



The Environment Agency works with government, industry and other organisations to improve resource efficiency.

Improved site management can reduce environmental impacts both on and off site. Understanding the risks posed by construction activities and taking steps to reduce incidents can help reduce costs and improve business reputation.

### Duty of Care

Duty of Care is a law which says that you must take all reasonable steps to keep waste safe. If you give waste to someone else, you must be sure they are authorised to take it and can transport, recycle or dispose of it safely. If you break this law, you can be fined an unlimited amount.

You are required to keep records of waste you have transferred to another person and to declare that you have considered the waste hierarchy when transferring your waste. This is to ensure that waste prevention, recycling and recovery are considered ahead of disposal.

[How to comply with Duty of Care](#)

[Find out if your waste carrier is registered](#)

[What to do if you want to move waste yourself](#)

### Getting permission to handle waste

If you use, treat, store, transport or dispose of waste during the construction process you will need to seek permission from us to carry out this task. Permission will be in the form of a registered exemption or an environmental permit.

Do I need to register an exemption or apply for an environmental permit?

They have been able to reduce the permitting or exemptions requirements for some specific construction activities. These include some specific activities using road planings, concrete wash water, clay, bentonite and asbestos pipes.

Guidelines on how we are reducing regulation for specific construction activities

They have also developed a low risk approach to the regulation of certain construction activities including:

- recovery of inert waste by leaving a road in-situ
- temporary storage of waste plasterboard
- reuse of concrete wash waters, silty wash waters and silt
- dewatering of cement washings
- spreading pond construction waste
- manufacture of cob blocks and storage of non hazardous bitumen

### Brownfield sites

They encourage the remediation of brownfield land and the use of cluster projects - the movement of soil on and between sites to reduce the amount sent to landfill.

As regulators, they ensure measures are in place to protect the environment and human health. Their regulatory guidelines support the Contaminated Land: applications in real environments code of practice (CL:AIRE CoP), which if followed properly mean that under certain circumstances materials arising on site need not be considered waste.

### Reusing waste

To reduce the amount of waste going to landfill, there are a series of exemptions and permits that apply to the use, treatment, disposal and storage of waste. Several materials used in construction can be reused with an exemption. Permits and exemptions must be obtained prior to the activity taking place. These include:

- crushed bricks, concrete, rocks and aggregate to create a noise bund around a new development and then using soil to landscape it and enable grass to grow
- road planings and rubble to build a track, road or car park
- wood-chip to construct a track, footpath or bridleway
- bringing in soil from another development for landscape use at a housing development

[More information on waste exemptions](#)

[Mobile treatment permitting](#)

### Quality protocols

Working in partnership with WRAP and industry we have developed a number of quality protocols which help to identify the point at which certain wastes are sufficiently recovered and no longer need to be controlled by waste legislation. Many of these are relevant to the construction industry.