

Agricultural Waste Regulations 2006

The new Agricultural Waste Regulations are effective from the 15 May 2006 and mean that farm waste is no longer excluded from the Environmental Protection Act 1990

This essentially means that as a waste producer, you now have a Duty Of Care to ensure that your waste is handled, transported and disposed of in accordance with legislation. You will have 12 months (until 15 May 2007) to comply with the new rules and to register for any waste exemptions.

Burying and Burning Waste

For most this will mean that you need to stop using your farm tip/dump before the 15 May 2006 and you should also stop burning plastics and other materials that give rise to pollution.

Burying Waste

You must stop putting waste on your farm tip/dump. You must also stop burying waste on the farm. If you stop using your dump/tip now you won't need to take any further action unless your site is causing pollution or harm.

Burning Waste

You must also stop burning waste in the open air before the regulations come into force, particularly plastics and tyres. You will only be allowed to burn waste like crop residues (these are residues from linseed, cereals, oil seed rape, peas and beans), hedge trimmings and other untreated wood in the open. If you use a drum incinerator to burn rinsed polyethylene pesticide containers you will have another 12 months (until early 2007) before you will have to stop doing this.

What you need to do

The Environment Agency has identified five options for dealing with your waste. One or more of these options may be appropriate to your business:

1. Store your waste for up to 12 months and store it securely

Storing waste safely depends on the waste type. The bottom line is that it cannot escape from your control - e.g. become windblown - or cause pollution.

2. Take the waste to a recovery or disposal site yourself

- Ensure that the site is correctly licensed and able to accept your waste
- Ensure that the site can accept your delivery vehicle
- Confirm payment method and cost
- Confirm how the site would require the waste to be delivered and packaged.

3. Give the waste to a specialist contractor

Whichever supplier you choose, you will need to comply with your Duty of Care by making sure they are authorised to carry waste. You will also have to complete a Duty of Care transfer note and keep a copy for your records.

4. Register licence exemptions

Most farms will need to register one or more exemptions. But don't panic, the Government has given you 12 months to register. They are free for activities involving agricultural waste. Defra and the EA are developing a number of simple ways for you to register. A step-by-step guide on how to register will be available on the Environment Agency website.

5. Obtain a Waste Management Licence or Pollution Prevention and Control Permit

This option is unlikely to be appropriate for farmers as it is only suitable for those seriously thinking about diversifying into professional waste management. Such licences will cost tens of thousands of pounds and require ongoing training, inspections and investment.

If you are thinking of investing in a waste management licence, or have any queries regarding the new Regulations you should contact your local Environment Agency office.

Call 0845 603 3113 to find your nearest office or alternatively visit the website

www.environment-agency.gov.uk