

Understanding your options and legal obligations when considering waste storage and collection for your business



Micro Business Fact Sheet: Waste Storage and Collection Options

All businesses that carry or transport their own waste must register with the Scottish Environment Protection Agency (SEPA)

All businesses that produce, carry, store, treat, recover or dispose of waste have a duty of care under the Environmental Protection (Duty of Care) Amendment (Scotland) Regulations 2003. This fact sheet explains what you must do to comply with the law and helps you choose the best approach for your own situation.

Storing your waste securely

If your waste is not stored securely and safely, and escapes causing harm to the environment, you could be prosecuted. To minimise the risk of legal action, the following points should be considered:

- use suitable containers and make sure they don't wear or corrode - this often occurs when waste is left outside in metal containers and exposed to the weather;
- use good handling practice to avoid accidental spilling or leaking; make sure the containers are weatherproof so wind can't break open the waste inside, allowing it to escape;
- properly contain waste to avoid it blowing away or falling out while being stored or transported; and
- keep it secure so it can't be scavenged by vandals, thieves or animals.



Transferring waste – keeping it legal'

All businesses, including charities and voluntary organisations, that carry or transport their own waste (e.g. to a waste contractor, scrap metal merchant, recycler, local council or skip hire company) must be on the Scottish Environment Protection Agency (SEPA) Register of Professional Collectors and Transporters of Waste. This type of registration is free and can be completed online. However, if you transport other people's waste, or you transport construction and demolition waste, you must register with SEPA as a waste carrier. See http://www.sepa.org.uk/waste/waste_regulation/waste_carriers_and_brokers/who_needs_to_register.aspx for more information.

When waste is transferred to another organisation, ensure they are authorised to accept it (i.e. it must be a registered waste carrier or broker). If you fail to check and the waste is disposed of illegally, you could be held responsible. You can do this by asking to see your waste carrier's **certificate of registration** or a certified copy of it. Whoever collects your waste should give you a document known as a waste transfer note (WTN) that describes the waste and its origin. Under the law, you must keep all waste transfer notes for at least **two years**. Where waste is uplifted routinely by the same contractor, you may be provided with a single WTN that covers a period of up to 12 months.

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There is no standard layout for a waste transfer note and many waste carriers produce their own versions. Waste transfer notes should be completed with the following information:

- a description of the waste:
 - written description of the waste (e.g. cardboard, confidential paper, mixed metal tins and cans);
 - any process that the waste has been through;
 - how the waste is contained or packaged (e.g. bags, plastic drums, skip);
 - the quantity of the waste (weight or volume) (e.g. 2 x 60 litre bags of waste, 1 x 9yd³ skip);
 - the appropriate European Waste Catalogue (EWC) code for the waste;
- the place, date and time of transfer;
- the name and address of both parties involved in the transfer (i.e. the producer and waste contractor);
- details of the permit, licence or exemption of the person receiving the waste (i.e. the waste contractor); and
- declaration that the waste hierarchy has been considered before disposing of the waste.

items to landfill. When transferring your waste, you are now required to make a declaration that you have considered the waste hierarchy.

What is special waste?

Waste that is harmful to human health or the environment is termed 'special waste'. This includes:

- lead acid batteries;
- fluorescent tubes;
- waste oils;
- discarded chemicals;
- electrical equipment containing hazardous components (e.g. cathode ray tube televisions); and
- asbestos.

Additional requirements apply to the storage and transfer of special waste. It must not be mixed with other types of special waste or other non-special wastes. In addition, SEPA must be given advance notice of between three working days and one month before special waste is moved. A consignment note must accompany each load of special waste transferred from your premises. The consignment note must be retained for at least **three years**. If the special waste is produced in Scotland you must buy consignment notes from SEPA. You can order consignment notes online on the [SEPA website](#).

Understanding and using the waste hierarchy

This classifies waste management options based on their desirability and helps you extract the maximum benefits from products. The higher up the waste hierarchy an option is, the better it is from an environmental perspective. For example, preventing waste by storing goods well so that they are not damaged before use or donating old office furniture for reuse is better than disposing of

The waste hierarchy



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Waste electrical and electronic equipment (WEEE)

Business users of electrical and electronic equipment (EEE), such as household appliances, IT equipment and power tools, have, under certain conditions, a free system in place for the disposal/treatment of the waste items.



EEE are described as 'historic WEEE' if they were manufactured on or before 13 August 2005 or 'non-historic' WEEE if they were manufactured after 13 August 2005. Non-historic WEEE are marked with a crossed-out wheeled-bin symbol with a bar underneath.

exemption from waste management licensing from SEPA. To establish whether you need a waste management licence or exemption contact SEPA. In some cases, no exemption is needed (e.g. if you store waste produced at your premises for fewer than 12 months, it is stored securely and it is removed regularly by an authorised waste carrier).

How to save money by storing your waste efficiently

Compacting or baling is good practice if you have a large amount of waste - many companies deal with cardboard in this way. This allows more material to be transported in one go, which could result in cost savings. Where you are segregating recyclable material, discuss with your waste contractor if the individual materials are suitable for compacting. You may need to register an exemption from waste management licensing before you can use your baler or compactor. SEPA will be able to provide further information.

For smaller amounts of waste, store your waste in secure containers such as wheeled bins or skips which can often be provided by your waste contractor. Filling containers in a manner that minimises void space will also help to store waste efficiently and can reduce the number of containers you need to rent.

If you have limited space to store your bins, you can buy space-saving containers so that the footprint required for the storage of recyclables and general waste is similar to that of the original general waste bin. Stackable containers can be used or slim bins. Examples are shown below.



Who is responsible for the costs of disposing of WEEE?

Type of equipment	Responsibility
Non-historic WEEE	The producer of the item or its compliance scheme* is responsible for the disposal costs unless there is an alternative agreement between the producer and end user
Historic WEEE that is replaced by EEE fulfilling an equivalent function (e.g. replacing an old fridge with a new one)	The producer or compliance scheme of the new item is responsible for the cost of disposing of the replaced product when the new one is supplied regardless of who the original supplier was
Historic WEEE that is not replaced by EEE fulfilling an equivalent function	The end user is responsible for the disposal cost of the redundant product

*Producer Compliance Schemes (PCS) arrange for WEEE to be collected and treated, recycled or reused on behalf of their members.

To facilitate ease of recycling/treatment of EEE at the end of its life, it is recommended that businesses record information about their EEE, including which items are classed as historic WEEE and details of the producer or their compliance scheme for non-historic WEEE.

Waste management licences and exemptions

In addition to complying with Duty of Care, some waste handling activities (e.g. treating or storing other people's waste, spreading waste on land or burning plant material) require a waste management licence or

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From 2013, the Zero Waste (Scotland) Regulations require businesses to separate glass, metal, plastic, paper, card and food.

Waste segregation

It is good practice to separate the different types of waste (e.g. paper, cardboard, metal) at your premises. This can increase the value of the waste to the waste contractor and save you money in disposal costs. An effective way of doing this is to label containment areas or bins for different materials (e.g. a colour-coding system could be used for quick identification). From 2013, the Zero Waste (Scotland) Regulations 2011 require businesses to separate glass, metal, plastic, paper, card and food. However, small businesses will have until 2015 to separate out food. Introducing segregation systems now will mean that you will be ahead of the game. In 2015, the non-domestic use of macerators and food waste disposal units will also be banned, which means that food waste cannot be discharged into the sewage system. Therefore, source-segregated collection will be required from areas where a food waste collection is available.



In some cases, it is not practicable to segregate your waste on site (e.g. due to the amount of waste generated). It may be better to use the off-site segregation services of a waste contractor. For example, mixed recycling streams (often termed 'commingled material') such as paper, cardboard, plastic and metal can be processed in a materials recovery facility where each of the components are separated for recycling.

Working with your waste contractor

It is recommended that you regularly review:

- the services which your waste contractor provides;

- what the services cost; and
- whether you still require them.

For example, if your cardboard is collected on a weekly basis, but the container is typically only half full, switching to a fortnightly collection may cut costs. If the waste you send to landfill contains a large amount of wood, it may be cheaper to segregate this stream for recycling. Remember you are not restricted to using traditional waste management companies: many community groups offer waste services, including services for more specialist waste streams such as used furniture. Contact the Community Resources Network Scotland (www.crns.org.uk/) for more information.

Segregating your waste streams may mean you can receive a free collection or income from that stream. It is worth determining the true value of your recyclable waste as this may make on-site segregation worthwhile and provide a significant revenue stream or cost saving. Visit www.letsrecycle.com/prices for information on the value of recyclable materials. You can also investigate your local market through discussions with neighbouring businesses or by contacting other waste companies.

Establishing the type of contract used by your waste contractor is also useful. There are two main types of contract – pay by weight or pay by volume. Pay by weight contracts are mostly used for large producers of waste and are as simple as the name suggests - the contractor weighs the waste as it is collected. The alternative is payment based on how many times a container is emptied.

Following a review of your current service, discuss your requirements with your waste contractor and highlight any changes that you require. By following the basic steps outlined above, you will have a clear idea of the service that you require. This will enable you to negotiate changes to your service and/or cost structure. Consideration should be given to seeking quotes from alternative contractors who may be able to provide the same or better service at a lower cost.

Further guidance on how to collaborate with your waste contractor can be obtained from the Zero Waste Scotland publication '[Working with your waste and recycling contractor](#)'.

Using local authority recycling centres

Local authority recycling centres are provided for householders to recycle and dispose of their waste. Businesses cannot use these facilities free of charge unless permission has been granted from the local authority. Some local authorities allow businesses to use these facilities through the use of a permit system or pay-as-you-throw system.



Exploring cooperative opportunities with your neighbours

You may have your premises serviced by a facilities management company (e.g. if you share a tenanted property with other organisations). In such cases, the facilities management company will normally provide/organise waste management services for the whole property. It is worthwhile to review these arrangements regularly to ensure that the waste services meet your requirements (e.g. can data/information be provided on the waste collected, could you opt out of the service?).

If you do not use a facilities management company, you may find that if there is a group of neighbouring businesses with similar waste streams, there is potential to negotiate a group discount if all businesses were to use the same waste contractor. Costs are closely linked to the distance collection vehicles travel between pick-ups. There may also be opportunities to share capital costs for making improvements (e.g. the purchase of a compactor or collecting recyclables in central storage containers to meet the minimum volume requirements). However, before embarking on joint operations, it is recommended that you seek advice from SEPA.

Further information

If you have a specific query or require more information on an area covered in this fact sheet, please visit www.zerowastescotland.org.uk or contact the free Helpline on **0808 100 2040**.

On Course for Zero Waste

Zero Waste Scotland offers a free online training course for Scottish small and medium-sized enterprises/organisations (SMEs) – On Course for Zero Waste. This training has been designed to give individuals the skills and tools they need to improve the resource efficiency and environmental performance of their organisation – and, of course, save money too. For more information visit <http://smetraining.zerowastescotland.org.uk/>



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