

Non- Waste Framework Directive (NWFD) exemptions



Temporary storage of waste at a place controlled by the producer

What are the NWFD exemptions?

There are some exemptions that do not have to be registered. These are called non-Waste Framework Directive exemptions.

Although you do not have to register these exemptions you still must comply with the terms and conditions of the exemptions.

There are three of these exemptions,

- Temporary storage at the place of production;
- Temporary storage of waste at a place controlled by the producer (this guidance note relates to this exemption); and
- Temporary storage at a collection point.

What is the purpose of this exemption?

This exemption allows the temporary storage of any waste (other than unbonded asbestos and any substances that have a flash point of less than 21°C), pending its [collection](#), at a place controlled by the waste producer.

What types of activities can I do?

You can only store waste in a [secure place](#). If you are storing liquid waste then it must be stored in a container with [secondary containment](#) such as a bund.

You can also carry out some treatments on the waste to help with storage and collection. Examples of these activities are given in [‘What else do I need to know?’](#).

Where can I carry out this activity?

Only at a place controlled by the producer of the waste, for example:

- A builder who generates small quantities of waste at a site and brings it back to their depot or storage yard for placing in a designated skip;
- Vets or medical practitioners who produce waste during visits and return any waste they generate from a range of locations to their surgery or practice.

What can't I do?

You can't:

- provide a waste management service to others for these operations;

customer service line

08708 506 506

www.environment-agency.gov.uk

incident hotline

0800 80 70 60

floodline

0845 988 1188

- mix different types of waste.

What are the key limits?

- The waste must not be stored for longer than three months.
- No more than 50 cubic metres of non-liquid waste can be stored at any one time.
- The total quantity of liquid waste stored at any one time must not exceed 1,000 litres.

What are the key conditions?

- The producer must have control over the waste and the storage place.
- The waste must not contain or consist of any unbonded asbestos or any substance that has a flash point of less than 21°C.;
- If more than one type of waste is stored then the different types must not be mixed.
- All wastes must be stored in a [secure place](#).
- Liquid waste must be stored, within a [secure place](#), in a container with a [secondary containment](#).

What else do I need to know?

You do not need to register this exemption.

You must comply with the conditions and limits set in this exemption. Non-compliance is an offence.

Ancillary treatments

You can carry out some treatment operations to make the waste you have produced easier to store and collect for its recovery or disposal elsewhere. These are called 'ancillary treatments'.

Any ancillary treatment carried out must not result in a change in the characteristics of the waste. The treatment carried out must be purely to help with the transport or collection of different wastes. The following are examples of some of the treatments that can be considered ancillary to the collection of waste:

- compaction of paper and cardboard in order to increase the amount of waste that can be stored within a container;
- shredding confidential papers for security purposes;
- crushing or compacting large items to allow easier loading;
- separating recyclables such as paper, card, plastic and glass from mixed wastes into separate storage containers.

What wastes can be used under this exemption?

You can store any waste that you, as producer of the waste, have control over that does not contain or consist of:

- unbonded asbestos; or

- any substance that has a flash point of less than 21°C.

Definitions

‘Collection’ means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility.

‘Place of production’ means, in relation to any waste, the place where the waste was originally produced.

‘Secondary containment’ means a bund or any other system for preventing waste which has leaked from the primary container from escaping from the place where it is stored or treated.

Where a bund is used as secondary containment:

(a) the bund must:

- (i) have a capacity of not less than 110 per cent of the original container’s storage capacity, or
- (ii) if there is more than one container within the containment system, have a capacity of not less than 110 per cent of the largest container’s storage capacity or 25 per cent of their aggregate storage capacity, whichever is the greater, and
- (iii) have an impermeable lining; and

(b) reasonable precautions must be taken to ensure that the capacities specified in paragraph (a) are maintained at all times.

‘Secure place’ means a place is secure in relation to waste kept in it if all reasonable precautions are taken to ensure that the waste cannot escape from it and members of the public are unable to gain access to the waste.

‘NWFD exemption’

Schedule 25 of the Regulations includes waste operations that are not waste recovery or disposal operations within the meaning of the Waste Framework Directive. These are referred to as non-Waste Framework Directive exemptions. They do not need to be registered as registration is a requirement of the Waste Framework Directive. The exemptions however are necessary. Without them a person carrying out those operations will be in contravention of S33(1)(a) Environmental Protection Act 1990, as the deposit of waste must be carried out either in accordance with an environmental permit or exemption.

The full **‘Glossary of terms’** can be viewed [here](#)