



THE CONTROL OF POLLUTION
(SILAGE, SLURRY & AGRICULTURAL FUEL OIL)
REGULATIONS (Northern Ireland) 2003

SSAFO



ENVIRONMENT
AND HERITAGE
SERVICE

SSAFO REGULATIONS

ARE YOU PLANNING TO
SUBSTANTIALLY RECONSTRUCT,
SUBSTANTIALLY ENLARGE
OR CONSTRUCT NEW

- **SILAGE STORES**
- **SLURRY AND EFFLUENT STORES**
- **AGRICULTURAL FUEL OIL STORES?**

If so, you need to consider

**The Control of Pollution (Silage, Slurry
and Agricultural Fuel Oil) Regulations
(Northern Ireland) 2003 (SSAFO)**

PURPOSE OF REGULATIONS

- To minimise the risk of water pollution from silage, slurry and agricultural fuel oils by setting minimum standards for the construction and maintenance of structures used to store these substances.
- To improve the environment for rural communities in Northern Ireland.

WHAT DO THEY COVER?

The Regulations apply to:

- **SILAGE STORES** - including tower silos, baled silage, Ag-bags, field clamps and silage effluent tanks;
- **SLURRY AND EFFLUENT STORAGE SYSTEMS** - including stores for effluent such as yard water contaminated with animal excreta, run-off from solid manure stores in yards, washings from buildings or yards used by any type of livestock, reception pits and associated pipes and channels; and
- **AGRICULTURAL FUEL OIL STORES;**

constructed, substantially reconstructed or substantially enlarged after 1 December 2003

WHAT DO THEY NOT APPLY TO?

- Dairy parlour washings and roof/yard water **not** containing animal excreta;
- Manure from horses;
- Slurry stored temporarily in a tanker;
- Solid manure stored in field heaps;
- Residues from fish farms; and
- Underground fuel stores, mobile fuel tankers, domestic fuel stores or where the fuel stored does not exceed 1,250 litres.

***Please note:** as a consequence of anticipated legislative changes, the definition of 'slurry' may alter and, subsequently, the SSAFO Regulations may no longer apply to yard water lightly contaminated by animal excreta.*

EXEMPT STRUCTURES

Unaltered stores in use before 1 December 2003 are exempt from the Regulations. However, a farmer may be required, in certain circumstances, to bring “exempt structures” up to an acceptable standard to minimise the risk of water pollution.

RESPONSIBLE AUTHORITY

Environment and Heritage Service (EHS) of the Department of the Environment is responsible for enforcing the Regulations.

WHAT IS REQUIRED?

The Regulations require that all new (and substantially reconstructed or enlarged) stores are:

- Sited at least 10 metres from any waterway;
- Designed to last for at least 20 years (with maintenance);
- Designed and built to meet specific standards and requirements (as detailed in the Regulations and guidance notes); and
- Notified (by completion of a form) to EHS at least 28 days before they are brought into use. **A qualified, chartered, structural or civil engineer must sign the notification form** (see guidance notes).

HOW WILL THE REGULATIONS AFFECT YOUR FARM?

EHS wishes to work constructively with farmers to implement the Regulations. New, substantially reconstructed or substantially enlarged stores (completed after 1 December 2003) found not to be compliant with the Regulations, may be required to be brought up to standard. If, on inspection by EHS, existing or new stores are found to pose a risk of water pollution:

- EHS may require their repair or improvement;
- Where necessary, a Notice can be served requiring works to be carried out. Notices will normally only be used if actions already discussed and agreed with a farmer have not been carried out; and
- If the terms of a Notice are not complied with, within an agreed

time-scale, the farmer could be liable to prosecution for contravention of the Regulations (exempt stores covered by that Notice could lose their exempt status).

Provision is made in the Regulations for appeals to the Water Appeals Commission against such a Notice should its terms be considered unreasonable. The penalties for an offence under the Regulations are:

- On summary conviction (a criminal offence tried only by a Magistrates' Court), imprisonment for a term not exceeding 3 months, or a fine not exceeding £20,000, or both; or
- On conviction on indictment (a criminal offence tried by the Crown Court), imprisonment for a term not exceeding 2 years, or a fine, or both.

PLEASE NOTE

Under Article 7 of The Water (Northern Ireland) Order 1999, it is an offence to pollute a waterway or underground stratum whether knowingly or otherwise. Agreement to carry out works, or compliance with the above mentioned Regulations, is not a defence against any potential prosecution in the event of a pollution incident occurring which is found to have arisen on your farm.

SOME KEY REQUIREMENTS FOR NEW (AND SUBSTANTIALLY RECONSTRUCTED OR ENLARGED) STORES

Silage Stores

- Tower silos must meet the design and construction standards of the current British Standard (BS 5061: 1974).
- Other silage stores (not baled or bagged) must have an impermeable base provided with impermeable channels constructed to collect all effluent and run-off and drain it to a tank.
- Any retaining walls must be capable of withstanding loadings indicated in the British Standard (BS 5502: part 22 1993).
A notice stating the maximum loading is required.



- Installations must have a life span of at least 20 years (with maintenance) and, as far as reasonably practicable, be protected from corrosion by silage effluent.
- Making and storing silage in a field clamp without a constructed impermeable base and effluent containment system is **prohibited**.
- Baled silage (wrapped or bagged), and Ag-bags, may be stored on open ground, but must not be stored or opened within 10 metres of a waterway or field drain, unless there is no risk of contamination to the waterway.

Slurry and Effluent Stores

- The base of slurry storage tanks and the base and walls of effluent tanks, channels, pipes and reception pits must be impermeable and be protected against corrosion as set out in the current British Standard (BS 5502: part 50 1993).
- The base and walls of slurry tanks and reception pits must be capable of withstanding the loadings specified in the British Standard (BS 5502: part 50 1993).
- All installations must have a life span of at least 20 years (with maintenance).
- Slurry storage tanks must have sufficient capacity to maintain a minimum freeboard of 750 mm for earth-banked compounds (whether lined or not) and 300 mm for all other tanks.
- Normally a minimum of 4 months storage capacity is required. (Currently under review pending outcome of other legislation).



Agricultural Fuel Oil Stores

- Fuel stores must be surrounded by barriers (bunds) to stop oil escaping.
- For single tanks the bund must have a capacity of at least 110% of the volume of oil stored.
- The bund and base of the storage area must be impermeable, with no drains or other outlets, or pipes passing through them.



- The bund and base must have a life span of at least 20 years (with maintenance).
- Taps and valves on oil tanks (through which oil could be discharged to the open) must be designed to discharge downwards, and be located within the bund. When not in use, all such taps and valves must be switched off and locked shut.
- Any flexible discharge pipe permanently attached to a fuel tank must be fitted with a nozzle that contains an automatic shut-off device. The pipe must be locked within the bund when not in use.

Further information, guidance notes and notification forms may be obtained from:

The Agricultural Regulations Team

Environment and Heritage Service

Calvert House, 23 Castle Place

Belfast BT1 1FY

Tel. 028 9025 4882

Fax. 028 9025 4865

E-mail: ehsinfo@doeni.gov.uk

Website: www.ehsni.gov.uk

General advice on pollution prevention and reduction measures is available from:

DARD Countryside Management Branch (CMB)

Annexe D Dundonald House

Upper Newtownards Road

Belfast BT4 3SB

Tel: 028 9052 5041

Website: www.dardni.gov.uk or www.ruralni.gov.uk

Appeals against Notices should be addressed to:

The Water Appeals Commission

3rd Floor, Park House

87-91 Great Victoria Street

Belfast BT2 7AG

Tel. 028 9024 4710

Website: www.pacni.gov.uk



Water Pollution Hotline*

FREEFONE

0800 80 70 60

***(Mobile calls charged)**

Environment and Heritage Service

Calvert House

23 Castle Place

Belfast, BT1 1FY

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An Agency within the Department of the

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