

WASTE MANAGEMENT

1. Background

- 1.1 SEPA has issued our [COVID-19 philosophy](#) that confirms that SEPA's focus will be to make our best contribution to helping our nation get through this public health emergency in a way that protects and improves Scotland's environment.
- 1.2 SEPA recognises that during a significant outbreak of COVID-19 the ability of operators to run their operations may be compromised by a lack of available staff, and/or the need to protect staff and minimise transmission of the COVID-19 virus.
- 1.3 SEPA is clear we expect everyone we regulate to make their best endeavours to meet their environmental obligations. We expect operators to be ensuring that the impacts of COVID-19 on the environment are minimised. If Operators have a specific compliance issue they should contact SEPA to discuss a temporary Regulatory Position Statement.
- 1.4 SEPA has adopted [overarching guidance](#) setting out our position on compliance, enforcement, monitoring and permitting during the COVID-19 outbreak. This guidance applies to all regulated businesses. To augment this overarching guidance, SEPA is also issuing more specific guidance where necessary.
- 1.5 This COVID-19 guidance covers waste management. It will be published on [SEPA's COVID-19 hub](#) on our website.

2. SEPA guidance

- 2.1 SEPA recognises there may be disruption to waste management services during the response to COVID-19. Limited availability of staff and vehicles, difficulty accessing export markets and the need for 'social distancing' means the whole industry, including SEPA, will have to adapt.
- 2.2 SEPA is working with local authorities, NHS Scotland and the waste industry to support these vital services.

Recycling services

- 2.3 Recycling services should be maintained for as long as possible in line with the Waste (Scotland) Regulations 2012. SEPA welcomes the waste industry's commitment to keep recycling and waste services operating as normal. We recognise that this requires a whole supply chain approach and we want to understand any compliance issues you may have. If you are unable to maintain a compliant recycling service, please contact SEPA at nationalwaste@sepa.org.uk.

General arrangements at authorised waste management facilities.

- 2.4 We recognise waste facilities may struggle with reduced staffing levels during this period and may have limited access to equipment, contractors, laboratories and other support functions. With respect to the rules on social distancing, operators may not wish Certificate of Technical Competence (CoTC) holders to travel from site to site and we accept this means some facilities may not receive a visit during the response period. Where possible a competent person should still provide assistance via telephone or other means.

2.5 We understand waste operators may also struggle with the following;

- Operating hours
- Maximum waste storage limits (tonnage capacity and throughput)
- Maximum waste storage timescales
- Availability of equipment or chemicals
- Management of process outputs
- Environmental monitoring
- Reporting deadlines

If these issues affect your ability to comply with your licence or permit and Scotland's environmental laws, please contact your local SEPA contact or scc@sepa.org.uk.

Duty of care and transfer notes

- 2.6 All waste producers and managers must comply with their Duty of Care obligations. Waste criminals must not be allowed to take advantage of the current circumstances. Some business waste collection costs might increase in the short term. Where new collectors emerge offering cheap collection services, be vigilant and ask for their waste carrier authorisation and for confirmation of where your waste is going. If it seems too good to be true, it probably is. Contact SEPA at www.sepa.org.uk/report if you have any suspicions.
- 2.7 The need for social distancing means you may not wish to pass paper waste transfer notes between parties (e.g. at weighbridges) or have waste producers sign driver's electronic devices on collection. As far as possible, use remote electronic systems, such as email correspondence, to record waste transfers.
- 2.8 Where carriers use handheld electronic devices during collection rounds, drivers may sign on behalf of waste producers.

- 2.9 Where paper notes are the only option, both parties should keep their own copy of the transfer note containing the relevant details including the name of the person who would normally sign it and mark it with 'CV19' instead of a physical signature.
- 2.10 All parties involved in a waste transfer must retain their transfer notes, whether electronic or paper, for the statutory period of two years.

Hazardous waste and special waste consignment notes (SWCN)

- 2.11 During the response, it remains important to maintain secure hazardous waste management. This includes the requirement for a SWCN to accompany every movement.
- 2.12 You are legally required to include a SEPA issued SA/SB/SC code on your note or buy pre-coded paper notes directly from SEPA.

Pre-Coded Paper SWCNs

- 2.13 If you have a stock of SEPA issued paper SWCNs, you may not wish to use them, as they require signatures from multiple people. You should retain these paper SWCNs as you will be able to use them in the future.
- 2.14 SEPA is currently unable to sell pre-coded paper notes due to the reduced use of SEPA offices. Instead, you can use your own paperwork for special waste consignments.

Bespoke SWCNs

2.15 To help SEPA has produced an [editable PDF version of the SWCN](#) for you to use. If you would like to design your own paperwork, please contact us to discuss the requirements.

2.16 Whether you use the PDF we have provided or your own version, each movement must be accompanied by a unique code supplied by SEPA. You can purchase these codes in a number of ways.

- If you wish to pay via a credit card, you can do so [through our website](#). SWCN codes will be issued alongside your receipt. You can purchase SA and SB codes online.
- If you require SC codes for extended carrier rounds or landings of offshore waste please email swcnorder@sepa.org.uk
- If you wish to pay by Purchase Order or BACS, please contact us at swcnorder@sepa.org.uk
- We will not accept payments by cash or cheque at this time.

2.17 SEPA will allow you to pass SWCN paperwork electronically (via email or other means) between parties. The preferred option is to use electronic signatures provided by the parties involved. Where this is not possible the code “**CV19**” should

be used in place of missing signatures. In either case, all parties must be clearly identified and contact details provided.

- 2.18 For example, the carrier could complete all sections on behalf of the parties and include **CV19** instead of the relevant signatures. The carrier would then email the completed note to all the relevant parties and to SEPA.

Record Keeping

- 2.19 There is a requirement within the regulations to submit the Deposit copy to SEPA. As use of our offices is reduced this should be done by email. After the movement the please send the Deposit copy to nationalwaste@sepa.org.uk
- 2.20 Those involved in the movement are still required to retain copies of the SWCN as outlined in the regulations (3 years for Carrier/Consignor, site lifetime for Consignee). You may hold these copies electronically, but must be able to provide them if requested.
- 2.21 Further guidance can be found at <https://www.sepa.org.uk/swcn.guidance>

Transfrontier Shipment of Waste (TFS)

- 2.21 Regulatory agencies across Europe are implementing temporary changes to processes to limit the impact of COVID-19 on the movement of waste shipments.

2.22 **Green List waste:** The law requires that hardcopy paperwork accompany the waste.

As an interim measure, the paperwork that would normally accompany waste shipments may be made available electronically. The person arranging the shipment must ensure all carriers on the route have access to the required documents.

2.23 The person who arranges shipment must continue to submit Annex VII forms to Transfrontier@sepa.org.uk or upload shipments on to National Packaging Waste Database.

2.24 **Amber List waste (notification controls):** The law requires hardcopy paperwork for amber list applications. However, staff are unable to accept hardcopy paperwork due to limited office access and home working arrangements. This also makes it difficult for SEPA to accept payment by cheque.

2.25 As an interim measure, please submit all new TFS applications and supporting documents to SEPA electronically. Sign, scan and email the documentation to Transfrontier@sepa.org.uk. We will not require the original documents with original signatures during the response period. All payments should be via BACS or credit card and not by cheque. Remittance advice should be included in your application package and the payment reference should include your notification number.

2.26 Financial guarantees should be sent from the provider directly to Transfrontier@sepa.org.uk

2.27 We will also accept signed and scanned movement forms (Annex 1Bs) at the same email address but would encourage notifiers to use the International Waste Shipment portal.

2.28 SEPA will provide acknowledgements, consents and objections electronically. Please note that 'properly carried out' assessments periods will be increased to five working days due to limited staff availability.

2.29 If unable to send a hard copy with the shipment, the carrier must produce an electronic copy (via phone, tablet) where requested. The notifier is responsible for ensuring all carriers involved in a shipment have access to an electronic copy of the Annex 1B movement document.

2.30 Please note the notifier/person who arranges the shipment is responsible for ensuring waste shipments are compliant with the requirements of the competent authorities for transit and destination.

2.31 In the event that shipments cannot proceed as intended due to the impact of COVID-19 (e.g. recovery facility closed, border/road closure), please send details immediately to Transfrontier@sepa.org.uk

General

2.32 If you are unable to comply with any aspect of this guidance then please contact us.

2.33 This guidance will be kept under review. It may be varied or withdrawn at any time. SEPA reserves its discretion to depart from this guidance and to take appropriate action as necessary.

2.34 This guidance applies only in Scotland.