

## Regulatory position statement 063

### Storage of waste aerosol containers

If you comply with the requirements below, we will allow the storage of waste aerosol containers on the premises of washroom services companies without an environmental permit.

#### Background

The revisions to the waste exemptions regime which came into force in April 2010<sup>1</sup> removed a previous exemption which covered the storage of waste aerosol containers. This means that operators proposing to store waste aerosol containers, at a site other than where they are produced, prior to disposal or recovery elsewhere would normally be expected to apply for an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010.

#### Our approach

We will not require operators wishing to store waste aerosol containers from the servicing of washrooms and similar hygiene facilities, prior to recovery or disposal elsewhere, to apply for an environmental permit provided that:

- Storage takes place away from the site of production.
- The volume stored does not exceed three cubic metres.
- The maximum storage time for any one item does not exceed three months.
- The requirements of our [Guidance for the storage and treatment of aerosols and similar packaged wastes](#) are followed.
- You meet the relevant objectives of the Waste Framework Directive;  
'... ensuring that waste management is carried out without endangering human health, without harming the environment and in particular:
  - (i) without risk to water, air, soil, plants or animals;
  - (ii) without causing a nuisance through noise or odours; and
  - (iii) without adversely affecting the countryside or places of special interest.'

1. Environmental Permitting (England and (Wales) Regulations 2010.

Aerosol containers are hazardous wastes and the controls appropriate to hazardous wastes will still apply. However for consigning the cans from the site of production to the first place of collection, you do not need to enter separate consignments for these aerosol containers on your consignee return as long as certain rules are followed. Further details on consignee returns derogations can be found on our [website](#).

Waste aerosol cans should be packaged<sup>2</sup> and carried<sup>3</sup> in accordance with the relevant legislation.

## Enforcement

In not pursuing an application for a permit, we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. We will, however, continue to enforce the controls on hazardous waste. For a more detailed explanation of this enforcement position, please see our [Enforcement and Sanctions](#) statement.

This statement is based on our understanding of the relevant legislation. It applies to England only. You can get advice on the approach being taken in Wales from Natural Resources Wales.

This regulatory position will be reviewed by August 2017.

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2. Guidance on appropriate packaging can be found at <http://www.hse.gov.uk/cdg/manual/commonproblems/wasteaerosols.htm>

3. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 (CDG 2009) and the European agreement ("Accord européen relatif au transport international des marchandises dangereuses par route", known as ADR). Go to <http://www.hse.gov.uk/cdg/manual/index.htm> for more information.