



## **Important Changes in Composting Legislation**

In April 2010, the Environment Agency introduced a wide-ranging set of new exemptions with regard to composting, which relate to a wide range of community gardening activity.

### **What is an exemption?**

Usually, any treatment, recovery or disposal activities concerning waste will need an environmental permit. However, in a situation where the activities are considered to present little or no risk to the environment, it's possible to get approval from the Environment Agency that exempts you from the need to apply for such a permit. This is known as an exemption. There is no cost to register an exemption.

### **Who does it concern?**

The regulations apply to any 'establishment or undertaking' that is handling even the smallest amount of waste. According to the Environment Agency, this includes companies, partnerships, authorities, societies, trusts, clubs, charities... and most Capital Growth projects too. As a growing project, there are a number of exemptions that you'll need to consider to ensure that you're covered.

### **But surely a community project isn't using waste?**

As a community garden project, you're likely to handle some material that would be considered controlled waste: for example, compost produced under an exempt activity, farm manure and woodchip provided by the local park rangers or tree surgeons.

Exemptions are split into four categories: storage (S), treatment (T), use (U) and disposal (D). The most important of these for community projects are:

### **Use (U)**

- **U11 Spreading waste on non-agricultural land to confer benefit.**

Under this exemption, you'll be able to apply up to 50 tonnes of farmyard and horse manure and 50 tonnes of compost per hectare over a period of twelve months. This exemption sets out how much waste can be spread on land for "the purposes of providing, maintaining or improving the soil's ability to provide a growing medium by adding nutrients, lime or biomass" - an elaborate way of describing enriching the soil to make it more suitable for growing plants. The term 'waste' is used for a number of materials that you're likely to encounter on a regular basis. The two main ones are farmyard/horse manure and compost. There are limits to how much

you can use over a period of twelve months and how much you can store at any one time.

Also

- **U10-Spreading waste on agricultural land to confer benefit**
- **U12-Use of mulch**
- **U13-Spreading of plant matter to confer benefit**

#### **Treatment (T)**

- **T23 Aerobic composting and associated prior treatment**  
The total quantity of waste treated or stored at any one time must not exceed 80 tonnes where: The operation is carried on at the place of production and the treated waste is being or is to be used at that place.

The total quantity of waste treated or stored at any one time must not exceed 60 tonnes where: The waste is produced at a place other than where the operation is carried on or the treated waste is not to be used at the place where the operation is carried on.

Within the thresholds laid out, the waste must not consist at any one time of more than the following quantities:

- 10 tonnes of paper or cardboard
- 20 tonnes of manure
- 10 tonnes of food/catering waste

- **T26 Treatment of kitchen waste in a wormery** T26 covers any organisation that is disposing of food waste through one or more wormeries. Under the exemption, the total quantity of waste treated must not exceed six tonnes over any twelve month period.

Also

- **T5- Screening and blending of waste**
- **T6- Treatment of waste wood and waste plant matter by chipping, shredding, cutting or pulverising**

A registered exemption lasts for three years. A month before your exemption runs out, you will receive a notification asking you if you would like to renew your registration. If the Environment Agency doesn't hear from you, your activity will be taken off the registration list.

When you register an exemption, you do so for the site rather than for the exemption. So, for example, a community growing project that has its own composting set-up can fill in an application form and tick the boxes for U11, U12, U13, T23 and T26, all in one go.

When registering there's a very small chance that the Environment Agency might come and visit your site to see what you're up to. To find out more or to apply, visit [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) : or call on 08708 506 506.

Or contact [www.communitycompost.org.uk](http://www.communitycompost.org.uk) for further information.