

Introduction to mandatory digital waste tracking: summary of proposals

January 2022

Whilst waste policy is a devolved matter, the UK Government and devolved administrations have agreed to work together to develop a UK-wide waste tracking service to provide a seamless system across the UK. Accordingly, this consultation is being undertaken jointly by the UK Government, the Scottish Government, the Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland.

The purpose of this consultation is to present and seek thoughts on our proposals for this. We will use the feedback to review and refine our proposals which will then be reflected in secondary legislation and shape the digital design of the waste tracking service. We therefore do not intend to run further public consultations on the secondary legislation.

The following is a summary of the proposals set out in the consultation document.

What will be tracked and what will it mean for you?

We propose that controlled waste (encompassing both hazardous and non-hazardous household, commercial and industrial waste) and extractive waste (for example, from mines and quarries) are both covered by new information recording requirements for a digital waste tracking service.

We also intend to require that any waste containing Persistent Organic Pollutants (POPs) is identified in the new service and will then be tracked accordingly.

We are proposing harmonising most recording requirements with those of hazardous waste to enable users of the service to have the most reliable understanding of the fate of our waste.

There will be a requirement to record information on the new waste tracking service about:

- waste transferred to another person, company or to another site operated by the same person or company
- waste which is treated, disposed of, or recovered
- end of waste products or materials produced from waste and taken to the next destination

Businesses disposing of waste

Instead of having paper-based records for the waste removed from your premises, there will be a digital record created on the waste tracking service.

Your waste carrier will be able to enter this record for you, but as now, you will need to check the details are correct.

It will be easier than ever before to see exactly what happens to your waste, making your duty of care responsibilities much more straightforward. Where you have the same type of waste, regularly collected by the same carrier, the service will be designed in a way to save you even more time.

Household residents

This will not change your council bin collections. When you get other waste collected, in a skip for example (either put there by you or by tradesmen working for you), the person or business collecting the waste will need to create a digital record.

They will give you a unique reference which, if you want to, you can use to see what happens to your waste, giving you reassurance that the waste has been disposed of properly and helping to reduce the risk of fly tipping.

Waste collection authorities

You will not need to track waste from individual household collections. This waste will need to be recorded in the service at the point when the waste arrives at a receiving site and then further tracked in the service as required from there. If you provide paid for waste collections for commercial business or industrial premises, then you will need to record those waste movements from the producers' premises.

Much of the information you previously had to gather and report through WasteDataFlow will now be on the waste tracking service so there will no longer be a need for you to report this separately. You will have much more timely information as to what is happening to waste in your area.

Waste site operators (any site accepting waste including registered exemptions)

You will need to record details of the waste you receive on site and then subsequently what you do with it, digitally on the waste tracking service rather than using a paper-based system.

Through the digital service we intend to provide you with user friendly and customisable summaries and reports about the waste you're handling, helping you to make more informed decisions about your business operations and helping you comply with any waste permits, licences, or registrations you hold.

Waste importers and exporters

As a waste importer or exporter, you will need to record details of waste you intend to import or export under Green List Waste controls onto the waste tracking service. You will continue to use the existing International Waste Shipments online system to record any notifiable exports.

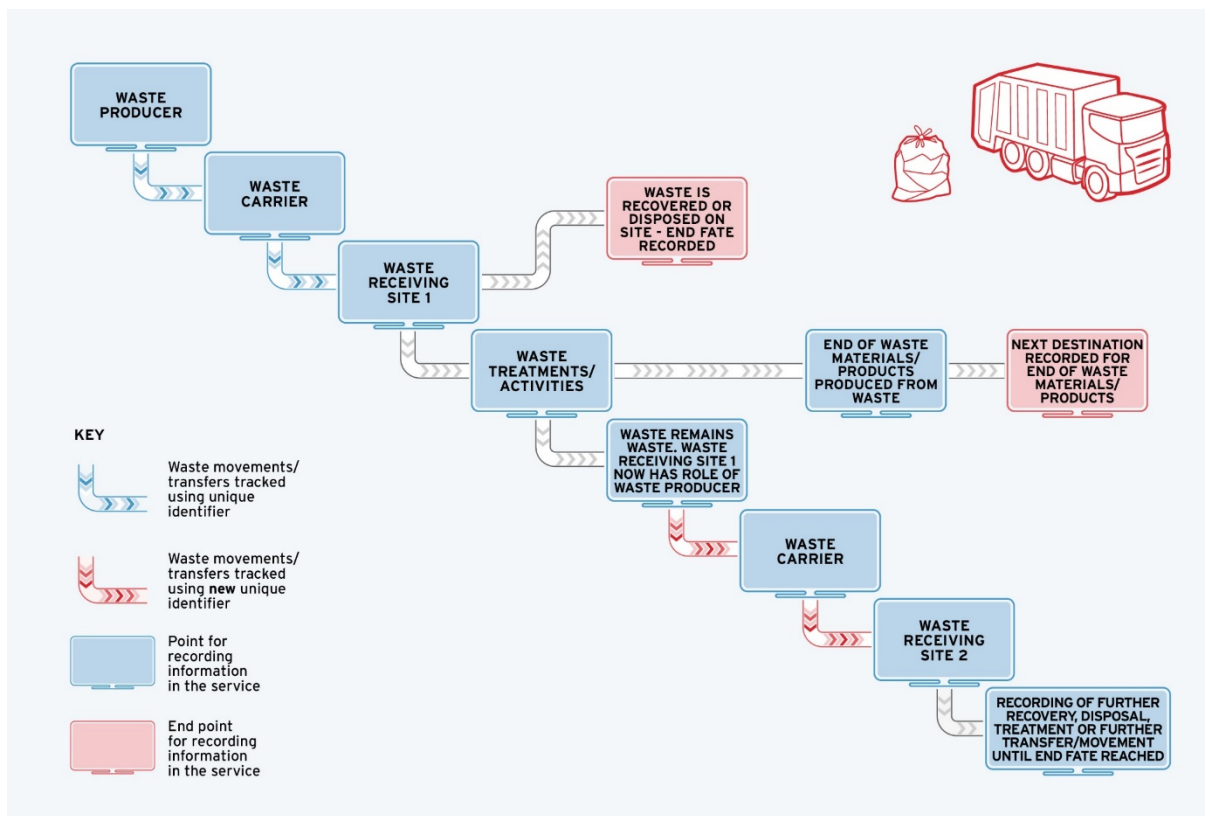
Those involved in transporting the waste for export within the UK will also be adding their information to the waste tracking service and therefore you will have a timely understanding of where any waste you are managing is at any point in the movement, allowing you to comply with your duty of care responsibilities.

Environmental regulatory officers

You will have access to comprehensive and timely information about all waste movements and activities within your area. This will help you to detect:

- waste that disappears or doesn't reach the next stage of the chain (which could indicate that it's been illegally dumped) and to provide evidence as to who may be responsible for it
- waste being stockpiled at sites, waste descriptions that change unexpectedly (possible landfill tax avoidance)
- unusual patterns of waste transfers (indicating potential fraud schemes).

The following is a summary of the points at which information about waste movements, transfers or activities will be required to be entered onto the waste tracking system. Note that this is a generalised example and does not cover all possible scenarios.



Exceptions to waste tracking

We are proposing that for non-hazardous waste only, there will not be a need to record details of waste that is treated, discharged, disposed of, or recovered at the site of production.

Holders of registered waste exemptions which do not involve the transfer of waste in or out of the place where they are registered, for example D2 - Burning plant tissue or untreated wood from joinery activities (England and Wales) or the equivalent Paragraph 30 Burning plant tissue waste on land in the open in Northern Ireland and Scotland, will also not need to record anything on waste tracking about the waste being managed under these authorisations.

This section also explores what recording requirements should be in place for other types of waste authorisation such as Low Risk Waste Positions and Regulatory Position Statements.

What current waste reporting or notification will be included in the service?

Once the new waste tracking service is live, information about waste transfers, movements and activities will be recorded in one place and therefore we will be able to remove many of the existing separate reporting requirements for businesses and local authorities including:

- quarterly permitted or licensed site returns
- hazardous waste returns (England and Wales)
- waste summary returns (Northern Ireland)
- complex exemption returns that may be required by SEPA (Scotland)
- local authority waste collection and treatment information
- in Northern Ireland - prenotification of hazardous waste consignment notes and submission of Annex VII forms to NIEA
- in Scotland – pre-shipment submission of Annex VII forms and submission of hazardous or special waste consignment note deposit copies to SEPA

Information to be recorded in the waste tracking service

This section sets out some of the additional details that may be required in the new waste tracking service for some waste activities. Not all information requirements will be applicable to all users of the waste tracking service. Their relevance will depend on the type of waste being handled or the type of waste movement being undertaken and someone's role within that process.

Dependent on the type of movement or transfer being undertaken, regulators already require information to be recorded, including about:

- the date and time of the movement or transfer
- details of the waste producer, consignor, or originator
- details of the waste carrier and details of the waste (including description, relevant coding, chemical composition, and containment).

The suggested information to be recorded in addition to this is:

- a unique identifier for all waste movements
- details of who classified the waste
- waste destination details
- Standard Industrial Classification (SIC) Code
- rejected or quarantined loads details
- waste treatment details including the end fate of the waste
- identification of Persistent Organic Pollutants (POPs) in waste
- details of end of waste products or materials produced from waste and where these go next

This section also asks responders for their thoughts on whether they would like to see the requirements for the Dangerous Goods Regulations incorporated into the system and how they think waste holders can best demonstrate their compliance with the waste hierarchy.

Ways to enter information

We want to make sure that all those required to input information onto the bilingual¹ waste tracking service can do so easily and with minimum inconvenience to their current ways of working. We therefore intend to develop a service (for both English and Welsh speakers) that will allow information about waste to be entered in a variety of ways, enabling operators to continue to use their own systems where possible.

Based on our user research we have identified the following as requirements for data entry options:

1. Manually type in records - either using an online form or mobile app
2. Upload data from spreadsheets
3. Upload data from existing waste tracking software via a spreadsheet
4. Directly transfer data from existing waste tracking software (or through use of barcodes or QR codes) to the Waste Tracking Service

¹ The choice will be to either enter the information in English or Welsh in line with the [Welsh Language \(Wales\) Measure 2011](#)

Existing software could be a commercial-off-the-shelf (COTS) application, or a bespoke application developed independently.

To provide effective interoperability and maximum quality of the data in the waste tracking service we intend to consult and work with stakeholders on the development of a suitable data standard.

When information will need to be entered

Our ambition is for all waste movements and transfers to be recorded on the waste tracking service in real time, which means information must be entered onto the service at the point something is happening to the waste.

Within the waste industry it is likely there will be some businesses for whom real time recording suits their operation, but for others it may take longer to make the changes needed to incorporate real time tracking into their business processes.

We are therefore intending to provide some flexibility around when information is required to be entered onto the service. Providing this flexibility however brings with it some challenges around how we ensure the waste tracking service can work practically both for businesses and regulators.

To mitigate these challenges this section proposes that a certain amount of basic information about all waste transfers will be required prior to a waste movement or transfer taking place, with further details being confirmed or submitted as appropriate by different parties at a later stage. This advanced information includes things such as producer, holder, or person arranging shipment details, waste description and details, carriers name and vehicle details if known, planned date of movement and details of intended destination site.

This will create a record which will be given a unique identifier by the service to allow others further down the waste chain (and regulators) to view information about the waste being moved and provide their information in real time if required.

This section also seeks views on how best to incorporate regular waste movements into the waste tracking service as the use of season tickets will be discontinued.

Roles and responsibilities

This section sets out the new roles and responsibilities that will exist for different parties in the waste chain. This includes a requirement for all relevant waste holders to be registered on the waste tracking service and to ensure that the relevant details relating to a waste movement, transfer or activity are entered onto the service within the required timeframes.

There will be an ability for one user to register another party on their behalf, for example a waste carrier will be able to register a waste producer.

Householders will not be required to use the waste tracking service, however they will still be required to take all reasonable measures available to them to ensure their waste is only transferred to an authorised person, as they do now. Non-local authority waste carriers will

be required to provide the unique identifier allocated to a movement of waste to the householder involved and we anticipate the waste tracking service will be able to allow householders to view information relating to that movement should they wish to.

Digitally excluded requirements

The Environment Act 2021² requires us to provide an exemption for those defined as digitally excluded. We believe the number of digitally excluded users involved in waste management will be very low.

We are also proposing that an alternative process would be provided to enable digitally excluded people to provide their information in a non-digital way and for this information to then be entered onto the waste tracking service to ensure we have a full record of waste movements, transfers, and activities.

There will need to be some controls around the registration of digitally excluded individuals to ensure that only those who are legitimately digitally excluded use the alternative provisions. Therefore, this section sets out several general principles that will be applied including the need for those registering as a digitally excluded user to provide specified information and evidence as to why they consider themselves to be digitally excluded.

Data retention, access, and confidentiality

This section sets out what level of information in the waste tracking service different types of user will have access to. We are proposing that there will be a public facing interface enabling users to create and view summary information reports about waste.

Given the waste tracking service is going to be a central record of waste movements and activities upon which significant statistical analysis will be possible, we are proposing that records on the waste tracking service will be retained for longer than the current requirements; for a period of 20 years or until a permit or licence is surrendered, except for landfills where records will be kept for a further 20 years following surrender.

After a period of 6 years, certain information on individual records, such as personal data and electronic signatures will be removed but non-personal data which may be of use for statistical purposes will be retained. Where records relate to an ongoing investigation or enforcement by a regulator, personal information may be retained for a longer period until the relevant case is closed.

A mechanism for managing sensitive information, for example where the information may identify the address of a particularly sensitive location or information about activities at a location which if disclosed could be contrary to the interests of national security, is also proposed.

² [Environment Act 2021](#)

Enforcement

This section seeks views on offences and civil sanctions to be introduced around digital waste tracking requirements such as for:

- failing to register on the waste tracking service where required,
- intentionally or recklessly providing incomplete or false information in a digital record
- moving or receiving waste without a digital record

Regulatory functions

This section sets out the functions we are proposing conferring on the relevant environmental regulators on the introduction of the digital waste tracking service. These functions include a responsibility to conduct audits of the information on the service and to identify and investigate those not complying with the requirements.

Charging

In line with the polluter pays principle it is intended that once the electronic waste tracking service goes live the costs for the ongoing operation and maintenance of the service and associated regulatory work will be met by the service users. The Environment Act 2021 includes powers to recover these costs.

The environmental regulators will be considering necessary amendments to their existing charging frameworks, for example for hazardous waste, and will consult on any proposed changes to charges separately.

The questions in this consultation focus on how the future costs of operating and maintaining the waste tracking live service should be recovered. Responses to these questions will be used by the regulators in the development of their charging frameworks.

Implementation

This section asks for views on options for rolling out the digital waste tracking service from a proposed date of 2023 to 2024 dependent on the IT development and the transition needs of businesses and asks responders to provide information about what costs and benefits users think there will be for them as a result of transitioning to this new way of working.

It also sets out the main changes that will need to be made to existing waste legislation and systems such as the WasteDataFlow system because of the introduction of the waste tracking service.