

SEPA Regulatory Position Statement - Mixing and Treatment of Special Waste in Open Pits and Vessels

Background

SEPA has reviewed their previous position statement on mixing and treatment of wastes in open pits and vessels in light of the recent position adopted by the Environment Agency to ensure that it is consistent and correct in the current legislative framework.

This statement is relevant to those sites operating in accordance with a permit issued under the Pollution Prevention & Control (Scotland) Regulations 2000 (as amended).

Overview

The mixing of special waste (also referred to in England and Wales as hazardous waste) is normally undertaken at sites permitted under the Pollution Prevention & Control (Scotland) Regulations 2000 (as amended).

The purpose of treatment of special waste is to render it non-special, or to reduce its impacts when disposed of in an appropriate landfill (subject to the relevant Waste Acceptance Criteria (WAC)).

Special waste should not be mixed with non-hazardous waste simply for the purposes of dilution or masking the components that make the waste special. In such cases, where the resulting mixture is sent to landfill, these activities would be contrary to paragraph 11(2) of The Landfill (Scotland) Regulations 2003 (as amended) and in such cases the activity would not be considered an acceptable treatment.

Operators of treatment plant used for the mixing and treatment of special waste must be able to explain clearly why a particular treatment method is being used on a particular waste and the outcome of such treatment. It is important to note that simple physical processes – such as mixing - are rarely sufficient to convert a special waste to a non-special waste; to achieve this level of treatment usually requires a chemical treatment process.

The treatment method applied must be carefully managed to ensure that incompatible mixtures do not occur and that the process operates as efficiently as possible.

The treated waste resulting from special waste treatment processes must be correctly and accurately described - which in the case of mixing in open pits or vessels, i.e. a physical treatment, is likely to result in the treated waste being classified as special.

Open Pits and Vessels

The operation of mixing in open pits or vessels has been used historically to treat special wastes and normally involves the mixing and treatment of special and non-special wastes in open pits or vessels prior to their disposal in landfill.

SEPA Regulatory Position Statement

Open pits or vessels can take various forms and do not exclusively involve pits in or below the ground. They can also include vessels e.g. open skips, located above ground.

The main environmental concern with this type of operation is that the process has no control or abatement of atmospheric emissions. In addition, there are limited detection and control over leaks from the pits or vessels and the mixing process is unlikely to produce a homogenous treated waste.

Treatment facilities undertaking mixing of special waste under a PPC permit are required to comply with BAT (Best Available Techniques). For the reasons identified above, SEPA does not generally consider the mixing and treatment of wastes in open pits or vessels fulfils BAT for this waste treatment.

Enclosed above ground/in-vessel operations which have adequate leak detection and controls, efficient abatement technology and can demonstrate thorough and efficient mixing are available and may be capable of meeting current BAT requirements. Operators wishing to conduct such operations should contact SEPA to discuss what permit conditions may be applied to such operations.

SEPA Position

This position statement confirms SEPA's previous view regarding such operations.

SEPA does not believe that the mixing and treatment of special waste in open pits or vessels complies with the BAT requirement under the Pollution Prevention & Control (Scotland) Regulations 2000 (as amended) and will not generally authorise such operations in a permit issued under these Regulations.

Any operators that believe their proposed process for mixing and treating special waste will have minimal emissions and no environmental risk should contact SEPA to discuss their proposals and SEPA will consider each case in light of all its circumstances and the current requirements of BAT.