

Decide how you will check whether waste has been treated. Options can include:

- an initial discussion with the waste producer or contractor about the nature of the waste and any contractual arrangements about treating it;
- checking the paperwork (including a declaration on treatment) with the load;
- initial visual inspection;
- inspection following deposit;
- carrying out an 'audit' of your customers' waste management arrangements.

We know it can sometimes be difficult to determine whether a waste load entering a landfill has been treated. This makes it good practice to get written confirmation that the waste has been treated either as part of the Duty of Care transfer note or a written declaration.

*Treatment of non hazardous waste for landfill*¹ provides an example form that your customers can use to declare what treatment has taken place. It is also good practice to keep a record of this declaration.

Flowchart of decisions – what should you do?



¹<http://publications.environment-agency.gov.uk/pdf/GEHO0207BLWJ-e-e.pdf>

Some Commonly Asked Questions

What is the purpose of treatment?

Treatment is intended to encourage us to recycle more and reduce the impact of the waste that continues to be landfilled.

What does 'treatment' mean?

The legal definition of treatment requires three things (the 'three-point test'):

1. It must be a physical, thermal, chemical or biological process including sorting.
2. It must change the characteristics of the waste.
3. It must do so in order to:
 - (a) reduce its volume, or
 - (b) reduce its hazardous nature, or
 - (c) facilitate its handling, or
 - (d) enhance its recovery.

Are there any exceptions?

There are very limited exceptions:

- for inert wastes, if treatment is not technically possible;
- for other wastes, if that treatment would not reduce the quantity or the hazards that it poses to human health or the environment.

We believe that treatment options exist for the vast majority of wastes.

Is source segregation an acceptable treatment option?

Segregation is equivalent to sorting. Both are acceptable treatments, provided that a reasonable amount of the sorted or separated materials are not sent to landfill. Treating or recovering some of the waste is necessary to reduce the volume landfilled or enhance recovery. It can be difficult for you to check whether some material has been separated before you receive it, so we suggest you ask for a written declaration from your customers.

Is compaction a treatment?

No, a squashed cardboard box has the same potential for impact on health or the environment as a cardboard box.

As a landfill operator, what checks are needed for municipal solid waste?

Municipal waste is waste that is controlled by waste disposal, waste collection and unitary authorities. This includes all household waste, some commercial waste and some industrial waste.

The Landfill Allowance Trading Scheme sets targets for the diversion of municipal waste away from landfill. Therefore, municipal waste is effectively treated waste and does not need further treatment before landfilling. This means landfill operators do not need to make checks on municipal waste.

How will the Environment Agency enforce the requirements?

We are concentrating our efforts on advising waste producers of the need to adapt their waste management practice, and pointing out the opportunities this presents to improve their environmental performance. For landfill operators our focus is on improving waste acceptance procedures to ensure that they are good enough to detect and deal with untreated wastes. We will not be looking for technical breaches at individual sites.

Where can I get more advice?

- Further advice can be found in *Treatment of non hazardous wastes for landfill*² and *Guidance for waste destined for disposal in landfills*.³
- Your trade association will be able to give you more advice on the options available for your business.
- Free government-supported environmental consultation, advice, and documentation for UK businesses is available from *Envirowise*.⁴
- Your Environment Agency Area office can advise on queries about your permit.
- Advice for businesses on complying with environmental legislation is provided by Netregs⁵

²<http://publications.environment-agency.gov.uk/pdf/GEHO0207BLWJ-e-e.pdf>

³http://www.environment-agency.gov.uk/commondata/acrobat/wacv2_1006008.pdf

⁴www.envirowise.gov.uk

⁵www.netregs.gov.uk