

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

Hazardous Waste Management Strategy - 2004

INTRODUCTION

As demonstrated in its Municipal Waste Management Strategy, the Royal Borough of Kensington and Chelsea (the Council) wants to provide the best waste management services in London, and to be seen to be the “gold standard” against which other authorities measure themselves.

Although being primarily a residential area there is not a lot of hazardous waste produced in the Royal Borough, it is recognised that the volume of waste that must be treated as hazardous is growing and that any objectives for waste management must apply to hazardous waste too. This strategy for hazardous waste therefore describes just how the Council will manage the collection of hazardous wastes. The strategy sets out the Council’s aims, and specifies the priority objectives for this service.

CONTEXT: THE COUNCIL’S OBLIGATIONS RELATING TO HAZARDOUS WASTE

The Council is a waste collection authority. By virtue of section 45(1)(a) of the Environmental Protection Act (1990), a waste collection authority has a duty to arrange for the collection of household waste in its area except waste —

- (i) which is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably high, and
- (ii) as to which the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste

Put simply, the Council has a responsibility to manage hazardous municipal waste. Currently therefore, the Council:

- Arranges for the collection and disposal of household waste, which can include hazardous waste

- Provides collection facilities for some hazardous wastes, such as oil and paint
- Produces strategic waste management plans and administers the planning process for new waste facilities

WHAT IS HAZARDOUS WASTE?

The change in definition

New regulations have changed the definition of hazardous waste, meaning that the amount of hazardous waste produced is likely to grow. For example, TVs, fluorescent tubes and pesticides are now classified as hazardous waste.

However, due to the resultant increased costs the Council believes that waste producers will have a strong incentive to minimise the amount of hazardous waste produced as far as possible. The Environment Agency has produced a report aimed at both waste handlers and producers outlining the challenges faced in managing hazardous waste, 'Hazardous waste – a growing challenge'.

Definition and classification of hazardous waste

Hazardous waste is defined by reference to the 'European Waste Catalogue'. This provides a common definition for all countries in the EU, with waste being either 'Non-hazardous', an 'Absolute entry' or a 'Mirror entry':

- **Absolute entry** - Waste that is hazardous, regardless of its composition or concentration of 'dangerous substances'
- **Mirror entry** - Waste that could be hazardous or non-hazardous, depending on its actual composition and concentration of 'dangerous substances'.

However, if a hazardous component can be identified and removed, the remaining waste can then become non-hazardous, whilst the removed component remains hazardous. For example, when disposing of a TV, the cathode ray tube, a hazardous component, can be removed to make the TV an item of non-hazardous waste.

THE LANDFILL DIRECTIVE: IMPLICATIONS FOR THE COUNCIL

The Landfill Directive is designed to minimise the impact of landfill on the environment. Some resultant legislative changes have already been

made, whilst others are on the way. From 16 July 2004, the practice of co-disposal, whereby hazardous and non hazardous waste were disposed of in the same landfill, was banned completely. The regulations brought in on that date also require the pre-treatment of hazardous waste prior to landfill. The relevant domestic statute is the 'Landfill (England and Wales) Regulations 2002'.

Since this date, landfill site operators have been required to elect to operate either a hazardous waste landfill or a non-hazardous waste/inert waste landfill. There are now few sites that are permitted to continue to take hazardous waste (and they will be allowed to take *only* hazardous waste).

How is household waste affected?

With the exception of separately collected hazardous waste, municipal waste, even if mixed with some hazardous wastes produced domestically, is deemed non-hazardous waste and may be accepted at a non-hazardous landfill. Such wastes may be coded under the European Waste Catalogue (EWC) as 20 03 01 when describing wastes on transfer notes for the Duty of Care.

On occasions, hazardous waste from households is collected separately or deposited by members of the public at waste sites/ civic amenity sites. In such cases, it should be classified as a "separately collected fraction" of hazardous waste. Appropriate EWC codes should be used to describe the hazardous waste on consignment/transfer notes. Separate collection of hazardous waste from domestic properties would be welcomed, but there is no legal requirement for local authorities to separate municipal waste into hazardous and non-hazardous.

Further legislative changes

The Department for Environment, Food and Rural Affairs' (Defra) consultation on the new Hazardous Waste Regulations will provide further information on the provision of the new regulations, set to apply in 2005.

HAZARDOUS WASTE COLLECTION IN THE ROYAL BOROUGH

The Council uses a private contractor to collect municipal waste, including recyclable waste. The contract for recycling and waste collection is to be re-let from April 2005. The Municipal Waste Management Strategy's objectives are incorporated into the specification for the new recycling and waste collection contract.

The Council's current contractor collects around 90,000 tonnes of municipal waste each year. Around 60,000 tonnes of this waste is household waste. The remainder is commercial waste. The Council recycled 16.5% of household waste in 2003/04, and around 11% of municipal commercial waste. A significant quantity of commercial waste is currently collected by other contractors and is not disposed of by Western Riverside Waste Authority (WRWA).

The Council also uses a contractor for the collection of hazardous waste collected separately, whether from households or material fly tipped in a public space.

Main objectives

In its Municipal Waste Management Strategy, the Council has prioritised objectives for its waste management and cleansing services. In accordance with this, it is the Council's aim that the hazardous waste collection service should meet those objectives, namely:

Objective 3: The Council will collect waste efficiently, reliably, and with the least nuisance to residents and harm to the street scene and environment.

Objective 4: The Council will keep the Royal Borough's streets exceptionally clean and uncluttered.

Procedure

Currently, the Council has an arrangement with the Corporation of London whereby it is paid to collect hazardous waste on the Council's behalf.

The procedure for dealing with reports of hazardous waste depends on the circumstances, with there being two possible scenarios. The procedures for these can be found below on page 4.

Scenario A

Upon receipt of

- a report of hazardous waste where the nature of the waste is **KNOWN** *and* it is properly contained *and* is secure, e.g. a resident with a quantity of asbestos in their yard or a sealed drum of hydrochloric acid in their garden:
- ⇒ the officer receiving the call should telephone the Corporation of London's Hazardous Waste Hotline (HWH) on (020) 7332 3433
- ⇒ the HWH will require information as to who the collection is for, e.g. a private company, a resident or the RBKC in respect of fly tipping, and details of the exact location and nature of the waste. Private companies will be sent a collection request form to complete and return and will be recharged separately. The Corporation of London will then inform their appropriate contractor
- ⇒ three types of collection are available:
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| <i>standard</i> - | collection within 10 working days of receipt of request (or receipt of collection request form) |
| <i>urgent</i> - | collection as soon as practicable but not later than 17:30 on the third working day following notification to the contractor by the Corporation |
| <i>emergency</i> - | collection within the same day |
- ⇒ fly tipping incidents are treated differently to other requests. All collections are chargeable but incur different rates. Fly tips must therefore first be assessed to determine the urgency of the need for collection

Scenario B

Upon receipt of

- a report of hazardous waste where the nature of the waste is **UNKNOWN** *and/or* it is loose *and/or* is in the open, e.g. an unlabelled drum of liquid or a quantity of loose asbestos in any situation or a phial of mercury found on the highway

OR

- an out of hours receipt of a report of hazardous waste where the receiving officer is concerned about Health and Safety implications:
- ⇒ the receiving officer should notify the London Fire Brigade by ringing 999 and invoke the Emergency Cascade system
- ⇒ the Fire Brigade shall attend the scene assuming the worst with the deployment of 5 engines, an emergency tender and scientific unit and will close all approach roads. This process will take a minimum of 3 hours
- ⇒ Council officials should not approach the waste before the Fire Brigade have formally identified it and made it safe. The waste shall then be left with the responsible person (possibly a Council official) who should invoke the procedure described in Scenario A