

Bulky Waste Guidance: Definitions

Definitions

Definition of Bulky Waste

Bulky waste can be defined by type, by weight and by volume.

Legal definition¹

The definition of "bulky waste" is:

- any article of waste which exceeds 25 kilograms in weight; and/or
- any article of waste which does not fit, or cannot be fitted into:
 - (a) a receptacle for household waste provided in accordance with section 46 of the Environmental Protection Act 1990; or
 - (b) where no such receptacle is provided, a cylindrical container 750 millimetres in diameter and 1 metre in length.

Descriptions in common use

In practice local authorities describe bulky waste in various ways, and descriptions often differ for collection services and for items deposited at Household Waste & Recycling Centres (HWRCs). Collection authorities often describe bulky waste as "items you take with you when you move house", to differentiate between what may reasonably be considered trade waste rather than household waste". With such a caveat, a typical bulky waste collection service is likely to:

Include	Exclude
furniture, electrical appliances such as white goods, bicycles, rugs, garden furniture and other portable household items.	carpets or underlay, kitchen or bathroom units (i.e. those that are generally fixed to the wall), black bag waste, doors and windows, fencing panels or gates, greenhouses or sheds, boilers or storage heaters.

HWRCs tend to accept any bulky item that householders can transport to a site – this can include all the items listed above. Items generally are categorised as:

- hard furniture;
- soft furniture;
- other furnishings;
- fridges and freezers;
- large WEEE;
- small WEEE; and
- other.

Categorisation is essential to ensure data is reported and services are specified correctly.

¹ *Controlled Waste Regulations 1992 and Controlled Waste Regulations Northern Ireland 2002.*

Bulky Waste Guidance: Definitions

Definitions of Waste, Reuse and Recycling

Definition of waste

The revised Waste Framework Directive (2008/98/EC) provides the following definition of waste: 'Waste' means any substance or object which the holder discards or intends, or is required to discard.

The Waste (England and Wales) Regulations 2011 align the revised Waste Framework Directive definition of waste through a series of amendments across all relevant Acts and Regulations. The Waste (Scotland) Regulations 2011 will make similar changes in Scotland.

The definition of waste is important because at an operational level the classification of items as waste determines whether other regulatory controls, aimed primarily at protecting the environment and human health, are applicable. For example, the need for an environmental permit to operate a disposal, treatment, transfer, storage, etc facility, the need to be a registered waste carrier in order to transport waste materials and the requirement for waste transfer notes.

Many items are defined as waste even though they may be reused or recycled subsequently. The point at which an item ceases to be a waste can be complex and can vary. In terms of bulky waste, for example, items can cease to be waste at the point at which they are deemed suitable for reuse. For electrical items and non-electrical items in need of repair, this is at the end of the testing or repair process. Furniture not in need of repair can be deemed suitable for reuse at the point of collection.

'Controlled waste' is defined in section 75 of the Environmental Protection Act 1990 and specifically through the Controlled Waste Regulations 1992. This includes household waste, industrial waste and commercial waste.

Household waste specifically includes:

- All waste collected by WCAs under Section 45(1) of the Environmental Protection Act 1990;
- All waste arisings from Civic Amenity (CA) Sites established under Section 51(1)(b) of the Environmental Protection Act 1990; and
- Waste collected by third parties for which collection or disposal reuse or recycling credits are paid under Section 52 of the Environmental Protection Act 1990.

In terms of household bulky waste this includes:

- bulky waste collections;
- bulky waste and bric-a-brac deposited at HWRCs; and
- reuse/recycling of bulky items undertaken by third parties and recorded through a collection or disposal credit system.

England, Wales and Northern Ireland

As noted above the point at which waste ceases to be waste can be complex. For detailed guidance reference should be made to the Joint England/Wales/NI guidance on the legal definition of waste and its application which was published for consultation in January 2010. It remains available at

Bulky Waste Guidance: Definitions

<http://webarchive.nationalarchives.gov.uk/20100505154859/http://www.defra.gov.uk/corporate/consult/waste-definition/index.htm>. The post-consultation version of the guidance is being prepared currently.

The consultation guidance makes a distinction between re-use as a waste prevention operation and re-use following a recovery operation, a distinction which also is made in the revised Waste Framework Directive². It states that in the former case, "the substance or object in question never becomes waste because it is designed or used in such a way as to enable re-use" and gives the example of a milk bottle. It also gives the example of electrical equipment which is (discarded) taken by its owner to a HWRC. At that stage it is waste, however, if the item is sorted and "identified as fully functional and ready for use, then that equipment may cease to be waste once it is certain to be re-used".

Further, it offers guidance in response to a series of questions, two are included below³:

- *Is the substance or object still suitable for its use?*
Substances or objects that can no longer be used for their original purpose (e.g. because they are out-of-date) or have become damaged or unsuitable for use are likely to be waste.
- *Is the substance or object being passed on as second hand goods?*
A substance or object may be unwanted by one owner, but it is passed on to be used for its original purpose without needing any processing or treatment. If so, it is generally not waste.

The general principles which define end of waste is further illustrated by the example below:

If the owner of a bulky item intends it to be reused and never intends to discard it, then the item is not waste. However, it should be noted that this only applies if the item is immediately reusable, i.e. does not require any refurbishment prior to being sold or donated. As electrical items all require full function testing, they must always be considered as waste until deemed 'fit for purpose'.

Scotland

In Scotland guidance produced by SEPA sets out a framework of factors to be considered in determining whether an item is likely to be defined as waste. It states that:

"SEPA consider waste to remain waste until fully recovered. The fact that the holder of the waste may have a use for the waste or that the waste may have a value does not necessarily mean that it is not being discarded or that it has been fully recovered.

[and] ...

The fact that an item has been donated does not mean that it is not waste or that it ceases to be waste, as the decision to discard usually precedes the decision to donate."⁴ SEPA further clarifies this as regards bulky items and bric-a-brac:

² Waste prevention is defined in Article 3 (12) in Directive 2008/98/EC

³ <http://webarchive.nationalarchives.gov.uk/20100505154859/http://www.defra.gov.uk/corporate/consult/waste-definition/index.htm>

⁴ SEPA *Is it Waste?* 4 August 2006 - http://www.sepa.org.uk/waste/waste_regulation/is_it_waste.aspx

Bulky Waste Guidance: Definitions

"12. Goods given to charity shops are generally waste. They may be considered to be fully recovered when they are sorted and put on the shelf for re-sale.

13. Goods 'donated' to charitable organisations for refurbishment or reuse are generally waste. They may be considered to be fully recovered only when they are refurbished, treated and/or sorted and made available for (re)sale."

Definition of reuse

The revised Waste Framework Directive (2008/98/EC) also provides a definition for reuse and preparing for reuse:

" 'Re-use' means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived."

Reuse from the bulky waste stream comprises items which otherwise would be destined for disposal but are (in some cases after some preparation), suitable for distribution to and further use by someone else.

" 'Preparing for re-use' means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing." ⁵

The degree of preparation for reuse can range from a quick check over and clean, to major repair or restoration, depending on demand and ability to meet it. It can include:

- A. Items requiring little or no checking or cleaning, which are ready for distribution - this is commonly termed "immediately reusable items".
- B. Items requiring refurbishment or restoration. This is the process of maintenance or repair of an item, either aesthetically or mechanically.
 - B1 - are items requiring minor repair or restoration, such as tightening screws, adding a missing handle or cleaning. Commonly termed "reusable with minor work done".
 - B2 - are items requiring major repair or restoration, such as stripping and re-varnishing, sourcing and re-fitting major missing parts, or fitting new bearings in a washing machine. Commonly termed "reusable with major work done".

The key element here is that the basic state of the item remains intact, so a table is still a table, it is not turned into something else.

For some items, though theoretically reusable, there may not be any market demand, for example sideboards. This commonly is termed "Reusable but no market" and such items are likely to be directed towards recycling or disposal.

Therefore, in terms of identifying bulky items that are suitable for reuse, this can be done by:

- type – including furniture, white goods and electrical appliances;

⁵ "Re-use" and "preparing for re-use" are defined in Articles 3(13) and (16) respectively of the revised WFD (2008/98/EC).

Bulky Waste Guidance: Definitions

- condition/age – rip free, mark free, rust free and no parts missing;
- compliance – with fire safety, and other safety standards; and
- market – viable outlet exists for items.

A decision on the viability of reusing an item tends to be taken according to whether it is:

- A. Reusable in current condition
- B. Reusable after minor repair
- C. Reusable after major repair
- D. Not repairable but recyclable

See the section on **What is reusable** on the main webpage for more information about potential reusable items in the waste stream.

Reporting Reuse

In terms of Waste Data Flow (WDF) the advice is to use the following definition of reuse from the National Indicators for reporting.

http://www.wastedataflow.co.uk/documents/guidancenotes/NationalIndicators/GN31_Handbook_Definitions_1.0.pdf

'Reused items' means items removed from the municipal waste stream and specifically the household waste element for its original or a different purpose without processing or treatment in a waste recovery operation (other than for repairing or refurbishing). Items for reuse would come from material which has been discarded as household waste and is in the possession of a WCA/WDA, before being sent for reuse. It may also include items for reuse that are separated from the household waste stream by third parties on behalf of the WCA/WDA and/or for which reuse credits are paid. Reused items may come from:

- items from WCA/WDA bulky waste collections, kerbside collections;
- Items disposed of at civic amenity sites;
- items received and passed on by the WCA/WDA itself
- Items received and passed on by third parties working on behalf of the WCA/ WDA.

Any reuse that is not done on behalf of the WCA/WDA should be excluded.

In England Defra are currently reviewing the definitions and what this means for WDF reporting. Currently, local authorities are advised to continue to report as usual, until further information is available.

Definition of recycling

Article 3 (17) of the revised Waste Framework Directive defines recycling as: " 'recycling' means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations".

Bulky Waste Guidance: Definitions

The recycling of bulky waste involves breaking down used items into constituent materials, such as wood, plastic or metal, which are then reprocessed to make new items. It can include a scenario where the integrity of the original item is changed, by utilising materials from one product to create a new one, such as by salvaging wood from a wardrobe to make a set of nest boxes or using a bed base to build a composter.

Summary

Key points from this section:

- Although reuse is a commonly-used term for a range of activities, it is important to understand the legal definitions of waste and reuse including the relatively new term of preparing for reuse.
- A description of what is and is not bulky waste should be stated clearly in any service specification or service agreement or contract with a service provider. This in turn needs to be communicated to call centres, collection staff and householders.

While steps have been taken to ensure its accuracy, WRAP cannot accept responsibility or be held liable to any person for any loss or damage arising out of or in connection with this information being inaccurate, incomplete or misleading. This material is copyrighted. It may be reproduced free of charge subject to the material being accurate and not used in a misleading context. The source of the material must be identified and the copyright status acknowledged. This material must not be used to endorse or used to suggest WRAP's endorsement of a commercial product or service. For more detail, please refer to our Terms & Conditions on our website - www.wrap.org.uk