

# AGRICULTURAL WASTE GUIDANCE

Agricultural Waste Guidance



## Registration of Agricultural Waste Exemptions

### Introduction

Farmers are no longer permitted to burn or bury agricultural waste, or put agricultural waste into the household dustbin. Individuals, companies or organisations that are operating an agricultural business are required to register activities that are exempt from the need to have a waste management licence.

Agricultural waste is waste produced at agricultural premises as a result of an agricultural activity. This definition does not include waste produced at sites such as riding stables, equine centres, farm shops, kennels and animal parks.

Agricultural premises are farms used for an activity defined as agriculture in the Agriculture Act (Northern Ireland 1949). This includes land used for horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.

There are 25 exemptions, 21 simple and 4 complex exemptions which may apply to agricultural activities involving waste.

**If you wish to register for the 21 simple exemptions you must mark an "X" in the "Yes" box at Question 1 of the Agricultural Waste Exemption Application Form.** If you have already registered for the 21 simple exemptions you do not need to re-register.

Complex exemptions deal with higher risk activities (landspreading of waste, composting of biodegradable waste, the storage and use of construction wastes and use of lined biobeds). **If you wish to register for any of these complex exemptions you must mark an "x" in the appropriate "yes" box at Question 2 of the Agricultural Waste Exemption Application Form.** Complex exemptions must be re-registered on an annual basis.

Waste exemptions relate to different types of activities carried out by a range of different industries. An activity can qualify as exempt provided it meets certain guidelines. These may limit the quantity or types of waste as well as other parameters. These rules and limitations are summarised in this section and can be found in full in the Waste Management Licensing Regulations (Northern Ireland) 2003.

Under the legislation, you must ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment. In particular without –

- (i) risk to water, air, soil, plants or animals; or
- (ii) causing nuisance through noise or odours; or
- (iii) adversely affecting the countryside or places of special interest e.g. ASSI, SAC, SPA, RAMSAR or AONB.

**The Hazardous Waste Regulations (Northern Ireland) 2005** apply to agriculture as they do to other business sectors. Typical examples of hazardous waste produced on farms include asbestos (all types), oils, lead acid batteries, antifreeze, fluorescent light tubes and agrochemical concentrates.

### Duty of Care

Duty of care now applies to all waste produced on a farm. To comply with Duty of Care you must:

- make sure your waste is secure and that your containers are fit for purpose
- when you pass your waste to someone else, make sure they are authorised to take it. For example, registered waste carriers and holders of waste management licences are authorised under the Duty of Care. More information on Duty of Care is available on the NIEA website: [www.ni-environment.gov.uk](http://www.ni-environment.gov.uk).
- if you are about to give your waste to someone and don't know whether they are authorised to take it, you can check the public registers on the NIEA website: [www.ni-environment.gov.uk](http://www.ni-environment.gov.uk).
- when you pass your waste to someone you must complete a waste transfer note and keep it for two years.

### Agricultural Waste Exemptions

Each of the exemptions has a title and an 'exemption number'. The exemption number refers directly to the regulations and is included for reference purposes. You should read the key conditions and limits to decide whether the exemption applies to you.

#### Simple Waste Exemptions

##### **Exemption 6:**

**Treatment and cleaning of agricultural packaging or agricultural containers so that they can be re-used**

##### Key Conditions:

- May clean, wash, spray or coat packaging containers provided they do not contain anything hazardous.
- Must be for re-use of the packaging or containers.
- You may also store waste being subjected to one or more of the above activities.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

##### Key limits:

- The maximum quantity of waste that can be dealt with at any one place is 1,000 tonnes in a 7-day period.
- May store less than 1 tonne of metal containers (use for chemicals) and up to 1,000 tonnes of any other packaging or containers at any one time.

**Exemption 7:  
Burning agricultural waste as fuel in appliance or appliances****Key conditions:**

- Burning of waste as a fuel in an appliance. The purpose must be to recover heat or energy and not disposal of the waste.

**Key limits:**

- The appliance or appliances if 2 or more are used, must have a total net thermal input of less than 0.4 mW (400kW)

**Exemption 12:  
Preparatory treatment of agricultural wastes intended for recovery or re-use****Key conditions:**

- Treating wastes that have been collected for the purposes of recovery or re-use.
- It allows the wastes to be treated with the aim of reducing their bulk and making them easier to handle.
- These activities can be carried out at any place, for example, place of production, collection point or point of final recovery.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

**Key limits:**

You can treat the following quantities of wastes in a 7-day period:

- 3,000 tonnes of paper and cardboard (baling, sorting or shredding)
- 1,000 tonnes of glass (sorting, crushing, and washing)
- 100 tonnes of plastic (baling, sorting, shredding, densifying and washing)
- 100 tonnes steel, aluminium cans or aluminium foil (sorting, crushing, pulverising, shredding, compacting or baling)
- 100 tonnes of food or drink cartons (sorting, crushing, pulverising, shredding, compacting or baling)
- 100 tonnes textiles (baling, sorting or shredding)

**Exemption 14:  
Manufacture from agricultural waste and treatment of agricultural waste soils**

## Key conditions:

- You may use waste from construction, demolition or excavation works or waste consisting of ash, slag, clinker, rock, wood, bark, paper, straw or gypsum – to manufacture timber products, strawboard, plasterboard, bricks, blocks, roadstone or aggregate.
- You may use any of the above waste types to manufacture soil or soil substitutes.
- You may treat waste soil or rock which, once treated, is to be spread on land under a relevant exemption.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

## Key limits:

- You may manufacture up to 500 tonnes of soil/soil substitute per day.
- You can treat up to 100 tonnes of soil or rock per day.
- The total amount of waste that can be stored must not exceed 20,000 tonnes.

**Exemption 15:  
Manufacture of finished goods from agricultural waste**

## Key conditions:

- Using wastes to manufacture finished goods.
- The permitted wastes are metal, plastic, glass, rubber, textiles, ceramics, wood, paper & cardboard.
- The exemption also allows waste to be stored before being used in the manufacturing process.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

## Key limits:

- Waste can only be stored at the place where the items are being manufactured.
- The total amount of waste that can be stored must not exceed 15,000 tonnes.

**Exemption 16:  
Beneficial use of agricultural waste**

## Key conditions:

- The beneficial use of waste.
- You must be able to use the waste as it is.
- The use of the waste must not involve its disposal.
- You can store waste prior to its use.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

## Key limits:

- There are no defined limits.
- This exemption is not appropriate if the activity is covered by another exemption.

**Exemption 17:  
Storing agricultural waste intended for recycling or recovery, in a secure place****Key conditions:**

- Storing and bulking up materials to be recycled at intermediate depots, that is, between the points where first collected and the final recovery point.
- Wastes that are permitted under this exemption, subject to certain weight or volume restrictions are: paper and cardboard, textiles, glass, plastic, steel and aluminium cans, aluminium foil, waste food or drink cartons, articles which are to be used for construction in their existing state, solvents, refrigerants and halons, tyres, waste mammalian protein and tallow.
- Each kind of waste stored on the premises under this exemption must be kept separately.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

**Key limits:**

You can store the following quantities of waste:

- 15,000 tonnes of paper and cardboard
- 1,000 tonnes of cloth and textiles
- 5,000 tonnes of glass
- 500 tonnes of plastic
- 500 tonnes of steel and aluminium cans or aluminium foil
- 100 tonnes of articles for use in construction
- 5 cubic metres of solvents
- 18 tonnes of refrigerants and halons can only be stored for 6 months
- 250 tyres
- 100 tonnes of waste mammalian protein/tallow
- No waste can be stored for more than 12 months

**Exemption 18:  
Storing agricultural wastes intended for recycling or recovery, in secure containers****Key conditions:**

- Storage of specified wastes, for recycling or recovery, in secure containers, for example, recycling banks and similar facilities.
- Wastes permitted under this exemption are: paper and cardboard, textiles, glass, plastic, steel and aluminium cans, aluminium foil, waste food or drink cartons, articles which are to be used for construction in their existing state, tyres, and waste oil.
- You must own the containers or have the permission of the owner to use them.
- Each kind of waste stored on the premises under this exemption must be kept separately.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

**Key limits:**

- Taking all the wastes together you can store up to 400 cubic metres of which there is no more than 3 cubic metres of waste oil.
- You can use a maximum of 20 containers on the premises.
- No waste can be stored for more than 12 months.

**Exemption 21:  
Chipping, shredding, cutting or pulverising waste plant matter****Key conditions:**

- Only applies to natural wood and plant material.
- It is for the purpose of recovery or reuse of the material

**Key limits:**

- You may process up to 1000 tonnes a week.
- You may store up to 1000 tonnes at any one time.
- Does not apply to treated or processed wood.

**Exemption 25:  
Spreading of dredgings and plant material cleared from Inland Waterways****Key conditions:**

- Deposit of dredgings and plant materials.
- Wastes can be spread along the bank or towpath where the activity takes place or along other banks and towpaths if it results in agricultural benefit or ecological improvement.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

**Key limits:**

- A maximum deposit of 50 tonnes per metre of bank or towpath in a day

**Exemption 27:  
Baling, compacting, shredding or pulverising agricultural waste at the place of production****Key conditions:**

- For the treatment of wastes that you produce on your farm.
- The activity must be done at the place (farm) where the waste is produced.

**Key limits:**

- None specified

**Exemption 28: Storing returned agricultural goods**

## Key conditions:

- Storage of waste (including hazardous waste) consisting of goods returned to their manufacturer, distributor or retailer.
- The goods must be stored at that business.
- The goods must only be stored for a maximum of 1 month until they are sent for either recovery or disposal elsewhere

## Key limits:

- Waste goods can only be stored for one month.

**Exemption 29: Burning agricultural waste in an exempt incinerator**

## Key conditions:

- The incinerator must be an exempt incinerator (see Key limits).
- It can burn a range of wastes including animal remains.
- Cannot burn municipal waste, clinical waste, sewage sludge or sewage screenings.
- It must be carried out by the producer of the waste.
- It must be at the place of production.

## Key limits:

- An exempt incinerator must be designed to burn waste at a rate of less than 50 kg/hr

**Exemption 30:  
Burning waste plant tissue in the open**

## Key conditions:

- Wastes to be burned in the open on a bonfire.
- Burning must be carried out by producer of waste.
- Burning must be carried out at the place of production.
- Ash can be incorporated into the soil if burning from cereal straw or cereal stubble

## Key limits:

- Maximum of 10 tonnes of waste can be burnt in any 24-hour period.

**Exemption 32:  
Burying waste from a portable toilet**

## Key conditions:

- Disposing of waste from portable toilets by burial.
- Waste must be buried at the premises where produced.

## Key limits:

- You can bury up to a maximum of 5 cubic metres a year at any one premises.
- The site chosen must not cause pollution.

**Exemption 39:  
Storing agricultural medicines and medical, nursing and veterinary waste**

## Key conditions:

- Storing returned medicines at a pharmacy.
- Storing of medical, nursing or veterinary wastes produced by a practice carrying out those activities at their premises.

## Key limits:

- At a pharmacy a maximum of 5 cubic metres of waste medicines can be stored for up to 6 months.
- At a veterinary practice a maximum of 5 cubic metres of waste produced can be stored for up to 3 months.

**Exemption 47A:  
Spreading diluted milk on land for agricultural benefit**

## Key conditions:

- Spreading waste milk from a farm on agricultural land.
- The spreading must treat the land and be for agricultural benefit.
- This exemption covers storing and diluting milk.

## Key limits:

- The waste milk must be diluted at least 1:1 with slurry or water before spreading.
- No more than 50 cubic metres of dilute milk can be spread per hectare per 30 days.
- Waste milk must be spread in accordance with the Nitrates Action Programme Regulations (NI) 2006.

**Exemption 47B:  
Deposit of plant tissue at the place of production****Key conditions:**

- Must be on the land of the agricultural premises where they are produced.
- Deposit must be where the ground conditions are suitable and will not lead to pollution.

**Key limits:**

- Maximum 250 cubic metres in any one deposit.
- The deposit is carried out in accordance with the Nitrates Action Programme Regulations (NI) 2006.
- The deposit is carried out in accordance with any requirements specified under a notice served under Article 32 of the Plant Health Order (NI) 2006.

**Exemption 47D:  
Treating agricultural land with ash from a pig or poultry carcase incinerator****Key conditions:**

- Ash from the incineration of pig or poultry carcasses only.
- Ash may be mixed with manure.
- Ash can only be mixed and spread at farm where incinerator is located.
- Treatment must be for agricultural benefit or ecological improvement.
- Treatment must be in accordance with the Nitrates Action Programme Regulations (NI) 2006.
- Maximum of 100 tonnes of ash can be stored in secure storage.

**Key limits:**

- Maximum of 150kgs/hectare of ash can be incorporated into the soil in a 12- month period

**Exemption 47E:  
Treating agricultural land with dredgings from farm ditches for agricultural benefit or ecological improvement****Key conditions:**

- Dredgings must be from farm ditches only.
- Dredgings must not contain dangerous substances.
- Treatment must be for agricultural benefit or ecological improvement.
- Treatment must be in accordance with the Nitrates Action Programme Regulations (NI) 2006.
- Maximum of 200 tonnes of dredgings can be stored in secure storage

**Key limits:**

- Maximum of 150 tonnes/hectare of dredgings can be incorporated into the soil in a 12-month period.

**Exemption 47F  
Treating agricultural land with spent mushroom compost for agricultural benefit or ecological improvement****Key conditions:**

- Waste must consist of spent mushroom compost only.
- Treatment must be for agricultural benefit or ecological improvement.
- Treatment must be in accordance with the Nitrates Action Programme Regulations (NI) 2006.
- Maximum of 200 tonnes of spent mushroom compost can be stored in secure storage.

**Key limits:**

- Maximum of 50 tonnes/hectare of spent mushroom compost can be incorporated into the soil in a 12-month period.

## Complex Waste exemptions

These activities require additional information because they can pose greater risk to the environment if not carried out properly

You will be required to make an annual renewal for exemptions 9, 13, 19 and 47C.

### Exemption 9:

#### Spreading of agricultural waste on land for agricultural benefit or ecological improvement

##### Key conditions:

- The spreading must have a benefit to agriculture such as improving the condition of the soil which helps support or increase the crop yield OR it must result in ecological improvement.
- You may also store waste in a secure place prior to spreading.
- The waste must be stored more than
  - 10 metres from any waterway
  - 50 metres from any spring, well or borehole not used to supply water for domestic or food production purposes
  - 250 metres from any borehole used to supply water for domestic or food production purposes
  - Where applicable, you will also need to comply with the Nitrate Action Programme Regulations (NI) 2006.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.

##### Key limits:

- To register using this form you can spread up to 50 tonnes of waste per hectare each year.
- You may only spread material over 50 hectares of land per registration.
- Only the following agricultural wastes can be registered for this exemption on this form: soil, compost, plant tissue and dredgings.
- May only store 1000 cubic metres at any one time at the place of spreading.
- May only store for up to 12 months.
- You can spread more if you register using the more complex forms (supplied by NIEA). Then the limits are: a maximum of 250 tonnes can be spread per hectare over a period of 12 months, except for dredging spoil where up to 5000 tonnes can be spread per hectare.

**Exemption 13:  
Composting biodegradable waste from agricultural premises****Key conditions:**

- Composting biodegradable waste and the associated activities such as chipping/shredding waste and storing waste to be composted.

**Key limits:**

- The total quantity of waste treated or stored at the place of production at any one time shall not exceed 200 tonnes.
- Where waste which is to be composted at a place other than the place of production, the total quantity of waste treated or stored at any one time shall not exceed 10 tonnes and the waste must be stored for a period not exceeding 48 hours.

**Exemption 19:  
The storage and use of building wastes from agricultural premises in construction****Key conditions:**

- Using inert construction and demolition waste from agricultural premises.
- Only the following agricultural wastes are suitable, concrete, bricks, tiles, soils, stones.
- The waste can only be used for construction, maintenance or improvement of a building, road, recreational facility or drainage.
- If required, you may need to obtain planning permission.
- Waste can be stored at the place where it is to be used for up to 3 months.
- Wastes used must be suitable for the construction.
- You must be the occupier of the land, or have the consent of the occupier of the land, or be otherwise entitled to carry out the activity on that land.
- The work must not involve land reclamation.

**Key limits:**

- No more than 20,000 tonnes stored.
- You must only use as much waste as is required to carry out the job, otherwise the activity will be considered disposal. If planning permission is required the quantity used must be in accordance with it.

**Exemption 47C:****Using a lined biobed to dispose of agricultural waste consisting of non-hazardous pesticide solution or washings****Key conditions:**

The biobed must be constructed to the following minimum standards:

- All areas used for washing and handling of the waste must have an impermeable pavement provided with a sealed drainage system.
- All drainage collected must be directed to the biobed.
- The biobed must have an impermeable liner at all times.
- The biobed must be suitable for treatment of the waste.
- The biobed and all drainage must be in a secure place at least 10 metres from a waterway and 50 metres from a spring, well or borehole and 250 metres from a borehole used for a public water supply.
- The input of rainfall is limited by a temporary impermeable cover during times when the soil is waterlogged, the land is flooded or likely to flood or heavy rain or snow is forecast within 48 hours.
- The biobed is at least 1 metre in depth and at least 1 cubic metre of biobed material is used to treat 1,000 litres of liquid.
- Only mixtures of straw, compost and biologically active soil can be used as biobed material.
- The biobed must be covered with turf.
- The biobed material must be stored securely for 12 months before it is spread.
- Treatment with biobed material must be for agricultural benefit or ecological improvement.
- Treatment must be in accordance with the Nitrates Action Programme Regulations (NI) 2006.
- Maximum of 50 cubic metres of biobed material can be stored at any one time. No biobed material can be stored for more than 3 years

**Key limits:**

- Maximum of 50 tonnes/hectare of biobed material can be incorporated into the soil in a 12-month period.

**Department of the Environment Contact Details**

If you have any queries on the Registration of Agricultural Waste Exemptions contact:

Northern Ireland Environment Agency  
Land and Resource Management Unit:  
Klondyke Building,  
Cromac Avenue, Gasworks Business Park,  
Lower Ormeau Road, Belfast, BT7 2JA.

**Telephone Numbers**

General Enquiries: (028) 9056 9359  
Waste Management Exemptions: (028) 9056 9360  
Registration of Carrier's Queries: (028) 9056 9360  
Hazardous Waste Section: (028) 9056 9710



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