



BRA FACT FINDER Number 10

Recovered Refrigerants and Recycling under the Hazardous Waste Regulations

Relevant Regulations:

The Hazardous Waste (England & Wales) Regulations 2005
Special Waste (Scotland) Amendment Regulations 2004
Special Waste Regulations (Northern Ireland) 1998

The UK Hazardous Waste List based on the European Waste Catalogue now includes fluorocarbon refrigerants:

14. Waste Organic Solvents, Refrigerants and Propellants
14 06 01 chlorofluorocarbons, HCFC, HFC
Hazard Classification: H14 Ecotoxic

This requires compliance with the Regulations in England and Wales as from 16 July 2005.

Notification of Premises

Premises at which refrigerants will be recovered for recycling must be NOTIFIED to the Environment Agency (unless an exemption applies) and will be assigned a PREMISES CODE, to be used on Waste Consignment Notes, see details below:

- Refrigeration Contractors need to NOTIFY as they are operating a MOBILE SERVICE, to obtain a PREMISES CODE for their operational site or Registered Office, which will cover their operations at all service sites where <200 kg per year per site is likely to be recovered.
- Specific sites where 200 kg or more per year are likely to be /or will be recovered, need to be separately NOTIFIED e.g. decommissioning or facility refurbishments. This needs to be done prior to reaching the 200 kg threshold.
- Wholesaler branches that take back recovered refrigerant will need to be NOTIFIED as they are CONSIGNEES, even though the material is stored at the premises for onward shipment to a recycler. Wholesalers must also apply for a Waste Management Licence Exemption.
- Specific sites may already be NOTIFIED by the owner (End User), based on production of other Hazardous Wastes not related to refrigerants e.g. waste solvents, metal processing wastes, chemical wastes or because of expected amounts of recovered refrigerants.

NOTIFICATION/registration for a PREMISES CODE can be made in writing, by telephone: 08708 502858, or at a lower fee rate, electronically either on-line or by submitting the downloadable form by email. Go to www.environment-agency.gov.uk/subjects/waste/ and select 'Hazardous Waste- register here'.

Movement of Recovered Refrigerants

- Movement of recovered refrigerant requires a HAZARDOUS WASTE CONSIGNMENT NOTE. A unique CONSIGNMENT CODE number must be used on the CONSIGNMENT NOTE, based on the Coding Standard issued by the Environment Agency.
- The waste producer e.g. the contractor as a Mobile Service, or the site owner if the producer, must sign-off transfer of the recovered refrigerant to the CARRIER on the Consignment Note and retain a copy. The contractor may carry his own waste as the 1st Carrier, e.g. to his business site or a wholesaler site, without a Waste Carrier Licence.
- The contractor, as the producer of the recovered refrigerant, (as a Mobile Operator), will receive from the CONSIGNEE (wholesaler and/or waste processor) a calendar-QUARTERLY RETURN of quantity and refrigerant type sent for recycling/destruction, confirming how the recovered refrigerant was processed... recycled or destroyed.

Record Keeping

- The contractor must keep a REGISTER of hazardous waste sent for recycling/destruction and keep copies of CONSIGNMENT NOTES for 3 years, Quarterly Returns for 6 years and SCHEDULES OF CARRIERS for 1 year.
- Wholesalers must keep records of all recovered refrigerants they accept/collect and transfer on to a recycler and provide calendar-QUARTERLY RETURNS to the contractor/producer and the Environment Agency.

Note: The Hazardous Waste Consignment Note with the entered unique Consignment Code is a legal document, which must be fully and correctly completed, signed-off and a copy must be retained.

For further information contact the Environment Agency:

Tel Help Line 08708 506506 or website www.environment-agency.gov.uk/newrulesonwaste

Scotland

- Consignment of recovered refrigerants in Scotland requires pre-notification (3 working days) before consignment as Special Waste.
- Consignment in Scotland requires a Consignment Note/Code from the Scottish Environment Protection Agency (SEPA).
- Consignment from Scotland into England & Wales must be made using a Scottish Consignment Note/Code and a Trans-border Consignment Note. This Trans-border movement may be covered by the use of the additional England and Wales Hazardous Waste Consignment Note along side the Scotland Consignment Note.

NOTE: If operating in Scotland make sure of compliance with any Waste Management Licensing.

Northern Ireland

- Consignment of recovered refrigerants in Northern Ireland requires pre-notification (3 working days) before consignment as Special Waste.
- Consignment in Northern Ireland requires a Consignment Note/Code from the Environment and Heritage Service.
- Consignment from Northern Ireland into England & Wales must be made using a Northern Ireland Consignment Note/Code and a Trans-border Consignment Note. The Trans-border movement may be covered by the use of the additional England and Wales Hazardous Waste Consignment Note along side the Northern Ireland Consignment Note.

NOTE: If operating in Northern Ireland make sure of compliance with any Waste Management Licensing.

The following terms are defined in detail in the HWR 2005:

Producer:	producer of Hazardous Waste
Holder:	holder of the Hazardous Waste if not the producer
Consignor:	requires the Hazardous Waste to be removed from site
Carrier:	carries the Hazardous Waste from site to the consignee
Consignee:	receiver of the Hazardous Waste.

This Fact Finder is intended as a guide only.

The information above is based upon the Hazardous Waste Regulations (England & Wales) 2005, and the guidance issued to date by the Environment Agency. Any changes in guidance or interpretation or any specific issues should be raised with the Environment Agency Tel: 0870 8506506.

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