PCA Guidance Note: Waste Classification for Works in a Commercial Setting

Objectives:

The objective of this briefing note is to provide guidance to Property Care Association members on the requirements for classifying waste that is to be removed from a commercial site for disposal at landfill. It should be noted that this guidance does not discuss the requirements to satisfy HMRC in regard to which rate of landfill tax is applicable.

Legal Requirements:

Prior to waste soils being removed from a site, they are required to be characterised such that the correct waste disposal route can be selected. Although this classification will typically be undertaken by a Client's consultant/contractor, the legal responsibility is that of the Client as the waste producer. Those acting on behalf of the Client in characterising the waste must hold a waste brokers/carriers/dealers license issued by either the EA; NRW; SEPA; or NIEA irrespective of whether they handle, transport or receive the waste.

Waste Classification, Step 1:

Prior to undertaking soil sampling and laboratory analysis of waste arisings, basic characterisation of the waste is required i.e. what is the origin of the waste and what is the waste process producing it. This is crucial to characterising wastes and informs the decision as to whether laboratory analysis is required and, if so, what type of analysis. For example, waste arisings from a former gasworks site would have differing analysis from that of a former landfill. The site's history and current use will always be key to this first step towards waste classification. It should be noted if Step 1 determines that laboratory analysis is not required, agreement should be sought from the relevant environmental regulator.

Waste Classification, Step 2:

If there is a requirement to undertake soil sampling, Step 1 will provide sufficient information to determine the required sampling plan. If a PCA member is not experienced in undertaking a sampling plan they should seek professional advice. A sampling plan should consist of the following as a minimum:

- Sampling frequency (dependant on quantity of waste being produced and whether it is Homogeneous or Heterogeneous).

- Schedule of analysis (dependant on historical use of the site, waste type and on-site observations).

- Type of sampling containers required as this is dependent on nature of the potential contaminants and the laboratory analysis being undertaken.

One common misconception is that Waste Acceptance Criteria (WAC) testing is the means of classifying waste. It is not, and at no time should this methodology be used for classifying waste and no PCA member should present this methodology to their Clients. Further commentary on WAC Testing is provided in Step 4.

Waste Classification, Step 3:

Once the sampling plan has been determined representative samples of the waste requiring classification can be undertaken, scheduled for analysis and issued to a MCERTS/UKAS accredited laboratory. The laboratory should provide the necessary sampling materials, transfer boxes and ice packs to allow their registered waste carrier to collect the samples and keep them safe and at the required storage temperature prior to analysis. On completion of the analysis a report will be issued detailing the concentrations found for each analyte scheduled.

Interpretation of the analysis is then required to determine whether the wastes are inert; non-hazardous; or hazardous. It should be noted that terminology such as contaminated or uncontaminated are *not* waste classifications and this terminology should not be used when reporting to clients. Classifying the waste should be undertaken by an experienced practitioner to the latest version of WM3 as relatively simple values such as moisture content or pH may affect whether other analytes would be deemed hazardous or non-hazardous. Typically, software such as HazWaste Online are utilised in the production of detailed waste classification reports.

Waste Classification, Step 4:

Now the waste has been appropriately classified as inert; non-hazardous; or hazardous, the correct European Waste Code (EWC) can be attributed to the waste. Technical Guidance Note *Hazardous Waste: Interpretation of the definition and classification of hazardous waste (WM3)* produced by the UK's environmental regulators provides a definition for each EWC. Typically, PCA members will be required to use a code with the prefix 17 05 i.e. CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES). The final two digits in the code will then be determined by the type of soils; methodology employed; and hazardous nature of the material.

As the works involve the excavation of material containing organic matter it is unlikely that the waste will be deemed inert as such the waste is likely to be either hazardous or non-hazardous. If non-hazardous, sufficient information will have been gained at this stage to allow submission to the receiving landfill site to obtain quotes for the disposal of the waste.

If deemed as hazardous the waste will now require a WAC test to understand if the designated landfill site can receive the waste. The WAC test is used to characterise the leachate from the wastes that is likely to occur once placed in a landfill. Each landfill has an allowable limit of concentrations of leachate which is dependent on numerous factors including landfill construction and site sensitivity. The landfill will then be able to advise if they can receive the waste without pre-treatment and the cost of receiving the wastes. It should be noted that if the wastes were to be determined as inert a WAC test will also be required prior to landfilling. Only non-hazardous wastes do not require WAC testing.

This guidance is based on the Environment Agency's guidance note, reference EBPRI 11507B (2013), as such works within Wales, Scotland and Northern Ireland may vary.