



Guidance for Registering an Exempt Operation: Land Treatment - Paragraph 7

Please read these guidance notes carefully before you make your notification.

Introduction

This document is intended for any establishment or undertaking that wishes to renew or make changes to an existing paragraph 7 registration. It should be read in conjunction with the notification form EPA, EPB-7 & EPF which can be found alongside these guidance notes on our web site.

The document is split into four sections –

Section A - About the Regulations

This section explains where you can find a full description of a Paragraph 7 operation and what to do if you want to notify us of your intention to undertake this operation. We also explain what happens when your operation is registered and how a registration is renewed.

Section B – Completing the Notification Form

Explains how to complete the notification form which provides us with the basic details of your paragraph 7 operation. You must use the notification form with the same reference as this document – EPA, EPB-7 & EPF.

Section C – Supporting Documentation

Sets out the full list of supporting documents that you must submit with a renewal notification and details the sort of information each supporting document must contain.

Section D – Declaration

Reminds you to read the declaration on the notification form before you submit your renewal.

Section E – Guidance on Completing the Risk Assessment

Explains how to complete the Pollution Risk Assessment template that you must use when providing your pollution risk assessment.

Appendix 1 Contains Part 1 of the Risk Assessment Template.

Appendix 2 Contains Part 2 of the Risk Assessment Template..

Section A – About the regulations

Most waste management operations are regulated by the Environmental Permitting (England and Wales) Regulations 2010. The regulations determine whether certain waste operations must have a permit or if they can be exempt. The exception to this would be exemptions registered before 5 April 2010. This would still be covered by the Environmental Permitting (England and Wales) Regulations 2007, during the transitional provisions detailed in the 2010 regulations.

There are a number of waste operations that are exempt from permitting. We provide a plain language guide to each of the exemptions on our website at: -

<http://www.environment-agency.gov.uk/business/topics/permitting/32324.aspx>

A full transcript of the paragraph 7 exemption which covers treatment of land for agricultural benefit or ecological improvement and a summary explaining the legislation can be found on our web site at:-

<http://www.environment-agency.gov.uk/business/topics/permitting/34782.aspx>

Before you make your notification

If you want to undertake an exempt operation you must notify us first, providing us with certain information. We will assess the information and decide whether we can register that operation as exempt. **It is an offence to carry out a paragraph 7 exempt operation without being registered.**

Before you notify us, use the guidance detailed at the links above to make sure that you know what the exemption covers, what the specific limits of the exemption are and that you can always operate within its limits.

Please note:

For an operation to be exempt, the waste must be recovered without endangering human health and without using processes or methods which could harm the environment, and in particular without:

- risk to water, air, soil, plants or animals
- causing nuisance through noise or odours
- adversely affecting the countryside or places of special interest.

Making your notification

When you make a notification you are required to fill in a form and also provide supporting documentation.

You must allow at least 25 working days from the time your notification is complete, for us to make our assessment. The notification is complete when we have received all your documents and you have paid your fee.

Fees

Paragraph 7 is a chargeable exemption. You can find information on charging under the Environmental Permitting Charging Scheme 2008/2009 at –

<http://www.environment-agency.gov.uk/business/regulation/38811.aspx>

You must include the correct fee with the renewal, otherwise all documentation will be returned to you without further processing.

What happens when we receive your notification

Once we have received your notification form, supporting documents and the correct fee we will start our assessment.

When we have completed our assessment, we will inform you of our decision by sending you either confirmation of your registration or a notice of refusal. In some cases we may need to extend the time that we take to assess your notification. If we do need more time, we will let you know. If we refuse your notification we will tell you why. There is no appeal process for exemptions.

If your notification is successful, we will register your operation. You will then be allowed to carry out that operation for 12 months from the registration date. If you want to continue for longer than this, you will need to renew your registration.

Renewing a notification.

We must receive notification for renewals before the current registration expires which is 12 months from the original registration or last renewal. A notification received after a registration has expired will be a new notification and will attract the higher fee. We will remind you when your registration is due for renewal, usually at least one month before it is due to expire.

Each year that you renew a Paragraph 7 exemption you will need to complete the notification form and provide a new certificate of agricultural benefit or ecological improvement. Other supporting documents may be required where you have not provided that item previously, where they are out of date (such as soil analysis older than 4 years) or where there have been changes.

If you are making major changes to your currently registered exemption, you may have to make a new notification. Examples of changes that will require a new notification are:

- Location of storage or spreading operation.
- Different establishment or undertaking carrying out the operation
- Type of waste has changed.

If you wish to vary any of the details of an exemption after it has been registered, phone us on **08708 506506** to discuss the changes.

When you are registered

When we confirm that we have registered your waste operation you may start to operate. We may inspect the site at any reasonable time. As a requirement of this exemption you will need to keep records of the -

- quantity
- nature
- origin
- destination and
- method of recovery

of any wastes covered by the exemption. You must keep this information for two years and make it available to us on request.

We may remove your registration from the public register if you are carrying out your operation in breach of the regulations. We will send you a notice and explain why we have removed your exemption. You will also be liable for prosecution

Where to post your form and how to contact us

Post your notification form, fee and any supporting documents to the Environment Agency office at the address on the last page of the notification form.

If you have any queries regarding the form or supporting documents, please contact us as shown below.

General Enquiries : 08708 506 506 (Monday to Friday, 8am to 6pm)

Minicom: 08702 422 549 (Monday to Friday 8am to 6pm)

E-mail: enquiries@environment-agency.gov.uk

Website: www.environment-agency.gov.uk

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you're not happy with our service, please tell us how we can improve it.

SECTION B – Completing the Notification Form EPA, EPB7 & EPF

Part A

Details of the establishment or undertaking

1 Customer Reference number

2 Please indicate in the boxes provided, the type of applicant (Individual, Organisation of Individuals, Company or Public Body).

3 - 5 Please provide the details of the person, company or organisation that will be carrying out the exempt operation in section 1.2., including name, date of birth, position (where relevant) address, phone number, fax and email address. If you are a company also include the company name and registration number. If you are a Public body say what type.

Where you have identified yourself as an Organisation of Individuals, include the same details for all members.

6 Provide the details of the person who will be the contact for this notification.

Please note the contents of the Data Protection Notice on the last page of the form which states what the information will be used for.

Part B

1 About the notification

1a Please provide your customer reference number

Type of Notification

1b Please state the notification is a renewal.

Please give details of the current or previous registration.

1c Please enter the registration number of the exemption which you wish to renew and the expiry date. You will need to provide a Certificate of Agricultural benefit or Ecological Improvement, each year that you renew your registration. Details are contained in Section C. Other supporting documents may be required where you have not provided that item previously, where they are out of date (such as soil analysis older than 4 years) or where there have been changes.

1d Please provide details of any changes to the current registration

2 About the waste

Details of the waste you propose using

2a Type of waste

You should describe the kind of waste as it is commonly described – not necessarily the exact description in the List of Waste Guide (see below).

Producer of the waste

Please enter the name and a postcode if you have it, of the establishment or undertaking that has produced the waste.

Physical Form

This may be solid, liquid, sludge, powder etc. and relates to how the waste should be stored and spread.

Amount

This is the total amount of that waste type that you will be spreading during the 12 month period covered by this application or renewal.

Six Digit European Waste Catalogue (EWC) codes

The List of Waste Guide is the new name for the European Waste Catalogue. A list of waste codes can be found at –

<http://www.environment-agency.gov.uk/business/topics/waste/32140.aspx>

The link also provides a thesaurus of commonly used waste descriptions and their waste codes. You must ensure that the waste you are proposing to spread is one of those specifically permitted by the legislation.

Mixtures of waste

Where more than one type of waste is to be spread, analysis must be provided for each individual waste stream and each waste must be able to confer agricultural benefit or ecological improvement in its own right. This will need to be demonstrated in the Certificate of Agricultural Benefit or Ecological Improvement.

Does the waste contain any material subject to the Animal By-Products Regulations 2003?

2b – 2c Before it can be spread, waste containing animal by-products must have been treated in accordance with the above Regulations which are enforced by the Animal Health Agency within DEFRA.

You must provide an authorisation number or other authorisation details for the site at which the waste has been or is to be treated.

For contact details of the Animal Health Offices

[Animal Health](http://www.defra.gov.uk/animalhealth/) <http://www.defra.gov.uk/animalhealth/>

For information on any aspect of Defra's work, please contact the Defra Helpline by telephone on 08459 33 55 77 or by email at helpline@defra.gsi.gov.uk

3 About the treatment

Where will the treatment take place?

3a – 3b Please give the address where the treatment will take place. It is essential that you provide an accurate grid reference. The grid reference should be a central point where the spreading will take place. Where you have a number of fields or areas to be spread you should enter a field number and a central grid reference for each field. Use continuation sheets where necessary.

The maximum area that you can treat under one notification is 50 hectares not including buffer zones or land that will not be spread for a reason, such as a steep slope. The land to be treated under one notification must be at one locality.

By locality, we mean that a single notification can extend to land situated on more than one farm, however, the fields should be adjacent to each other or only separated by small distances such as a road, river or another field.

Purpose of the treatment

3c Please indicate whether the purpose of the treatment is agricultural benefit or ecological improvement. You can find a definition of both under section C4.

Waste Storage

3d The waste must be stored at the place where it will be used. Please give the address and an accurate grid reference of the location where the waste is to be stored.

Waste should be stored in accordance with the Codes for Good Agricultural Practice give guidance on storage. See

www.defra.gov.uk/farm/environment/cogap/index.htm

Temporary storage of waste

3e You must identify any additional storage location

Occupancy of the land

Occupancy

4a – 4c The exemption will only be valid if either:

- the operation is undertaken by or with the consent of the occupier of the land where the operation is to be carried out *or*
- the person carrying out the operation is otherwise entitled to do so on that land.

The occupier may be the landowner or tenant. You must have the consent of the occupier before carrying out the operation unless you have any other rights that allow you to do this.

If you do not have the consent of the owner or occupier of the land please tell us why you are allowed to carry on this operation.

SECTION C

5 Supporting Documents

5.1 Map or plan of the storage and spreading

You must provide a map or plan of the location of the primary waste storage location and the spreading showing all the following - .

- the boundaries of that place; *i.e. the fields or farm boundaries*
- the locations within that place at which the exempt operation is to be carried on
- location of any surface waters within 15 metres of the land to be treated, including ditches and field drains
- any spring or well or from any borehole not used to supply water for domestic or food production purposes
- any borehole used to supply water for domestic or food production purposes

You must also show all of the following that are within 400 metres of the location where the waste is to be stored and/or spread:

- the locations of any buildings
- the location of public rights of way
- the location of groundwater source protection zones see *the section 'Status of the land' later in this guidance*
- location of springs, wells or boreholes see *question 3.5 and the section 'Status of the land' in this guidance*
- boundaries of any designated or protected conservation sites

The format of any maps or plans you send us should -

- be an A4 or A3 sheet
- show the area of land covered by your notification
- be based on an Ordnance Survey map at a scale of 1:10,000 or larger.
- label individual points and areas ('A', 'B' and so on)
- use colour or hatching to highlight areas on the map
- use the form to cross-refer to labelled and highlighted areas on the map.

5.2 Waste analysis

A recent laboratory analysis of the waste must be provided. This should be less than 12 months old, unless you can provide us with adequate justification as to why this is not necessary. The analysis should –

- identify substances that are or may be reasonably expected to be present in that waste
- provide evidence of the nutrients or properties that the waste contains that will confer ecological improvement or agricultural benefit to the land to which it is being applied
- provide evidence that the application of the waste will not cause the concentration of potentially toxic elements to build up to significant levels
- include a description of the type of sampling and analysis undertaken to quantify the concentrations of substances present in the waste.

The list below specifies the minimum waste analysis required:

- pH
- Nitrogen (available and total)
- Phosphorous
- Potassium
- Percentage dry matter

You should also analyse for the following, unless you can explain why this is not necessary:

- metals – zinc, copper, nickel, lead, cadmium, mercury
- magnesium
- sodium
- sulphur.

You need to submit details about the sampling of the waste, including:

- the date when sampled
- the sampling methodology
- details of the laboratory that carried out the analysis.

You must tell us if a waste stream is variable throughout the registration period we may need to ask for more frequent analyses to ensure that the waste continues to provide ecological or agricultural benefit.

Testing of waste soils

It is the Agency's Policy that we will only accept data on waste soils from methods that have been awarded MCERTS (Monitoring and Certification Scheme). The performance standard is applicable to all laboratories and procurers of analytical services where results generated for the chemical testing of soil are submitted to the Agency for regulatory purposes.

The MCERTS *Performance Standard for Laboratories Undertaking the Chemical Testing of Soil (Version 2)* has been published, and provides an application of the European and International standard BS EN ISO/IEC 17025:2000 (accredited by United Kingdom Accreditation Service (UKAS)) specifically for the chemical testing of soil.

This does not apply to the testing of receiving soils.

For more information see:

<http://www.environment-agency.gov.uk/business/regulation/31829.aspx>

5.3 Soil Analysis

Representative samples of the soil from the fields to which the waste is to be applied should be analysed.

The description of soil type should be consistent with those used in RB209: *Fertiliser recommendations for agricultural and horticultural crops (RB209)*, Seventh edition (2000).

<http://www.defra.gov.uk/foodfarm/landmanage/land-soil/nutrient/fert/rb209/documents/intro.pdf>

Sampling methods should be in accordance with RB209. See

<http://www.defra.gov.uk/foodfarm/landmanage/land-soil/nutrient/fert/rb209/documents/intro.pdf>

Analytical methods should be in accordance with those given in Specification for Topsoil, British Standard 3882, 1994.

See the table below for **minimum** soil analysis required. Other parameters may be required, depending on the

- waste you are intending to spread
- crops that are going to be grown
- benefit that is being claimed from the spreading of that waste.

The type and extent of any analysis should always be justified. You should seek advice on type and extent of analysis from a person with the appropriate technical expertise, as outlined in section C4 of this guidance.

Parameter	Reason
Soil type	To understand the soil physical properties <i>e.g. drainage characteristics</i>
pH	The most significant factor influencing nutrient and 'potentially toxic element' (PTE) mobility and soil biological operation in the soil environment
P, K and Mg <i>unless the soil can samples from the previous Four years are available</i>	Important nutrients, and highlight potential disbenefits.

If the notification is for a renewal, you must ensure that the soil analysis supplied is less than 4 years old. If not the notification will be returned.

5.4 Certification of Agricultural Benefit or Ecological Improvement

You must provide with this notification a certificate describing how the operation will result in benefit to agriculture or ecological improvement and which demonstrates that the operation will be carried out without harm to human health or the environment.

If the land is used for agriculture then the spreading must confer agricultural benefit. If it is not used for agriculture you need to describe the land and its current use. In this case he spreading will need to result in ecological improvement.

Appropriate technical expertise

The certificate must be prepared by or based on advice from a person with appropriate technical expertise and should be signed and dated by them.

A person with appropriate technical expertise is someone who can demonstrate that they have the appropriate qualifications or vocational expertise (or a combination of the two) to assess the following;

- The composition of the waste in terms of its benefit to agriculture or ecological improvement
- the appropriate application rate to the land taking into account the waste characteristics and the soil characteristics in conjunction with proposed land use including either crop nutrient requirements, or the requirements of the land that would result in the maintenance, improvement or creation of a habitat.

- the potential impact on human health or risk of pollution of the environment associated with the land treatment operation.

Details of the individual's relevant qualifications and experience must be included.

What should be in the certificate?

With reference to the waste analysis, the soil analysis, the proposed cropping regime (or habitat improvement) the rates of application and pollution risk assessment, the certificate should explain how this operation will result in benefit to agriculture or ecological improvement without harming human health or the environment (see introduction).

The certificate should confirm that-

- the sampling analysis is appropriate for the wastes concerned.
- the results of those analyses indicate that the waste does not possess any characteristics or potentially harmful substances that could cause significant pollution to the environment.
- the sampling and analysis is appropriate for the soils concerned and is less than 4 years old.
- the soils are deficient in the nutrients or properties required by the proposed cropping/ecological benefit.
- the waste will provide the nutrients or improvement to the soil structure as claimed, at the rate that has been applied for and for the planned crops.
- If the land has been treated with other wastes, slurries or manures in the last 12 months, this information should be included and taken into account when carrying out your benefit analysis.

The maximum amount of controlled waste that can be spread on an area of land is limited to 250 tonnes per hectare in a period of 12 months.

The exceptions to this are

- 1,500 t/ha for sugar beet soil and
- 5000 t /ha for dredgings from inland waters

To prove Agricultural Benefit

You need to show that treatment of the land with the waste will improve the soil for growing crops or grazing.

You should include evidence of:

- the plant nutrients that the waste contains.
- the existing soil nutrient status (N,P,K, Mg)
- any other sources of nutrient supply.
- current and planned cropping through the year
- how the waste meets the plant requirements (taking into account soil nutrient status)
- intended method of application
- depth to which the uptake of plant nutrients will be optimum
- start and completion dates of the treatment and how often the treatment will take place throughout the year
- intended rate of application for each treatment in tones (wet weight) per hectare.

To prove Ecological Improvement

You must show how wildlife habitats that might otherwise have deteriorated are maintained or supported by the treatment. "Improvement" can include the creation of a new habitat or the restoration of an old one. You should detail the improvement in the certificate.

5.5 Pollution risk assessment

A pollution risk assessment must be submitted with this notification form to support the Certificate of Agricultural Benefit or Ecological Improvement. You must use the Risk Assessment provided in Appendix 1. This is split into 2 sections, part 1 and part 2. Part 1 covers the generic risks, part 2 covers the site specific risks.

Pollution Risk Assessment - Part 1 (Appendix 1)

Please ensure that you answer the questions on page 1 of the risk assessment template which addresses pollution risks common to all spreading applications. If this information is not submitted, we will not be able to process your notification and it is likely to be rejected.

Waste Storage (i – viii)

Where waste is stored in a container the capacity of that container should be enough to ensure that the waste will not overflow. The requirement for an open topped storage container is a freeboard of 0.3 metres and for an earth bank freeboard of 0.75 metres.

Uncovered stockpiles will be exposed to rainfall and the decision where to locate the storage area should take into account that run-off or leachate that may be produced, which could enter a watercourse or groundwater.

- i) How much land do you intend to treat?**
- ii) Please indicate if there are any additional storage areas giving additional Grid references.**
- (iii) Describe how you will store the waste securely to prevent pollution or harm to human health.**
- iv) Please detail the available capacity of the storage facility.**
- v) Please detail how much waste you intend to store at any one time.**
- vi) Give the date when you first plan to store the waste.**
- vii) Please confirm that the storage location of the waste will be outside those proximities listed below.**
 - 10 metres from any watercourse (e.g. rivers, streams, sea, ditches)
 - 50 metres from any spring or well or from any 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.

When deciding where to site your storage area you should also be aware of the location of field drains and ditches that could provide a direct pathway for pollution to enter any surface or ground waters.

Status of the Land to be treated

It is also vital that you take proper account of the following potential sensitivities in relation to operation that you propose.

viii) Please indicate if the land is within a Groundwater Source protection zone, a Nitrate Vulnerable Zone or within 1km radius of an Environmentally Sensitive Site.

Spreading waste in a Groundwater Source Protection

The Agency's policy is for a presumption against the spreading of wastes including sludge in a Source Protection Zone 1 (SPZ1). See *Policy and Practice for the Protection of Groundwater second edition* (1998) or subsequent replacement document.

Zone I (Inner Protection Zone) This zone is defined by a travel time of 50-days or less from any point within the zone at, or below, the water table. Additionally, the zone has as a minimum a 50-metre radius. It is based principally on biological decay criteria and is designed to protect against the transmission of toxic chemicals and water-borne disease. Information and maps showing Source Protection Zones can be viewed on the Agency's web-site at. -*What's in your backyard?*

http://216.31.193.171/asp/1_introduction.asp

If you are proposing to spread within an SPZ1 your notification is likely to be refused and you will lose your fee. Therefore we strongly advise you to get in touch with your local Area Office before you submit your notification.

In addition the Code of Good Agricultural Practice for the Protection of Water advises against spreading within 50 metres of a spring, well or borehole that supplies water for human consumption or is to be used in dairies.

Nitrate vulnerable zones (NVZs)

Nitrate vulnerable zones are areas that are or could be affected by nitrate pollution if the operation were not undertaken in accordance with the Codes of Good Agricultural Practice. Information and maps of the zones may be obtained via Defra's website:

www.defra.gov.uk/environment/water/quality/quality/nitrate/nvz.htm

If the land has been designated as a Nitrate Vulnerable Zone by Regulation 3 of the Designation of Nitrate Vulnerable Zones Regulations 2002 or 2003, this may restrict the quantities of waste you can spread over and above the restrictions imposed by this exemption.

Designated Environmentally sensitive sites under the Habitats Directive

The requirements of the Habitats Directive mean that we must consider the impacts of your operation on the following sensitive sites:

- Special Protection Area (SPA)
- Potential Special Protection Area (pSPA)
- Special Area of Conservation (SAC)
- Candidate Special Area of Conservation (cSAC)
- Ramsar - Ramsar sites are designated under the International Convention on Wetlands of International Importance especially as Waterfowl Habitat (the Ramsar Convention).

You will need to show in your Risk Assessment if the land to be treated is in or within 1km of a designated conservation site.

Other protected sites

There may be other sites that are sensitive that are covered by the Wildlife and Countryside Act 1981 – as amended by the Countryside Rights of Way Act 2000 which include Sites of Special Scientific Interest (SSSI) and Areas of Outstanding Natural Beauty (AON B). Public bodies have a duty to have regard to conserving and enhancing the natural beauty of Areas of Outstanding Natural Beauty so we will take into account this when assessing your notification.

You should also take into account any other protected sites such as these within 1km of the operation

Where to find information on these sites

You can access maps of these sites on Natural England's website: www.natureonthemap.org.uk/map.aspx

English Nature Enquiries Service

The first point of contact for all general enquiries about Natural England.

Telephone (local rate): **0845 600 3078**

Opening times: 8.30am – 4.15pm (Monday – Friday)

Email: enquiries@naturalengland.org.uk

Search for Protected sites in Wales on the Countryside Council for Wales website: www.ccw.gov.uk/protected_sites/

**Countryside Council for
Wales Maes-y-Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL57 2DW**

For all general enquiries
Tel: 0845 1306229

Email: enquiries@ccw.gov.uk

For Areas of Outstanding Natural Beauty see www.aonb.org.uk/ or contact the Local Authority.

You need to consider all the above factors in your risk assessment. A risk assessment template and guidance is included at the end of this document, If this is correctly filled out, it will provide sufficient information to assess whether or not your operation is likely to endanger human health or harm the environment.

A guide to environmental risk assessment is available at Defra's web-site at:

www.defra.gov.uk/environment/risk/eramguide/index.htm

Pollution Risk Assessment – Part 2 (Appendix 2)

Part 2 of the Risk Assessment should include -

- the source of any hazards associated with the operation
e.g. malodorous compounds in the waste or dust generated from or by the spreading of the waste.
- the receptors likely to be affected e.g. local residents, public rights of way, housing, schools, workplaces and recreational facilities.
- the pathway between the two *e.g. airborne via prevailing winds*
- the magnitude of the risk
- the steps that will be taken to minimise or mitigate the risks *e.g. sub-surface injection of waste and only spreading when prevailing winds blowing away from houses etc.*

5.6 Continuation sheets

If you have used continuation sheets for any of your answers, you should tell us how many sheets you are enclosing. Please make sure that you label each sheet clearly with

- the question number it applies to and
- the number of the sheet

Section D – Declaration

Part F

1. Payment

Select the method you will be using to pay for your application:

Cheques and postal orders: These should be made payable to Environment Agency or Environment Agency Wales as appropriate and crossed 'A/c Payee'. Send it to us with your completed application form and any relevant supporting documents.

Post-dated cheques will not be accepted.

Cash: You are advised not to send cash through the post. If this is unavoidable, please use a recorded delivery postal service and enclose your application reference details.

Payment by credit or debit card: We can accept payments by Visa, MasterCard or Maestro cards only. Please complete the required details in the separate form CC1.

Payment by electronic transfer: Make sure you use the right payment information, depending on whether your application is being made in England or Wales.

Failure to quote your reference number or to forward to us your payment details, including applicant name, payment amount and full payment reference number, may result in a delay in processing your payment and therefore your application.

2. Data Protection Notice

Make sure you understand how we will use the information you provide to us.

3. Confidentiality and national security

If you think any of the information in your application and supporting documents is confidential, tick the box and provide supporting evidence to enable us to determine your claim. If you think any of the information in your application and supporting documents is damaging to national security, tick the box and provide supporting evidence to enable us to determine your claim.

4. Declaration

When you have completed your notification form you will be asked to tick a declaration confirming the accuracy of the information you have provided both in the form and in the supporting documentation. We cannot progress an application unless the box is ticked. Please ensure that you have read the information contained in the Data protection notice in the form before you tick the declaration and submit or post your application.

5. How to contact us

If you need help filling in the form, please contact the person who sent it to you or contact us as shown below.

6. Where to send the form

Completed application forms and supporting information should be sent to:

Environment Agency
Permitting Support Centre (PSC)
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

If you need help filling in this form, please contact the person who sent you it or contact us as shown below.
General enquiries: 08708 506 506 (Monday to Friday, 8am to 6pm)
Textphone: 08702 422 549 (Monday to Friday, 8am to 6pm)
E-mail: enquiries@environment-agency.gov.uk
Website: www.environment-agency.gov.uk

Section E

Guidance on completing the risk assessment template

A risk assessment template is included in Appendix 2 of this document. If this is correctly filled out it should provide sufficient information to assess whether or not your operation is likely to endanger human health or harm the environment.

The risk assessment template should be used to address site and waste specific pollution risks to ensure that the waste is recovered without-

- harming human health
- causing a risk to water, air, soil, plant or animals
- causing nuisance through noise or odours
- adversely affecting the countryside.

Examples are given of some of the common receptors, sources etc that you may need to consider. These are not exclusive lists and you may need to consider others that are relevant to your particular circumstances. . You should complete the risk assessment template making specific reference to the receptors you have identified.

Receptors to consider should include: surface waters, groundwater, wells and boreholes, soil, humans, wildlife and their habitats, local nature reserves and ancient monuments. A single receptor may be at risk from several different sources and all must be addressed.

The Source of hazard will be the material proposed for land spreading because its characteristics could, in certain circumstances, cause harm, e.g. high organic content, high levels of nutrients, potentially toxic elements or compounds, high salinity, pathogens, high oil/fat levels, excessive acidity or alkalinity, high C:N ratio, malodorous substances, substances that may attract pests or vermin.

Harm could include: human health effects, noise nuisance, dust nuisance, odour nuisance, plant disease or toxic effects, deterioration of water quality, fish deaths.

Pathways to consider include: direct run-off or infiltration of liquids or soluble components, transport via land-drains or water (e.g. surface water or groundwater that is a receptor may also be a pathway to a different receptor such as a conservation site or water supply borehole), airborne transport of fine or volatile materials, ingestion, direct contact.

Probability of exposure is the likelihood of the receptors being exposed to the hazard. Example definitions:

- High – exposure is probable: direct exposure likely with no / few barriers between hazard source and receptor;
- Medium – exposure is fairly probable: feasible exposure possible, barriers to exposure less controllable;
- Low – exposure is unlikely: several barriers exist between hazards source and receptors to mitigate against exposure:
- Very Low – exposure is very unlikely: effective, multiple barriers in place to mitigate against exposure.

The consequences of a hazard being realised may be actual or potential harm. Example definitions:

- High – the consequences are severe: sufficient evidence that short- or long-term exposure may result in serious damage;
- Medium – consequences are significant: sufficient evidence that exposure to hazard may result in damage that is not severe in nature and reversible once exposure ceases (e.g. irritant);
- Low – consequences are minor: damage not apparent though reversible adverse changes may occur;
- Very Low – consequences are negligible: no evidence of adverse changes following exposure.

Magnitude of the risk is determined by combining the probability with the magnitude of the potential consequences. Use the matrix below to categorise as high, medium, low or very low.

High risks require additional assessment and active management; medium risks require additional assessment and may require active management/monitoring; low and very low risks require periodic review.

Risk management techniques to consider may include: only carrying out the operation under certain weather conditions or at certain times, avoiding spreading close to sensitive receptors, appropriate choice of method of ‘spreading’ e.g. sub-surface injection.

		Consequences			
		<i>Very low</i>	<i>Low</i>	<i>Medium</i>	<i>High</i>
Probability	<i>High</i>	Low	Medium	High	High
	<i>Medium</i>	Low	Medium	Medium	High
	<i>Low</i>	Low	Low	Medium	Medium
<i>Very low</i>		Very low	Low	Low	Low

Appendix 1

Paragraph 7 Exemption : Land Treatment

Part 1 : Pollution Risk Assessment

Please Note:

You must answer the questions below which address pollution risks common to all spreading applications. If this information is not submitted, we will not be able to process your notification and it is likely to be rejected.

Please refer to Section C5 of the guidance under Pollution Risk Assessment Part 1, for more advice on how to answer these questions and the sort of information we will be looking for.

<p>i) How much land do you intend to treat?</p>		
<p>ii) Please indicate if there are any additional storage areas giving grid references</p>		
<p>iii) Describe how you will store the waste securely to prevent pollution or harm to human health.</p>		
<p>iv) State the available capacity of the storage facility</p>		
<p>v) State how much waste you intend to store at any one time</p>		
<p>vi) Enter the date when you first plan to store the waste.</p>		
<p>vii) Please confirm that the storage location of the waste will be outside those proximities listed in the guidance.</p>	<p>YES</p>	<p>NO</p>
<p>viii) State whether the land is within –</p> <ul style="list-style-type: none"> a. a Nitrate Vulnerable Zone, b. a Groundwater Source Protection Zone, or if it is within c. 1 km radius on an environmentally sensitive Site 	<p>YES</p>	<p>NO</p>

Risk assessment template

Risk assessment for proposed landspreading activity at:.....
 Risk assessment carried out by:..... Date:.....

Data			Judgement				Action		
Receptor What is at risk? What do I wish to protect?	Source The agent or process with potential to cause harm	Harm The harmful consequences if things go wrong	Pathway How the receptor might come into contact with the source	Probability of exposure How likely is this contact?	Consequence Severity of the consequences if this occurs	Magnitude of risk The overall magnitude of the risk	Justification for magnitude Basis of my judgement	Risk management How I can best manage the risk to reduce the magnitude	Residual risk Magnitude of the risk after management
EXAMPLE Surface water ditches around field perimeter	High concentration of nutrients in waste	Eutrophication of surface waters	Direct run-off from field	Medium	Low	Medium	Proximity of ditches but of low ecological value. Ditches feed into major river with high flows	No gradient on field. Will not spread within 10m of field edges. Will not spread during or within 24 hours of heavy rain or if ground frozen	Low