# Duty of Care & Waste Classification Pack

This document provides a comprehensive guide and a set of operational templates to ensure full compliance with UK and EU regulations concerning waste management, classification, and transfer.

### **Part 1: Core Principles of Waste Management**

#### **1.1 The Duty of Care Explained**

The Duty of Care is a legal obligation under **Section 34 of the Environmental Protection Act 1990**. It mandates that any person or business that produces, imports, keeps, stores, transports, treats, or disposes of waste must take all reasonable steps to manage it correctly. Failure to comply is a criminal offense.

**Core Obligations:**

* **Prevent Escape of Waste:** You must store waste securely in suitable containers that are clearly labelled and prevent any leakage or escape into the environment.
* **Transfer to an Authorised Person:** You must only transfer waste to a business or individual who is authorised to handle it, such as a registered waste carrier or a facility holding a valid environmental permit. It is your responsibility to verify their credentials.
* **Provide an Accurate Description:** Every transfer of waste must be accompanied by a **Waste Transfer Note (WTN)** (for non-hazardous waste) or a **Consignment Note** (for hazardous waste). This document must accurately describe the waste.
* **Retain Records:** All documentation related to waste transfers must be kept for a minimum period:
  + **2 years** for Waste Transfer Notes.
  + **3 years** for Hazardous Waste Consignment Notes.

#### **1.2 The Waste Hierarchy**

All waste management decisions must be guided by the waste hierarchy, which ranks waste management options according to what is best for the environment. You must consider options in the following order of priority:

|  |
| --- |
| Diagram of the Waste Hierarchy: Prevention, Preparing for re-use, Recycling, Other recovery (e.g., energy recovery), and Disposal as the last resort. |

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1. **Prevention:** Can the generation of waste be avoided?
2. **Preparing for Re-use:** Can the item be cleaned, checked, or repaired for re-use?
3. **Recycling:** Can the waste materials be reprocessed into new products?
4. **Other Recovery:** Can value be recovered from the waste (e.g., anaerobic digestion, incineration with energy recovery)?
5. **Disposal:** The last resort, sending waste to landfill or incineration without energy recovery.

### **Part 2: Waste & Feedstock Classification**

Accurate classification is the foundation of compliant waste management. It determines how waste must be handled, transported, and treated.

#### **2.1 Understanding EWC / LoW Codes**

The European Waste Catalogue (EWC), also known as the List of Wastes (LoW), is a standardised system for classifying waste with a six-digit code (e.g., 20 01 08).

* **Structure:** The code is a six-digit number, broken into three pairs, representing the chapter, sub-chapter, and specific waste stream.
* **Hazard:** Codes marked with an asterisk (\*) are considered **hazardous waste**.
* **Types of Entries:**
  + **Absolute Non-Hazardous:** A waste stream that is never hazardous (e.g., 20 01 08 - biodegradable kitchen and canteen waste).
  + **Absolute Hazardous:** A waste stream that is always hazardous (e.g., 13 02 05\* - mineral-based non-chlorinated engine, gear and lubricating oils).
  + **Mirror Entries:** Pairs of codes for the same waste type, one hazardous and one non-hazardous (e.g., 19 08 13\* and 19 08 14). The correct code is chosen based on a hazardous property assessment (e.g., checking chemical safety data sheets or lab analysis).

#### **2.2 Step-by-Step Waste Classification Procedure**

1. **Identify the Source:** Determine the industry, process, or activity that generated the waste.
2. **Consult the List of Wastes (LoW):** Review the 20 chapters of the LoW to find the most appropriate code.
   * *Step A:* Look in Chapters 01-12 or 17-20 for a process-specific code.
   * *Step B:* If no suitable code is found, check Chapters 13, 14, and 15 (waste-specific chapters).
   * *Step C:* If still no code is found, check Chapter 16 (Wastes Not Otherwise Specified).
   * *Step D:* As a last resort, use a code from Chapter 20 (Municipal Wastes).
3. **Assess for Hazardous Properties:** If a “mirror entry” is selected, you must assess the waste against the criteria in the **WM3 technical guidance** to determine if it possesses hazardous properties (e.g., flammable, toxic, corrosive). This dictates whether the hazardous (\*) or non-hazardous code applies.
4. **Assign the Code:** Finalise the six-digit code and record it on all transfer documentation.

#### **2.3 Project Waste Stream Register**

This register must be maintained and reviewed annually or whenever a new waste stream is created.

| Waste Stream | Source / Process | EWC/LoW Code | Classification (Hazardous/Non-Hazardous) |
| --- | --- | --- | --- |
| Digestate (non-PAS 110) | Anaerobic Digestion | 19 06 04 | Non-Hazardous |
| Separated fibre (non-PAS 110) | Anaerobic Digestion | 19 06 03 | Non-Hazardous |
| Catering Waste (Food) | Feedstock Reception | 20 01 08 | Non-Hazardous |
| Used Cooking Oil (UCO) | Feedstock Reception | 20 01 25 | Non-Hazardous |
| Spent Methanol | Biodiesel Production | 16 07 08\* | **Hazardous** |
| Crude Glycerine | Biodiesel Production | 19 02 06 | Non-Hazardous |
| Office Waste (Mixed) | Admin / Offices | 20 03 01 | Non-Hazardous |
| **[Placeholder: Add New Waste Stream]** | **[Placeholder: Add Source]** | **[Placeholder: Add Code]** | **[Placeholder: Classify]** |

#### **2.4 Animal By-Product (ABP) Feedstock Classification**

The use of ABPs as feedstock is strictly controlled by the Animal and Plant Health Agency (APHA). Classification is based on risk.

| ABP Category | Description & Examples | Permitted for Biogas? | Conditions & Notes |
| --- | --- | --- | --- |
| **Category 3** | **Low-risk.** Former foodstuffs (e.g., biscuits, bread), catering waste, eggs, milk, fish. | **Yes** | This is the primary permitted category for biogas feedstock from food waste. Must be handled according to hygiene regulations. |
| **Category 2** | **High-risk.** Manure, digestive tract content, animals that died other than by being slaughtered for human consumption. | **Yes, with strict conditions** | Manure and digestive tract content can be used without pre-processing. Other Cat 2 materials require pre-processing (pressure sterilisation) before entering the AD process. |
| **Category 1** | **Very high-risk.** International catering waste (from outside the EU), specified risk material (SRM), carcasses suspected of having a TSE. | **No** | **Prohibited** for use in biogas or composting. Must be disposed of by incineration or pressure sterilisation and landfill. |

#### **2.5 Used Cooking Oil (UCO) Feedstock Classification**

* **Waste Status:** UCO is classified as a **waste/residue** under the EU Renewable Energy Directive (RED II) and UK Renewable Transport Fuel Obligation (RTFO).
* **EWC Code:** The standard code is 20 01 25 (edible oils and fats).
* **ABP Status:** If sourced from catering or food businesses, UCO is also classified as **Category 3 ABP**.
* **Incentives:** Its status as a waste feedstock means biodiesel produced from it is eligible for **double-counting** towards renewable transport targets, making it a valuable commodity.
* **Traceability:** Due to high fraud risk, all UCO must be sourced from suppliers certified under a recognised scheme (e.g., **ISCC**) and accompanied by a **Proof of Sustainability (PoS)**.

### **Part 3: Contamination & Quality Thresholds**

#### **3.1 PAS 110 Digestate Contaminant Limits**

To achieve “end-of-waste” status under the **Biofertiliser Certification Scheme**, digestate must meet strict quality limits defined in **BSI PAS 110:2014**. This involves a robust Quality Management System and regular testing for:

* **Potentially Toxic Elements (PTEs):** Limits on heavy metals such as Cadmium, Chromium, Copper, Lead, Mercury, Nickel, and Zinc.
* **Pathogens:** Must be free from pathogens like *Salmonella* and have very low levels of *E. coli*.
* **Physical Contaminants:** Strict limits on the amount of glass, metal, and plastic fragments.
* **Stability:** Must demonstrate a specified level of biological stability.

*Specific limit values are detailed within the PAS 110 specification and must be confirmed by an accredited laboratory.*

#### **3.2 EN 14214 Biodiesel Quality & Contaminant Limits**

All biodiesel (FAME) sold for use in diesel engines must meet the **EN 14214** standard. This ensures engine compatibility and controls emissions. Each batch must be tested and issued with a Certificate of Analysis.

| Parameter | Unit | Limit | Purpose |
| --- | --- | --- | --- |
| Ester Content | % (m/m) | min 96.5 | Ensures complete reaction and fuel quality |
| Water Content | mg/kg | max 500 | Prevents corrosion and microbial growth |
| Total Glycerine | % (m/m) | max 0.25 | Prevents injector deposits and filter plugging |
| Sulphur Content | mg/kg | max 10.0 | Protects emission control systems |
| Oxidation Stability | hours | min 8 | Ensures fuel stability during storage |
| Flash Point | °C | min 101 | Safety requirement for handling and storage |
| Viscosity @ 40°C | mm²/s | 3.5 - 5.0 | Ensures correct fuel atomisation |

#### **3.3 UCO Adulteration Indicators**

To mitigate the risk of fraud (e.g., virgin palm oil being passed off as UCO), be vigilant for the following indicators:

* **Free Fatty Acid (FFA) Content:**
  + *Genuine UCO:* Typically has a **higher FFA content** due to the degradation of oil during cooking.
  + *Suspicious UCO:* An unusually **low FFA content** can be a red flag for adulteration with cheaper, virgin oils.
* **Paperwork:** Scrutinise Proof of Sustainability documents, especially from high-risk regions. Self-declarations from Points of Origin (PoO) are less reliable than audited records.

### **Part 4: Transfer & Traceability Documentation (Templates)**

#### **4.1 Waste Carrier & Broker Licence Verification Log**

Use this log to record due diligence checks before transferring waste to any third party. Verify registrations on the public registers of the Environment Agency, SEPA, or NRW.

| Date of Check | Company Name | Authorisation Type (Carrier, Broker, Dealer) | Registration Number | Expiry Date | Verified By (Initials) |
| --- | --- | --- | --- | --- | --- |
| 28/08/2025 | Example Haulage Ltd | Waste Carrier | CBDU123456 | 01/01/2026 | AB |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

#### **4.2 Chain of Custody Record**

This detailed record is essential for materials requiring high traceability, such as ABP and ISCC-certified UCO. A separate record should be maintained for each consignment.

| Parameter | Details |
| --- | --- |
| **Consignment ID:** | [Unique Identifier] |
| **Material Type:** | e.g., Used Cooking Oil (UCO), Category 3 ABP Catering Waste |
| **EWC Code:** | e.g., 20 01 25 |
| **Sustainability Cert. (if applicable):** | e.g., ISCC Proof of Sustainability No: [PoS Number] |
| **Date of Collection:** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Point of Origin (Supplier):** |  |
| *Name:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Address:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Authorisation/Permit:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Initial Quantity & Unit:** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (e.g., kg, litres) |
| **Carrier 1 (Collection):** |  |
| *Name:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Waste Carrier Reg. No.:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Vehicle Reg:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Driver Signature:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Reception at Our Facility:** |  |
| *Date & Time:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Receiving Operator:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Quantity Received:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *Signature:* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

#### **4.3 Waste Transfer Note (WTN) Template**

**WASTE TRANSFER NOTE (Controlled Waste)** *Duty of Care: Environmental Protection Act 1990* **Serial Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part A: Description of Waste** 1. **Description:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. **EWC / List of Wastes Code:** \_\_ \_\_ \_\_ 3. **Quantity:** \_\_\_\_\_\_\_\_ (kg/litres/tonnes) 4. **How is it contained?** (e.g., IBC, Skip, Pallet Box) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part B: Current Holder (Transferor)** 1. **Full Name:** [Your Company Name] 2. **Address:** [Your Site Address] 3. **Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 4. **Print Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part C: New Holder (Transferee)** 1. **Full Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. **Address:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 3. **Authorised Person?** (Tick one) - [ ] Registered Waste Carrier/Broker. **Reg No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - [ ] Holder of Environmental Permit. **Permit No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 4. **Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 5. **Print Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part D: Transfer Details** 1. **Address of Transfer:** [Your Site Address] 2. **Date & Time of Transfer:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

#### **4.4 Hazardous Waste Consignment Note Template**

This is a simplified representation. The official multi-part form must be used for actual transfers. This template serves as a guide to the required information.

**HAZARDOUS WASTE CONSIGNMENT NOTE** **Consignment Note Code:** [Generated Code: e.g., YOURCO/A123Y]

**Part A: Consignment Details** - **A1. Consignee (Destination):** Name, Address, Permit No: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - **A2. Producer of the Waste:** Name, Address, SIC Code: [Your Details] - **A3. Collection Address:** [Your Site Address]

**Part B: Description of the Waste** - **B1. Process Generating Waste:** e.g., Biodiesel Production - **B2. Waste Description:** e.g., Spent Methanol - **B3. EWC Code:** e.g., 16 07 08\* - **B4. Quantity:** \_\_\_\_\_ kg - **B5. Physical Form:** e.g., Liquid - **B6. Hazard Codes (from WM3):** e.g., HP3 (Flammable), HP6 (Acute Toxicity) - **B7. UN Identification:** UN No: \_\_\_\_\_, Class: \_\_\_\_\_, Packing Group: \_\_\_\_\_

**Part C: Producer’s Certificate** - I certify the details in A & B are correct and I have fulfilled my Duty of Care. - **Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_

**Part D: Carrier’s Certificate** - I certify I collected the waste described in B from the address in A3. - **Carrier Name & Address:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - **Waste Carrier Reg No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Vehicle Reg:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - **Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_

**Part E: Consignee’s Certificate (at Destination)** - I certify I have received the waste described. - **Quantity Received:** \_\_\_\_\_ kg - **Date Received:** \_\_\_\_\_\_\_\_\_\_\_ - **Management Operation:** R\_\_ / D\_ *-* ***Signature:***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

#### **4.5 Annex VII Form for Cross-Border Shipments**

For shipments of non-hazardous (“Green-listed”) waste for recovery (e.g., UCO). This document must accompany the shipment at all times.

**INFORMATION ACCOMPANYING SHIPMENTS OF WASTE** *As referred to in Article 18 and Annex VII of Regulation (EC) No 1013/2006* **Consignment Information**

1. **Person who arranges the shipment (Exporter):** Name, Address, Contact: [Your Details]
2. **Importer / Consignee:** Name, Address, Contact: [Destination Facility Details]
3. **Actual quantity:** Tonnes (Mg): \_\_\_\_\_\_\_\_ Litres: \_\_\_\_\_\_\_\_
4. **Actual date of shipment:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. **Waste description (mandatory):**
   1. **Waste identification code:** (e.g., B3020 for UCO) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
   2. **EWC/LoW code:** (e.g., 20 01 25) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
   3. **Name of waste:** Used Cooking Oil (UCO)
6. **Recovery operation(s) (R-code):** (e.g., R9) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
7. **Usual description of the waste’s characteristics:** Amber liquid
8. **Recovery facility:** Name, Address: [Destination Facility Details] **Permit No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
9. **Site of recovery (if different):** Name, Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
10. **Carrier(s):** Name, Means of Transport: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
11. **General declaration by person who arranges shipment:** I certify that the waste is destined for recovery in a facility in accordance with applicable laws. **Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
12. **To be completed by recovery facility upon receipt:** **Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date of receipt:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
13. **Shipment received by importer/consignee:** **Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### **Part 5: References**

* ADR transport UCO biodiesel regulations.md
* cross-border waste shipment Annex VII documentation.md
* DSEAR regulations biogas facilities risk assessment UK.md
* EN 14214 biodiesel fuel standard.md
* EU RED II RED III biodiesel UCO.md
* EWC LoW codes waste classification.md
* Health & Safety at Work Act HSWA requirements UK.md
* ISCC certification biodiesel UCO.md
* PAS 110 digestate quality standards UK.md
* REACH CLP regulations biogas biodiesel chemicals.md
* UK biogas Animal By-Products ABP feedstock regulations.md
* UK biogas energy offtake compliance CHP G99 GSMR.md
* UK biogas environmental permitting Environment Agency NRW SEPA.md
* UK Duty of Care waste management.md
* UK EU biogas food waste anaerobic digestion regulations.md
* UK EU biodiesel Used Cooking Oil UCO regulations.md
* UK EU waste management legal frameworks.md
* UK RTFO biodiesel UCO.md