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STATUTORY INSTRUMENTS

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**2005 No. 894**

**The Hazardous Waste (England and Wales) Regulations 2005**

**PART 7**

**RECORDS AND RETURNS**

*Site records*

**Records of tipped (discharged) hazardous waste**

**47.**—(1) Any person who tips (discharges) hazardous waste (whether by way of disposal or storage) in or on any land shall record and identify the waste in accordance with the following requirements of this regulation and regulation 51.

- (2) A record shall include either—
  - (a) a site plan marked with a grid, or
  - (b) a site plan with overlays on which the deposits of the tipped (discharged) waste are shown in relation to the contours of the site.
- (3) Records made under this regulation shall be kept in a register.
- (4) Deposits shall be identified by reference to both—
  - (a) the relevant description and six digit code in the List of Wastes, together with a description of the composition of the waste; and
  - (b) the consignment note relating to such waste, save that where waste is disposed of within the curtilage of the premises at which it is produced the deposits shall be described by reference to the quarterly return made to the Agency by the hazardous waste producer under regulation 53.
- (5) A person who is required to make or retain a register pursuant to this regulation shall—
  - (a) update the register as soon as reasonably practicable and in any event within 24 hours of the receipt, or deposit, as the case may be, of the waste;
  - (b) keep the register on the site where the tipping takes place; and
  - (c) retain the records—
    - (i) for three years after deposit of the waste; or
    - (ii) if he has a waste permit pursuant to which the site is operated, until that permit is surrendered or revoked.

(6) In reckoning any period of hours for the purposes of this regulation or regulation 48, only the days or hours of any business day shall be counted.

**Records of disposal or recovery of hazardous waste by other means**

**48.**—(1) Any person who—

- (a) disposes of hazardous waste in or on land (other than any disposal covered by regulation 47);
- (b) recovers hazardous waste in or on land; or
- (c) receives hazardous waste at a transfer station,

or both shall record and identify any hazardous waste received in accordance with the following requirements of this regulation and regulation 51.

(2) The waste shall be identified in the record by reference to the relevant description in the List of Wastes and six digit code, and the entry shall include a description of the composition of the waste.

(3) The record shall include—

- (a) the quantity, nature and origin of any such waste;
- (b) the relevant hazardous properties;
- (c) where applicable, the recovery method in respect of the waste by reference to the numbering and description applicable in accordance with Annex IIB of the Waste Directive; and
- (d) an inventory showing the specific location at which the waste is being held.

(4) Records made under this regulation shall be kept in a register.

(5) The register shall be updated as soon as reasonably practicable and in any event no later than 24 hours after—

- (a) a consignment of hazardous waste is received;
- (b) any recovery or disposal operations are carried out or any hazardous waste is placed in storage at the transfer station, as the case may be; and
- (c) any hazardous waste is removed from the premises.

(6) A person who is required to make or retain records pursuant to this regulation shall—

- (a) keep the register of the records on the site where the recovery operations take place or the transfer station is operated, as the case may be; and
- (b) retain the records-
  - (i) where the hazardous waste is fully recovered, or remains at a transfer station, as the case may be, until it leaves the site and for three years thereafter; or
  - (ii) if he has a waste permit pursuant to which the site is operated, until that permit is surrendered or revoked.