

# Waste Explosives – An Aide Memoire

## Introduction

It has become increasingly evident to the Explosives Industry Group (EIG) that considerable confusion exists on the status of Waste Explosives vis-a-vis the emergence of a plethora of existing and potential EU and National Waste Legislation proposals; necessitating a review of the subject and the production of an aide memoire to guide EIG Members through this uncertain phase on the handling and disposal of waste explosives.

Accordingly, an internal EIG Working Group, under the chairmanship of Colin Shimell of QinetiQ (a leading EIG Member) has completed this review and produced the following aide memoire for the benefit of EIG Members.

'Traditionally waste explosives have not been included within environmental waste management regimes within UK domestic legislation. However, recent interpretation of the EU Waste Framework Directive (WFD) have included waste explosives within the definition of 'Directive Waste' and thus potentially subject to all the normal waste management requirements of environmental legislation. In theory this could include the need for a waste management licence if handling others' waste explosives.

It is understood that the WFD is currently being amended and one of the proposed amendments will remove decommissioned explosives from the scope of the Directive. The impact of this proposed amendment will again remove decommissioned explosives from the waste management regime. It is understood that the proposals for amendment have already received a first reading within the EU Commission. Whilst we cannot say with any accuracy when the amendments will come into force, a best estimate is in 6 to 9 months time.

Up to now UK environmental regulators have not required waste management licences for handling waste explosives. It is currently unclear how they will view this in the interim pending the coming into force of the revised WFD mentioned above. Any member receiving advice from a regulator on the need to obtain a waste management licence specifically for the handling of waste explosives, is advised to contact one of the people named below.

Notwithstanding the current and future position on this matter, explosives should always be disposed of in a safe and

environmentally responsible manner. Further guidance on the disposal of explosives can be found in the HSE/EIG publication 'Guidance for the Safe Management of the Disposal of explosives', ISBN 978-0-85201-655-8'.

Further advice on the position of waste explosives and waste management legislation can be obtained from:

- Peter Honey, 01702-383316, [pjhoney@QinetiQ.com](mailto:pjhoney@QinetiQ.com)
- Colin Shimell, 01252-396739, [crshimell@QinetiQ.com](mailto:crshimell@QinetiQ.com)
- Brian McCay, 01722-428740, [brian.mccay@chemringcm.com](mailto:brian.mccay@chemringcm.com)
- Peter Clapperton, 01291-674146, [pete.clapperton@baesystems.com](mailto:pete.clapperton@baesystems.com)
- Jo Mortlock, 0207-2187054, [jo.mortlock340@mod.uk](mailto:jo.mortlock340@mod.uk)

## **Conclusion**

In offering this aide memoire to EIG Members however, it is stressed that the advice offered has no legal standing; and Members faced with a particular waste explosives matter outside the general advisory scope of the aide memoire, and if the further advice invitation above, does not meet the requirement, they are advised to seek independent legal opinion on their own particular problem or issue.