STATUTORY RULES OF NORTHERN IRELAND

2005 No. 300

The Hazardous Waste Regulations (Northern Ireland) 2005

PART 6

REGISTERS, RECORDS AND RETURNS

Producers', holders' and consignors' records

38.—(1) A producer or holder of hazardous waste, and where different from the producer, a consignor of hazardous waste, shall keep a record of the quantity, nature, origin and, where relevant, the destination, frequency of collection, mode of transport and treatment method of the waste.

(2) Where the waste is transported from the premises where it is produced or held by a person other than the producer or holder the duty in paragraph (1) includes a requirement to keep a record of particulars sufficient to identify that other person.

(3) The producer or holder, as the case may be, shall preserve the records to be made pursuant to this regulation whilst he remains the holder of the waste and for at least three years commencing on the date on which the waste is transferred to another person.

(4) The information to be recorded pursuant to the foregoing provisions of this regulation shall be recorded in a register kept by the producer or holder, as the case may be, for the purpose.

(5) Except where paragraph (6) applies, the register required to be kept and retained by a producer or holder under paragraph (4) of this regulation shall be kept at the premises at which the hazardous waste was produced.

(6) Where the period mentioned in paragraph (3) has not expired, for the remainder of that period the producer or holder shall keep the register at the producer's or holder's principal place of business where and only where:

(a) he ceases to have access to the premises in paragraph (5);

(b) his access to the premises in paragraph (5) is not and has never been regular access;

and in either case he shall notify the Department forthwith.

(7) Any register kept and retained under this regulation or shall be produced to and made available for inspection by the Department on request.