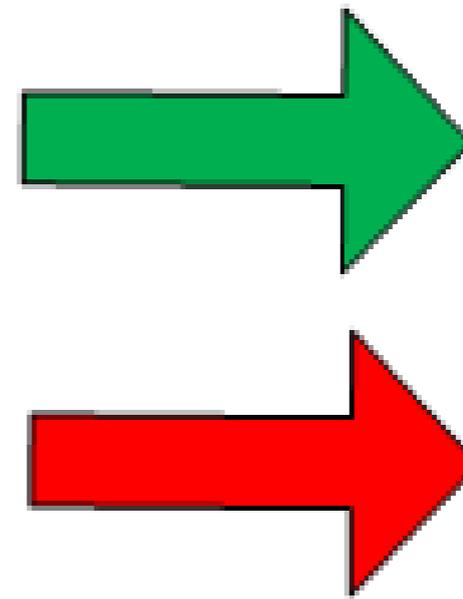
Waste Contractor



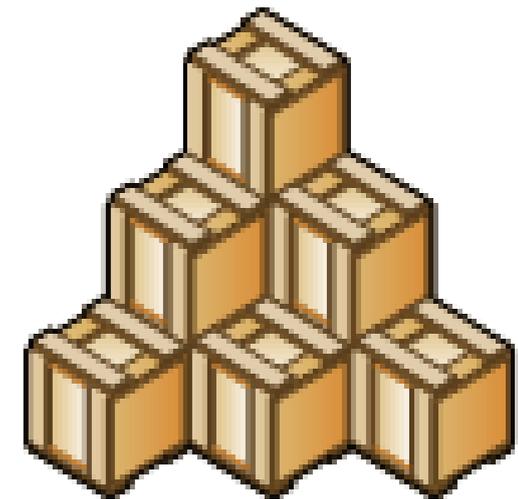
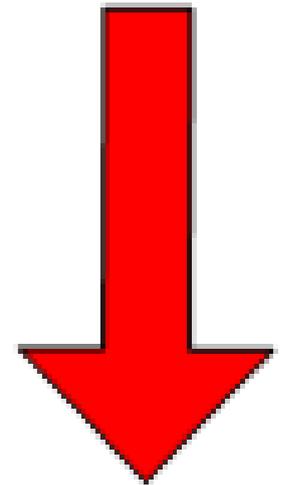
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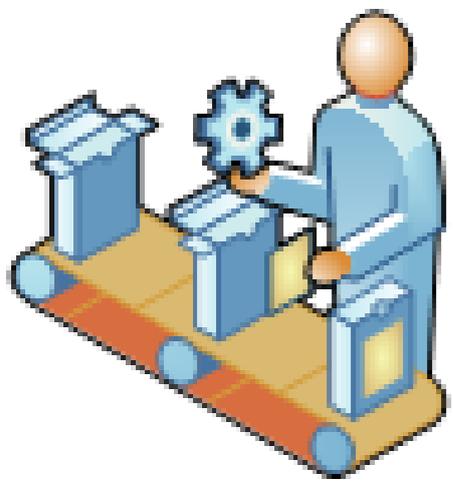
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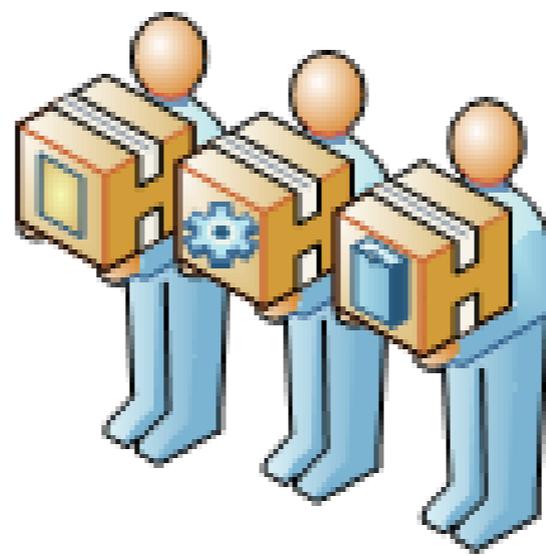
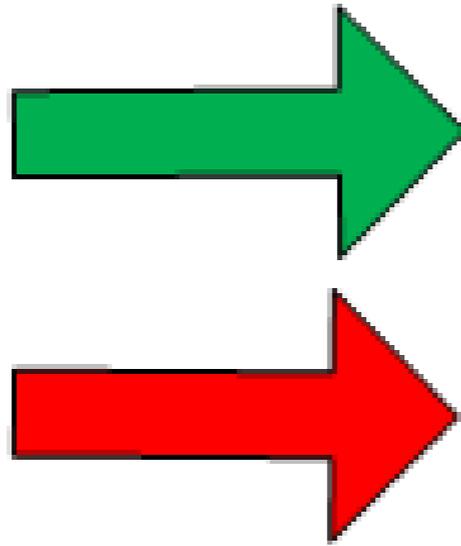
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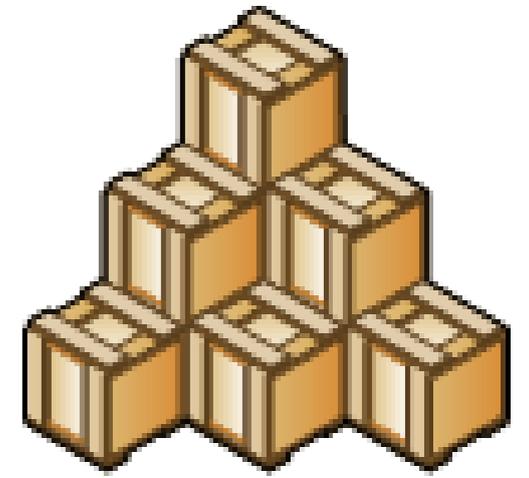
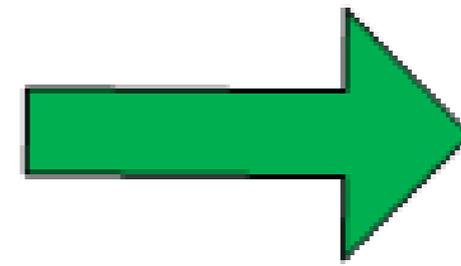
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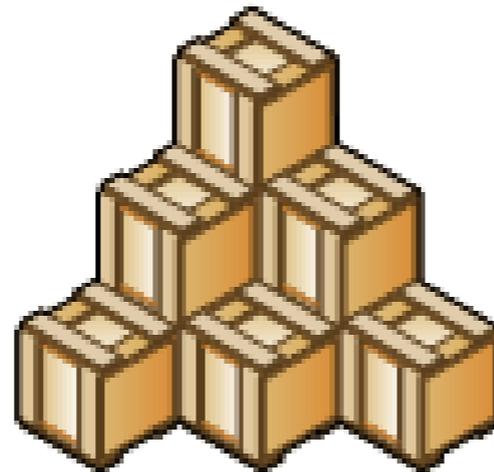
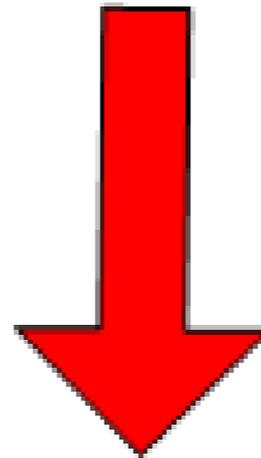
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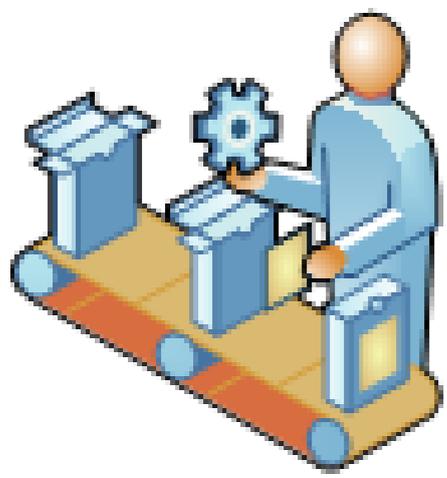
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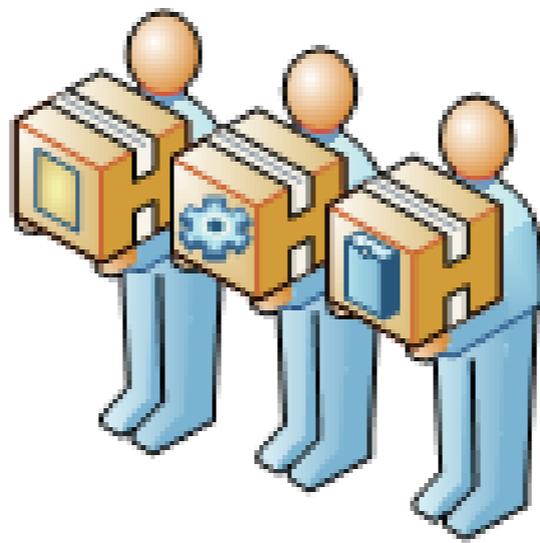
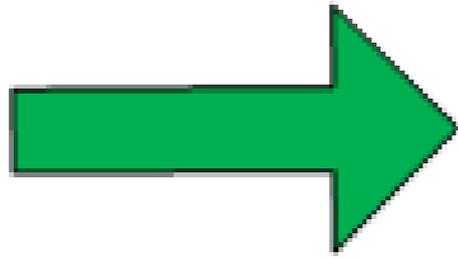
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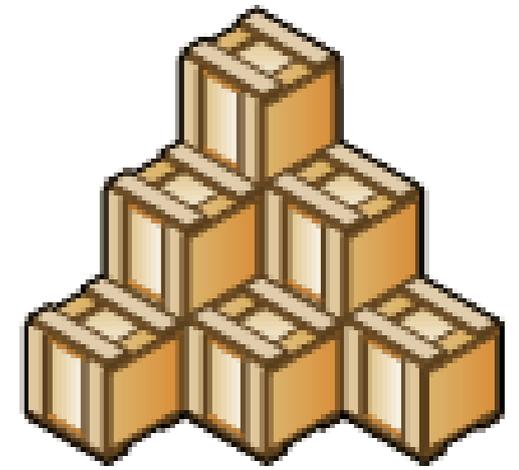
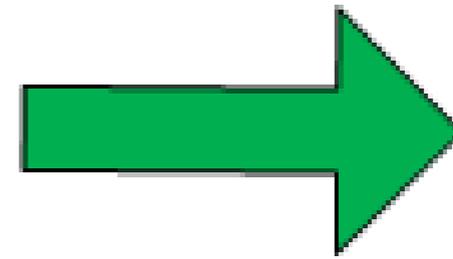
Waste Contractor



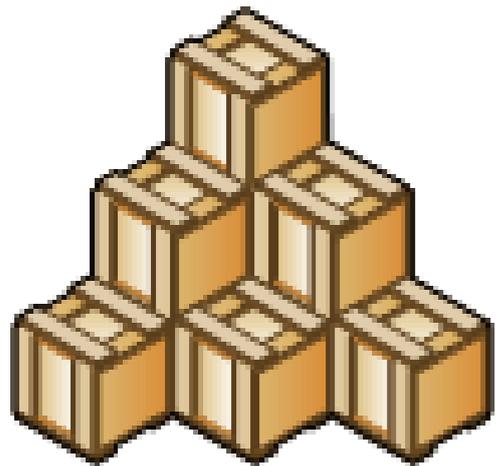
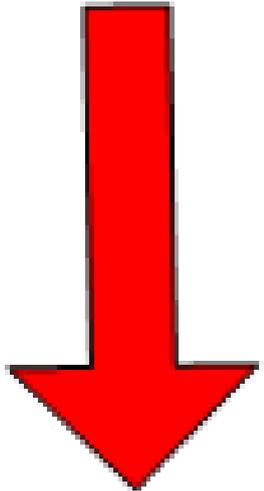
Customer



Supplier



Re-use Contractor



Waste Contractor

## A 'non waste' example - Producer

If:the container

- is designed and manufactured to be entirely reusable
- Is in a reusable state, and
- Is empty
- Has been separated from 'waste' containers for separate collection
- Has not been discarded and is destined for reuse

# Carrier

Checks that the container is

- designed and manufactured to be entirely reusable
- in a reusable state, and
- empty
- Has been separated from 'waste' containers for separate collection
- Has not been discarded and is destined for re-use

Removes only non-waste

Does not remove the waste

# Supplier

Checks that the container arriving is

- designed and manufactured to be entirely reusable
- in a reusable state, and
- Empty

Accepts only non-waste containers

(Rejects waste containers )

Non-waste containers are re-used

# Re-use

## Re-use

- Refilled
- 'simply' washed and re-used
- Very minor repairs

Can be at suppliers site or contractors site

Does not have to be re-use by the same supplier

## Re-use vs. Recovery

*“re-use’ means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived;”*

*‘A distinction should be made between re-use as a waste prevention operation and re-use following a recovery operation.’*

## Re-use vs. Recovery

*‘In the former, the substance or object in question never becomes waste because it is designed or used in such a way as to enable re-use. The classic example in the packaging context is a milk bottle. ‘*

## Re-use vs Recovery

- *In the other case, the object becomes waste but is then recovered in some way so that it can once again be used for the purpose for which it was conceived.*
- *In contrast to the milk bottle example, **used chemical drum containers are likely to require a recovery operation to remove contaminating material** and make the drum ready for use again*

## Preparing (a waste) for re-use

“preparing for re-use’ means

- checking,
- cleaning or
- repairing

recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing;”

# Re-use vs Recovery

## Re-use

- Simple washing and refilling
- Refilling without washing

## Recovery

- Treatments to remove chemical residues
- Remanufacturing (e.g. rebottling)

Questions ?

# When is packaging waste hazardous waste?

Hazardous Waste Team  
Environment Agency



# Criteria

In this presentation we will

- Summarise the old criteria
- Explain the new criteria

And

- Explain our conclusions

## Old Criteria (until March 31<sup>st</sup>)

If the package

- Is waste
- Is empty
- Contains residues
- And those residues are dangerous substances
- You must assess it to classify it.

An un-assessed package is hazardous waste.

## Old criteria (until March 31<sup>st</sup>)

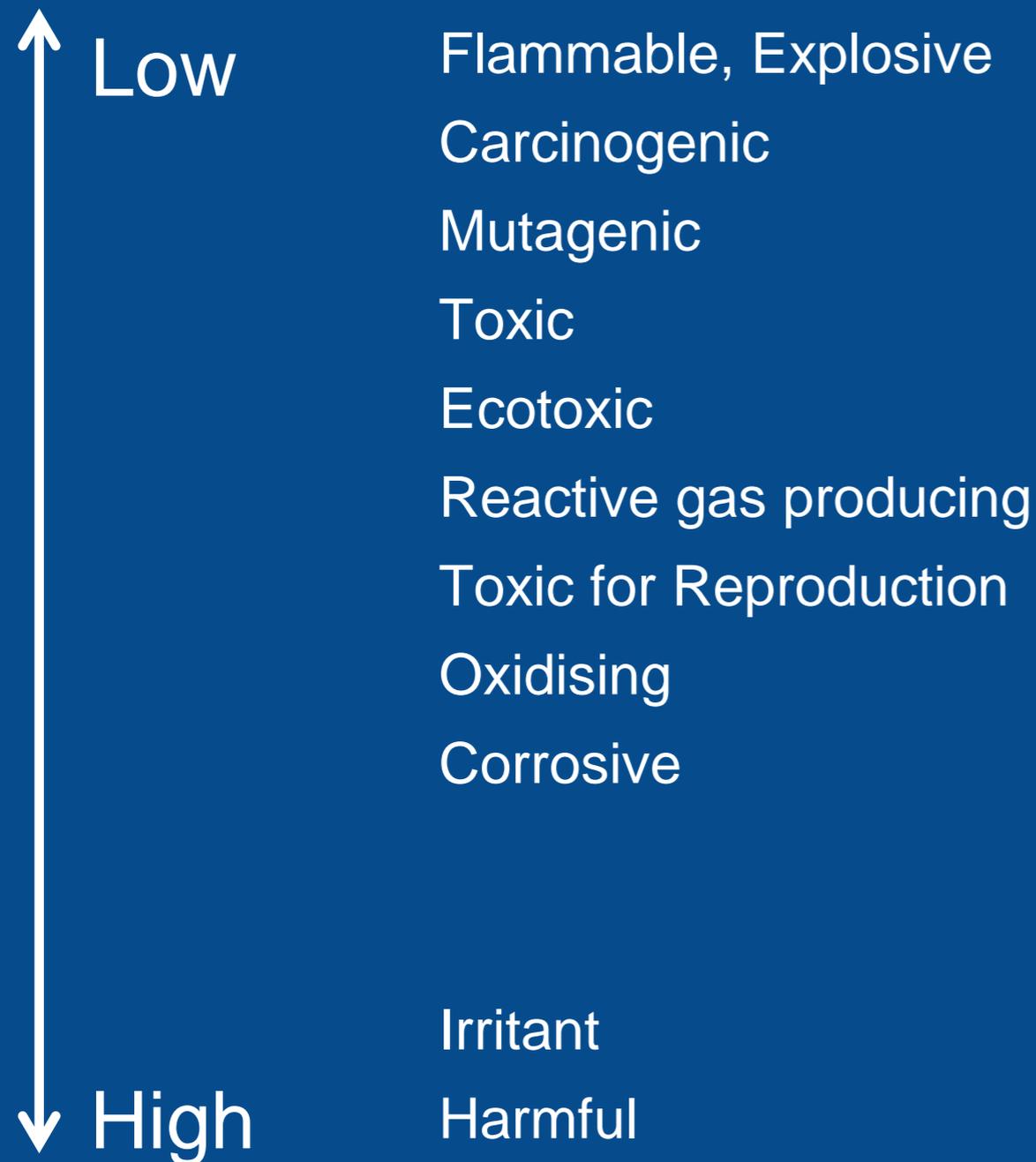
Assess each package and determine

- Total weight of package with residue (Y)
- Weight of dangerous substance in package (X)
- Express  $X/Y$  as % (Z)

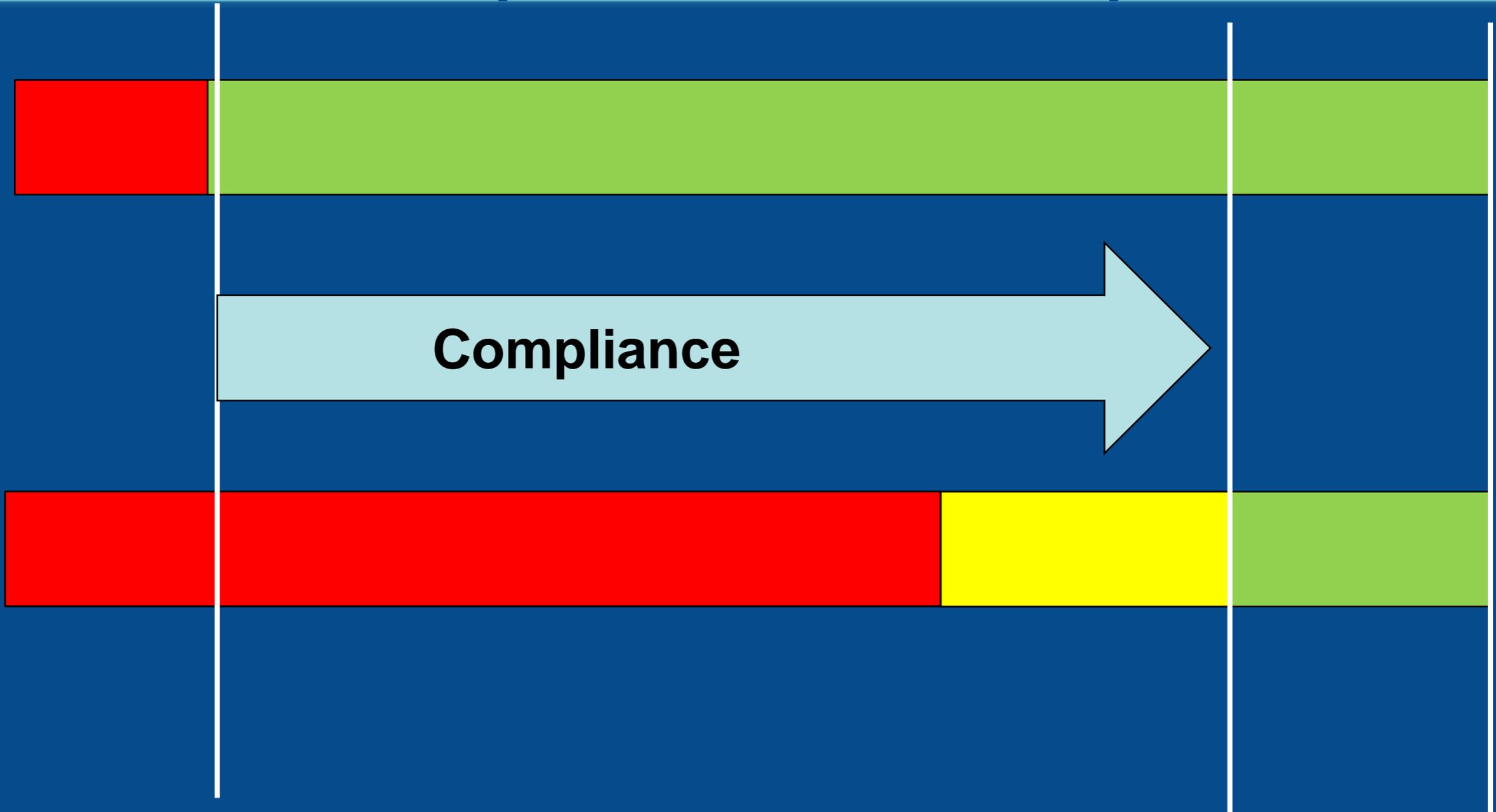
Identify

- Chemical risk phrases
- Thresholds for each risk phrase (A, B, C etc...)
- Compare Z to A, B, C
- Substance specific issues

# Thresholds (illustrative)

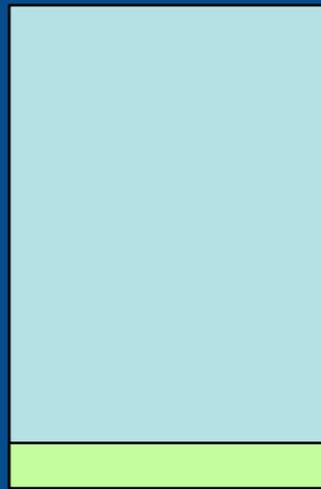
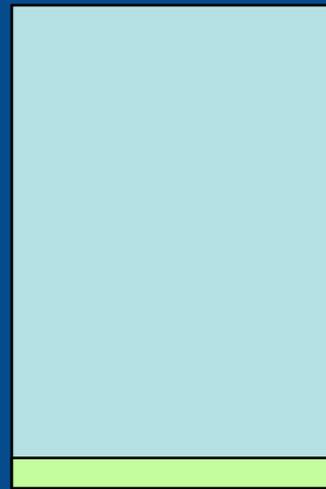
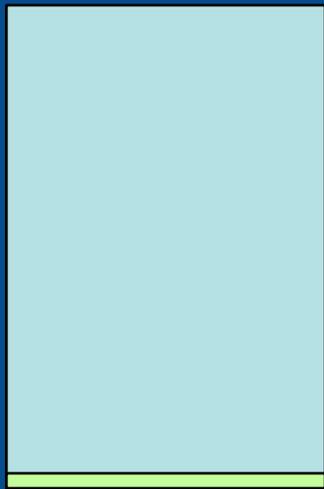


# Old Criteria (until March 31<sup>st</sup>)

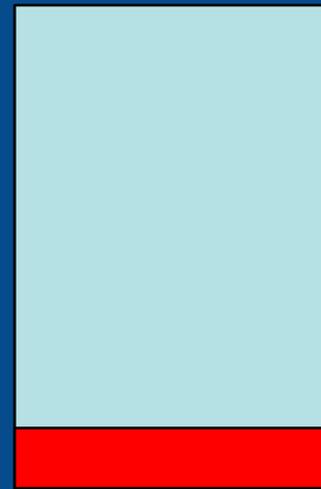


# Old Criteria (until March 31<sup>st</sup>)

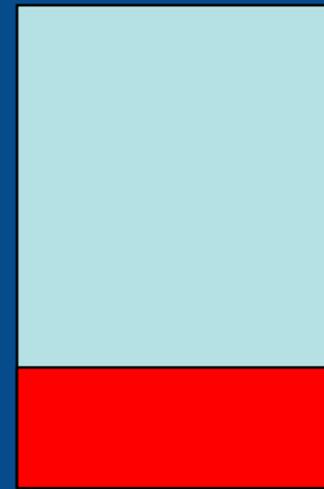
**Empty  
Non-haz**



**Empty  
Haz**



**Not Empty  
Haz**



# Least likely to be hazardous

## Hazardous Properties

- Irritant (some)
- Harmful

## Product form

- Powders
- Aqueous liquids

## Packaging type

- Easily emptiable

## Conclusions (old criteria)

With respect to packaging containing residues of dangerous substance we believe that

1. Packaging was often being assessed incorrectly or not at all
2. Invalid assessment criteria were sometimes being used

As a result much of the packaging waste was

4. incorrectly classified, and moved
5. At high risk of being taken to unauthorised sites

Therefore

6. 'compliance' is a major impact on the sector as a whole

## New criteria (from 1<sup>st</sup> April)

If the packaging

- Is not waste
- Contains no residues, or
- Those residues are not dangerous substances
- It cannot be hazardous waste (one caveat!)

If the waste is packaging that is not empty, classify and assess as contents

## New criteria (from 1<sup>st</sup> April)

If the packaging

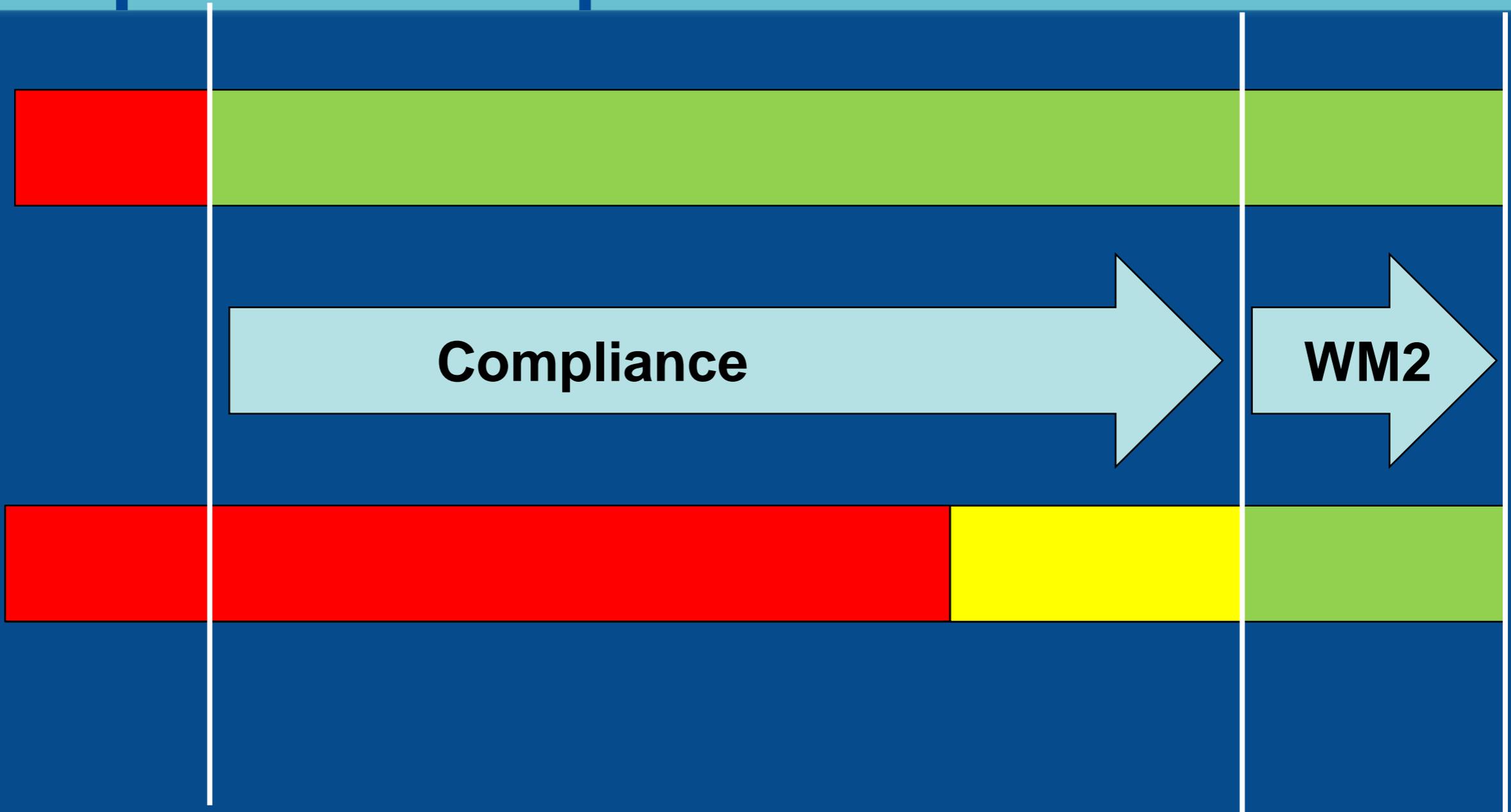
- Is waste
- Is empty
- Contains residues
- And those residues are dangerous substances
- It is hazardous waste

## Conclusions (new criteria)

1. Most hazardous under old criteria
2. Catches some additional material
3. Simpler and more practical
4. Minor impact relative to 'compliance'

April 1<sup>st</sup> new guidance goes live

# Impact of compliance and WM2



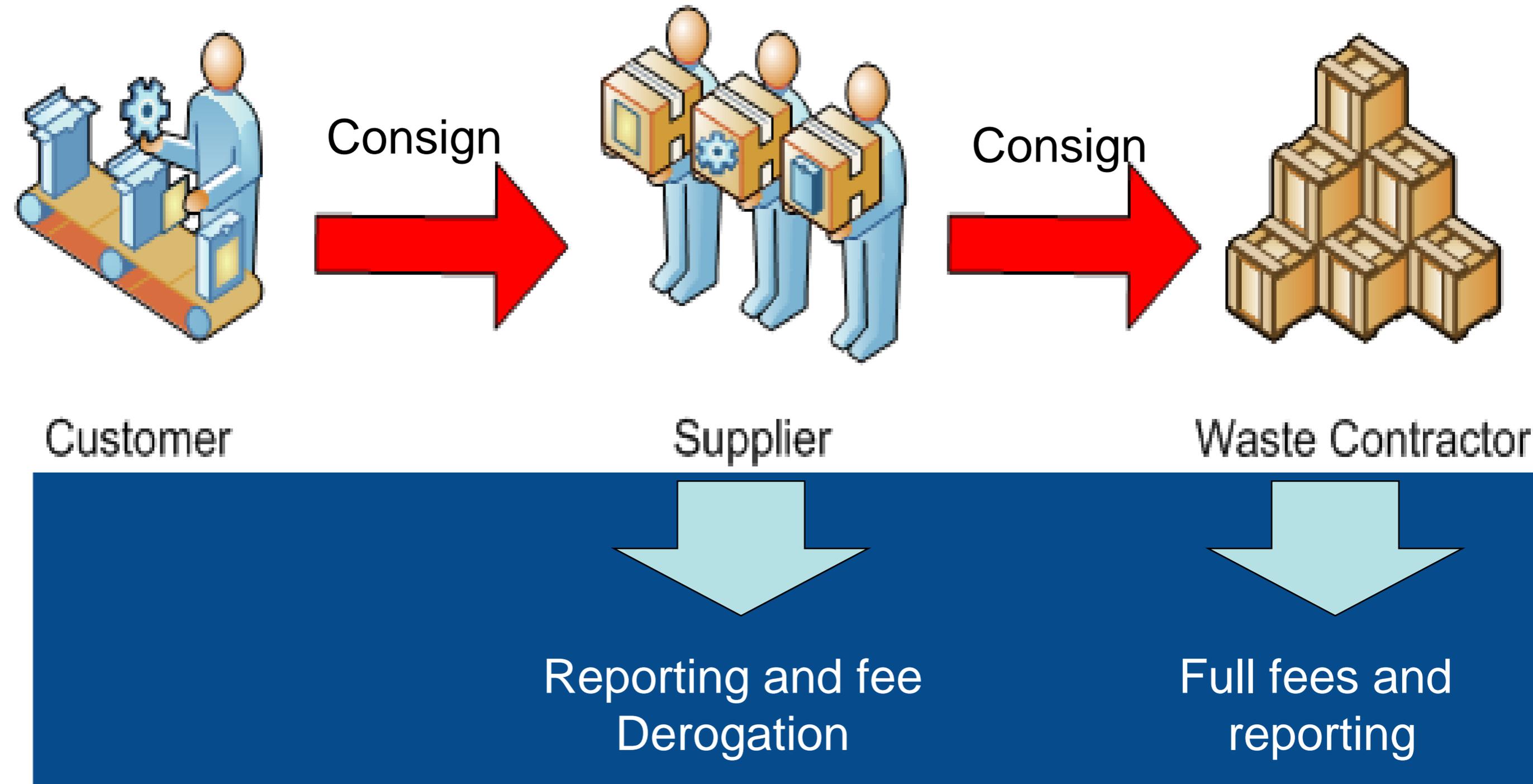
# Mitigation of Impact

The hazardous waste must be consigned.

If it is consigned we will provide a derogation

- For the first movement
- Reduces fees
- Reduces reporting burden

If it is not consigned, the full requirements apply.



Questions?