

DUTY OF CARE AUDITS BY EMS:

WHO?

The Environmental Protection (Duty of Care) Regulations 1991 (amended '96 & '02) places legal requirements on all persons and companies who deal with controlled waste. Duty of Care applies to anyone who produces, receives, holds, carries, treats, or disposes of controlled waste, or as a broker, has control of such waste.

WHY?

Companies have a Duty of Care to prevent the escape of waste to the environment not only while it is in their possession but afterwards as well or else they commit a criminal offence.

There is no statutory limit for fines that may be imposed as a result of breach of Duty of Care.

Waste audits help to support the management and minimisation of waste which is a key issue in businesses today especially as nationally fly tipping is increasing. In 2003 the Environment Agency dealt with 5,300 incidents, which was almost 40% more than 2001. **If waste can be traced back to you, you will be held accountable, regardless of whether you dumped it.**

Much of the waste your company currently pays to have removed is often a desired raw material and other companies/organisations will often collect this waste for free or even pay for the privilege.

Informed waste management can save your company money.

HOW?

EMS will carry out a Duty of Care waste audit of your business to:

- Systematically identify all waste from your business
- Ensure all waste is safely handled and stored in a secure and legally compliant manner
- Ensure current waste disposal practices are the most appropriate (financially & legally)
- Ensure use of registered waste carriers with appropriate waste management licences
- Ensure appropriate records and transfer notes are kept
- Ensure all waste contractors are handling and disposing of waste in accordance with the law

A report will then be issued outlining the audit findings and any non-conformances or corrective actions will be highlighted. Evidence in support of the findings of the Duty of Care waste audit will be included in the report.

Remember, businesses that correctly manage their waste can save themselves money!

Out of sight out of mind is no longer a reasonable defence.