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## Consignment Notes: Rejected Loads

A guide to the Hazardous Waste Regulations

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## **Aims and Introduction**

Sometimes hazardous waste is rejected at a consignee site. This guide:

- tells consignees what to do if they need to reject hazardous waste;
- informs carriers about what actions to take if waste they are carrying is rejected;
- presents consignors, holders or producers with options when their carrier contacts them about the rejection.

## Why are wastes rejected?

Hazardous waste is not often rejected by consignees but it can happen. For example, it might be rejected due to:

**Unplanned plant and equipment failure at the consignee's site** - failure of equipment or plant at a consignee may occur and often is quickly cured. In some cases however failures may close a consignee for a longer period forcing the consignee to reject wastes. Rejections are not always necessary, as it is not uncommon for consignees to have contingency plans for plant and equipment failures.

**Planned closures** – when a consignee plans to shut down plant or equipment for maintenance they should inform their customers if this will affect their ability to receive waste. There should be no reason for rejecting wastes for this reason but there will be times when this might happen.

**Weather conditions** - high winds or heavy rain can cause the temporary closure of sites especially landfills.

**Hazardous waste arriving at a consignee's site without a consignment note** – except in certain specific circumstances (see [HWR02A Consignment Notes: Standard Procedure](#) for details) producers or holders must complete a consignment note for all hazardous waste moved from their premises. If waste arrives at a consignee's site without a consignment note, when a consignment note was required, it must be rejected.

**Consignment problems** - a producer or holder must properly describe their waste on a consignment note. If the description is wrong or the waste collected does not match that described on the note, the consignee should reject the load. Carriers must not change a consignment note once the waste has been collected. If consignees suspect that the carrier has amended the consignment note without the producer / holder being aware, they have a Duty of Care to check the details with the producer / holder. If the details are not correct they should reject the load.

**Waste is not allowed under the waste permit or exemption** - consignees may hold a permit to accept waste or may be exempt from holding a permit. A permit set out the types and quantities of waste that can be accepted. If they are exempt from being permitted, they have special conditions to follow. If the site is not allowed to accept the waste because of permit or exemption requirements, then they must reject any load that is received that does not conform to the restrictions. For example, a site that is only licensed to accept non-hazardous waste must reject hazardous waste that is delivered to it. A site that has restrictions on the types of hazardous waste, must only accept wastes of those types. Some sites may be restricted from taking wastes with certain hazardous properties e.g. explosive wastes may be excluded in the permit. Some sites may be restricted to taking in wastes with less than set amounts of dangerous substances e.g. threshold levels of oils may be restricted.

## What do the terms carrier, consignor etc mean?

There are a five main terms in this document and their meaning is given below.

Person	What that means
Carrier	A person who collects or carries waste. Unless exempt a carrier must be registered with the Environment Agency or SEPA.
Consignee	A person who receives waste for disposal or recovery. A consignee must have a permit or be exempt from permitting to accept waste.
Producer	A person who produces waste. Unless exempt a producer must hold a hazardous waste registration.
Holder	A person who holds waste that was not originally produced by them. A holder must hold a hazardous waste registration.
Consignor	A person who causes a waste to be removed from a place. This is usually the holder or producer. In some cases, e.g. when a managing agent is on site and has authority from the producer or holder, they can be the consignor. A carrier is not usually a consignor.

You can check permit and registration numbers at <http://www2.environment-agency.gov.uk/epr/search.asp?type=register>.

## Important Note on Waste Acceptance

All hazardous waste to be accepted at permitted waste management facilities, including waste rejected from another facility must, in addition to complying with the Hazardous Waste Regulations, meet regulatory obligations relating to waste pre-acceptance, waste acceptance and waste storage. Detailed guidance on these regulatory obligations can be found in 'Best Practice Guidance - Recovery & Disposal of Hazardous & Non-Hazardous Waste (Other than by Incineration & Landfill)' for acceptance at licensed facilities:

<http://www.environmentagency.gov.uk/business/444217/590750/590821/502174/297341>.

See also 'IPPC S5.06: Guidance for the recovery and disposal of hazardous and non-hazardous waste' for acceptance at facilities with a PPC permit: <http://www.environmentagency.gov.uk/business/444304/444641/595811/677753/955578>.

## What must a consignee do when waste is rejected?

A consignee must do one of the following, depending on whether copies of consignment notes are given to him or not:

When Copies of Consignment Notes are given to a consignee, the consignee must:

- On all the copies received, state on Part E of the Standard consignment note, or part D of a Multiple Collection consignment note, that he does not accept all or part of the consignment. The reason for rejection must be stated under the heading '**Where waste is rejected, please provide details below**'.
- Retain one copy of the note.
- Give one copy to the carrier.
- As soon as possible, a copy must be sent to the consignor. A copy must also be sent to the producer or holder as appropriate.

When Copies of Consignment Notes are NOT given to a consignee, the consignee must:

- prepare a written explanation, including the following details where known:
  - reasons for not accepting all or part of the consignment,
  - details of the waste,
  - details of the producer, holder or consignor.
  - a consignment note code for the rejected load. This code is assigned by the consignee using the following format:  
**REJECT/XXXYYR**  
where the **R** denotes that the load has been rejected by the facility.  
**XXX** is an alphanumeric (letters and/or numbers) denoting the original producer's/holder's business name.  
**YY** is an alphanumeric giving the rejected load a unique identifier.  
e.g. a load rejected, where A A Aardvark was the original producer, could be coded:  
**REJECT/AAA01R** or **REJECT/AA1G1R**
- retain a copy of his explanation.
- give a copy of his explanation to the carrier.
- as soon as they can, send a copy of his explanation to the consignor.

A copy must also be sent to the producer or holder as appropriate.

In all circumstances of rejecting a consignment of hazardous waste, the consignee must record the details of the rejection on his Consignee Quarterly return – see HWR04D - Consignee returns - reporting exceptional hazardous waste movements. This is required even where the consignee is not permitted to receive hazardous waste.

## **What should a carrier do?**

When the consignee tells a carrier that they are rejecting the load, the carrier should:

- inform us by telephoning 08708 506506 as soon as possible after the consignment has been rejected, providing the following information:
  - consignment note code.
  - name and address of the consignee.
  - date and time that the consignment was rejected
  - explanation for the rejection.
- seek instruction from the original waste producer or holder as to the arrangements to be made for the transfer of the consignment to another consignee proving that the alternative consignee is able to accept the waste. He must then ensure that all reasonable steps are taken to ensure that the instructions given are carried out. This includes completing consignment notes for the producer or holder.

## **How should a producer or holder or consignor act if their waste is rejected?**

The carrier should ring the producer or holder about the rejection. They should then:

- as soon as reasonably practicable make arrangements for the rejected consignment to be transferred to another consignee. Where no alternative consignee can be found within 5 business days the waste must be returned to the original producer or holder for storage. There is no obligation to keep any rejected waste on the consignee's facility for 5 days before it is removed and this should be regarded as a maximum time pending removal. It is acceptable for the waste to be returned to the original producer or holder for storage as soon as it is established that there is no suitable alternative consignee available to accept the waste. As a minimum, wastes returned to the producer or holder must be stored in accordance with 'Waste Directive' conditions. They require that waste is held without endangering human health and without using processes or methods which could harm the environment and in particular:
  - without risk to water, air, soil and plants and animals;
  - without causing a nuisance through noise or odours; and
  - without adversely affecting the countryside or places of special interest.
- tell the carrier where the consignment is to be delivered;
- inform us about what is happening by telephoning 08708 506506.

## **What consignment note should I use for a rejected load?**

If a standard consignment note was used to transport waste to a consignee, a standard consignment note is required for the removal of rejected hazardous waste from that consignee.

If a multiple collection consignment note was used to transport waste to a consignee but waste is rejected from only one producer, a standard consignment note must be used to deliver the waste to an alternative consignee or the original producer.

If a multiple collection consignment note was used to transport waste to a consignee and the waste is delivered back to more than one original producer or holder, a standard consignment note must be used for each producer or holder where waste is being returned.

If a multiple collection consignment note was used to transport waste to a consignee and waste is rejected from more than one producer and delivered to the same alternative consignee, the carrier may choose to transport the waste there using the multiple collection procedure\*.

Where waste from one original consignment note is to be delivered to different consignee sites then several consignment notes will be required.

\* Some wastes, such as oil, may be mixed together on a vehicle. If a consignee rejects these wastes, they cannot be delivered back to the original producers. This is because the waste is no longer the same as that originally consigned. The waste must be delivered to an alternative consignee.

## **How is the standard consignment note completed?**

The original hazardous waste producer or holder is responsible for ensuring that a consignment note is completed before the waste is:

- carried to another consignee; or
- returned to the producer's or holder's premises.

It is likely that the original producer or holder is not able to complete the notes themselves because they are remote from the site from which it is being rejected. They can ask the carrier to complete the consignment note for them but remain responsible for its completion.

A copy of the consignment note is required for the consignor, producer and / or holder, the carrier and the new consignee.

**Part A** of the consignment note should be completed as follows:

PRODUCER'S/HOLDER'S/CONSIGNOR'S COPY (Delete as appropriate)

PART A Notification details	
1 Consignment note code: <input type="text"/>	4 The waste will be taken to (name, address and postcode):
2 The waste described below is to be removed from (name, address, postcode, telephone, e-mail, facsimile):	5 The waste producer was (if different from 2) (name, address, postcode, telephone, e-mail, facsimile):
3 Premises code (where applicable): <input type="text"/>	

**PART B Description of the waste** If continuation sheet used, tick here

### 1 Consignment note code

If a consignment note code was supplied on the original note and it was in the correct format you should copy the number into the consignment note code boxes and add an **R** at the end of the number. For example if the original number was ABF843/WEF01, the new number will be ABF843/WEF01**R**.

If a consignment note was not supplied originally, the consignment note code to be used on the new consignment note should be:

### **REJECT/XXYYR**

where the **R** denotes that the load has been rejected by the facility.

**XXX** is an alphanumeric (letters and/or numbers) denoting the producer's/holder's business name.

**YY** is an alphanumeric giving the rejected load a unique identifier.

e.g. a load rejected where A A Aardvark was the original producer could be coded:

**REJECT/AAA01R** or **REJECT/AA1G1R**

### 2 The waste described below is to be removed from (name, address, postcode, telephone, email, facsimile)

These are the details of the consignee from where the waste has been rejected.

### 3 Premises code (where applicable):

This is the registration number of the original producer, "N/A" if the original producer site was exempt, or "REJECT" if there was no original consignment note.

### 4. The waste will be taken to (name, address & postcode):

This provides details about the site the hazardous waste is to be delivered; the new consignee. Full details of the consignee are required - any consignee to whom the waste is being sent must either be permitted to receive the waste or be exempt from permitting. If the consignee is permitted the name, address and postcode given here should match the name, address and postcode on the site permit.

### 5. The waste producer was (if different from 2.) (name, address, postcode, telephone, e-mail, facsimile):

These are the details of the original producer or holder. This will be from A1 on the original consignment note.

**Part B** of the consignment note should be completed as follows:

PART B Description of the waste						If continuation sheet used, tick here <input type="checkbox"/>	
1 The process giving rise to the waste(s) was:				2 SIC for the process giving rise to the waste: <input type="text"/>			
3 WASTE DETAILS (where more than one waste type is collected all of the information given below must be completed for each EWC identified)							
Description of waste	List of wastes (EWC code) (6 digits)	Quantity (kg)	The chemical/biological components of the waste and their concentrations are:		Physical form (gas, liquid, solid, powder, sludge or mixed)	Hazard code(s)	Container type, number and size
			Component	Concentration (% or mg/kg)			
The information given below is to be completed for each EWC identified							
EWC code	Packing group(s)	UN identification number(s)	Proper shipping name(s)	UN class(es)	Special handling requirements		

The relevant information from Part B of the original consignment note is to be copied, i.e. where the whole consignment is rejected then all of the waste details are copied but if it is only partly rejected then the waste details relating to the rejected part only are copied.

Where the consignee has stated in his written explanation that the waste description was incorrect or missing, then a new and accurate description must be included.

Refer to [HWR03A Consignment Notes: Standard Procedure](#) for a description of how to correctly complete Section B.

**Parts C, D and E** of the note should also be completed as described in [HWR03A](#). However:

- in **Part D**; the consignor would normally complete the note. As the consignor may not be available to sign the note, the carrier should act on their behalf.
- in **Part E**; if the waste is being delivered to the original producer or holder, he should take the role of the consignee for the purposes of completing Part E regardless of whether he is a holder of a waste

management licence, permit or authorised exemption. Therefore in the section:

*I certify that waste management licence/permit/authorised exemption no(s)..... authorises the management of the waste described in B at the address given in A4:*

the producer or holder should enter their permission number if they have one. If no permit or exemption is held, or the exemption is not registered, this should be stated here. For example, exemption number 41 in Schedule 3 of the Waste Management Licensing Regulations 1994 provides for the storage of hazardous and non-hazardous wastes, pending its collection at the site where it was produced. However this exemption does not need to be registered and therefore no reference number is issued.

## **How is the multiple collection consignment note completed?**

The multiple collection consignment note should be completed using the general rules described in [HWR03B Consignment: Multiple collections](#). However:

- the consignment note number for each Annex would be:
  - **REJECT/XXXYYMR** as detailed above (where the **M** denotes a multiple collection and **R** showing that the load was rejected), where the consignment note number was not originally supplied or it was incorrect;
  - the same as the number given on the original Annex with an **R** added at the end of the number. For example if the original number was ABF843/WEF01**M**, the new number will be ABF843/WEF01**MR**.
- the details of the premises from where the wastes are being removed are those for the consignee rejecting the wastes;
- the “producer was” details will be those for any original producer or holder.
- if the waste is being delivered to the original producer or holder, he should take the role of the consignee for the purposes of completing Part E, as described above.



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