



**ENVIRONMENT
AGENCY**

Guidance for Registering an Exempt Operation: Reclamation, Restoration or Improvement of Land - Paragraph 9

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 9 registration. It should be read in conjunction with the notification form EPA, EPB-9 & 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 9 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 9 operation. You must use the notification form with the same reference as this document – EPA, EPB-9 & 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 9 exemption which covers treatment of land for reclamation or improvement and a summary explaining the legislation can be found on our web site at:-

<http://www.environment-agency.gov.uk/business/topics/permitting/34783.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 9 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 9 is a chargeable exemption. You can find information on charging under the Environmental Permitting Charging Scheme 2009/2010 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 this is the case, then we will contact you. 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 9 exemption you will need to complete the notification form and where your original notification claimed agricultural benefit or ecological improvement, 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 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:

- Changes to the 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. If you are using 2,500 cubic metres of more of waste under this exemption, you will need to keep records of –

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

of any wastes spread onto the land 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, EPB9 & 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 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 –

http://www.opsi.gov.uk/si/si2007/uksi_20073538_en_13#sch3

Are you using Materials from - ?

2b Please indicate if you are spreading wastes from part 1 of the table under Paragraph (2) of the regulations which you can find to the left of the page at the above link.

If you are spreading wastes from part 2 of the table under paragraph (2) or If you are spreading wastes listed in Part 1 of the table that have the potential to harm the environment, for example pulverised fuel ash (PFA), contaminated soils or track ballast, then you should include an analysis of the waste and complete both parts of the pollution risk assessment with your supporting documentation in Section C to demonstrate that the operation will not cause harm. If you are only using uncontaminated wastes from part 1 of Table (2) you will only need to complete the questions in part 1 of the Pollution Risk Assessment

If you are not sure what you need to do, please contact your local Environment Agency office before submitting your notification. If you do not provide an analysis and risk assessment where they are required this may lead to delays or a refusal to register the operation.

3 Where will you use the waste?

Where will the spreading take place?

3a – 3c Please give the address where the spreading 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.

What is the purpose of the treatment?

3d You only need to tick one of these boxes if you are planning to spread waste from part 2 of the table. You must then also submit a certificate proving agricultural benefit or ecological improvement.

Please indicate whether the purpose of the treatment is agricultural benefit or ecological improvement. You can find a definition of both under section C7

We also need a further plan marked with the proposed final level contours.

If you are applying to spread less than 2,500 cubic metres of waste on the land, you do not need to submit these plans.

Waste Storage

3e No waste can be stored for longer than six months and 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.

For further advice on pollution prevention contact your local Environment Agency office or use the following link to look at our Pollution Prevention Guidance notes:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Temporary storage of waste

3f You must identify any additional storage location

4 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, please tell us why you are allowed to carry on this operation.

5 Waste Usage

Do you need to planning permission for this operation?

5a If planning permission is required for the operation you propose, you must obtain this prior to commencing the operation. If you already have planning permission please submit a copy with your notification; this will help us deal with your notification quickly. If you do not need planning permission you will need to explain why not. We may ask you to submit proof that no permission is required.

Will the waste exceed 2500 cu m/hectare?

5b You may only spread a maximum of 20,000 cubic metres of waste over a hectare of land (up to a maximum depth of 2 metres).

If you are proposing to spread 2,500 cubic metres or more of waste on the land, we will need a plan that shows cross-sections through the area of land on which you wish to use it, showing

- the depth of waste you plan to spread across the area,
- the contours of the current level of the land.

The plan should be scaled at 1:10,000 or larger.

SECTION C

6 Supporting Documentation

6.1 Map or plan of the storage and spreading

You need to send us a plan of the area where the spreading and storage will be carried out, showing:

- the boundary of that area *i.e. the fields or site boundaries*
- locations within that area where the exempt operation is to be carried out *i.e. the parts of the fields or places that are suitable*
- where the waste will be stored
- any watercourses within 10m of any site, including field drains
- any springs, wells or boreholes within 250 m of any treatment site *please tell us if they are used for public or private drinking water purposes or in food production*
- any properties where people live or work
- public rights of way
- any local conservation or archaeological sites within 250m of any treatment site.

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.

6.2 Waste analysis

If you are spreading potentially contaminated wastes from part 1 of Table 2 or any wastes from Part 2 of Table 2, you need to supply a waste analysis.

A recent laboratory analysis of the waste should be provided that identifies both the concentration of the potentially beneficial components of the waste and the contaminants that may be present. This should be less than 12 months old, unless you can provide us with adequate justification why this is not necessary.

The type and extent of any analysis should always be justified. The following table sets out a typical waste analysis and the parameters normally required.

You will not normally be required to carry out an analysis of waste soils if they are

- imported from sources unlikely to be contaminated, and
- being spread to prepare industrial land for agricultural use, *i.e. spreading which is a soil replacement or burial operation.*

Parameter	Reason
Proposed quantity of the waste to be applied to land	To consider proposed application rate
Percentage dry solid content	To determine application quantities of constituents
pH	The most significant factor influencing nutrient and

	'potentially toxic element' mobility and soil biological operation
Conductivity (mS)	Provides a measure of the amount of electrolytes in the waste
Total concentration, and total content which is soluble, of major plant nutrient – Nitrogen, Phosphorous, Potassium, Magnesium, Calcium and Sulphur on a fresh weight basis.	To assess the potential benefit to agriculture or ecological improvement.

Additional analysis may be required and may include -

Parameter	Reason
Biological Oxygen Demand	To assess the potential environmental impact.
Total Neutralising Value	To assess the potential liming benefit
Biological analysis	To identify or confirm absence of plant or animal pathogens that may be associate with the waste
Oils and fat content	To assess the potential environment impact
Potentially toxic elements: Chromium, zinc, copper, nickel, cadmium, lead and mercury, molybdenum, selenium, arsenic, flouride	To assess the potential environmental impact.
Prescribed substances as described in Schedule 6 to the Environment Protection (Prescribed process and Substances) Regulations 1991 (SI1991/472)	To assess the potential environment impact
Carbon : nitrogen ratio	To assess the potential immobilization of available soil nitrogen.

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 testing of the receiving soils.

For more information see

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

6.3 Soil Analysis

If you are spreading wastes

- from part 1 of the table under Paragraph (2) and
- from sources unlikely to be contaminated and
- you are preparing industrial land for agricultural use, i.e. spreading which is a soil replacement or land burial operation, rather than improving the quality of the soil that is already there

you do not need to do an analysis of the soil where the waste is to be spread.

If you spreading waste from part 2 of the table in the Regulations, which means that you are claiming benefit to agriculture or ecological improvement (Question 7.1), representative samples of the soil from where the waste is to be spread should be taken and analysed.

Sampling methods should be in accordance with RB209. www.defra.gov.uk/environ/pollute/rb209/

Analytical methods should be in accordance with those given in Specification for Topsoil, British Standard 3882, 1994 or The Analysis of Agricultural Materials. Defra formerly MAFF RB427, 1998.

See table below for typical soil analysis and parameters normally required. Different or additional analysis may be required depending on the benefit you are claiming. The type and extent of any analysis should always be justified

Parameters	Reason
Soil type and depth (description) e.g. sandy loam	To understand the soil physical properties (e.g. drainage characteristics)
Percentage dry solid content	To determine application quantities of constituents
pH	This is the most significant factor influencing nutrient and 'potentially toxic element' mobility and soil biological operation in the soil environment.
Conductivity (mS)	Provides a measure of the amount of electrolytes in the soil
Total concentration and total content which is soluble of major plant nutrients – Nitrogen, Phosphorous, Potassium, Magnesium, Calcium and Sulphur on a fresh weight basis.	To assess the plant nutrient status of the soil

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

6.4 Scale Plan and Cross Section.

If you are proposing to spread 2,500 cubic metres or more of waste on the land, we will need a plan that shows cross-sections through the area of land on which you wish to use it, showing

- the depth of waste you plan to spread across the area,
- the contours of the current level of the land.

The plan should be scaled at 1:10,000 or larger.

We also need a further plan marked with the proposed final level contours.

If you are applying to spread less than 2,500 cubic metres of waste on the land, you do not need to submit these plans

6.5 Pollution Risk Assessment

A pollution risk assessment must be submitted with this notification form which should support the Certificate of Agricultural Benefit or Ecological Improvement where this is also required. 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. If you are using only uncontaminated materials from Part 1 of Table (2) you need only supply Part 1 of the pollution Risk Assessment. If you are using potentially contaminated waste from Part 1 of Table (2) or any wastes from part 2 of Table (2) you must complete and return both part 1 and part 2 of the risk assessment.

Pollution Risk Assessment - Part 1 (Appendix 1)

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

(i) Please indicate if there are any additional storage areas giving additional Grid references.

(ii) Describe how you will store the waste securely to prevent pollution or harm to human health.

You must take reasonable precautions to ensure that

- the waste cannot escape from storage; and
- members of the public are unable to gain access to it.

For example, the waste could be stored in a fenced area, container, or a locked building etc.

iii) Please detail the available capacity of the storage facility.

In the case of sludges, you need to allow for the freeboard (the distance between the top of the tank and the level of the waste inside), as there are set limits for this. For open storage containers it is 0.3m and for earthbank tanks or lagoons it is 0.75m.

iv) Please detail how much waste you intend to store at any one time.

v) Please give the date when you first plan to store the waste.

vi) Please confirm that the storage location of the waste will be outside those proximities listed.

- 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.

vii) What industrial or man-made development has the land been subject to (please provide evidence of this)?

You cannot register a Paragraph 9 exemption for green field sites. The land must have been subject to a previous industrial or other man-made development.

viii) State whether the land is a Nitrate Vulnerable Zone or if it is within a 1 km radius on an environmentally sensitive Site

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:

http://www.defra.gov.uk/corporate/docs/forms/agri_env/nvz/nvz4.pdf

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 (AONB). 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/protectedsites/

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*
- 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 when prevailing winds blowing away from houses.*

6.6 Evidence of Planning Permission

If you already have planning permission please submit a copy with your notification; this will help us deal with your notification quickly.

6.7 Certification of Agricultural Benefit or Ecological Improvement

Where you are spreading waste from Part 2 of the table in the Regulations, 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.

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 within the last 12 months, this information should be included and taken into account when carrying out your benefit analysis.

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
- 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.

6.8 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 9 Exemption : Reclamation, Restoration or Improvement of Land

Part 1 : Pollution Risk Assessment

Please Note:

You must answer the questions below which address pollution risks common to all storage and 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.

i) Please indicate if there are any additional storage areas giving grid references.		
ii) Describe how you will store the waste securely to prevent pollution or harm to human health.		
iii) State the available capacity of the storage facility		
iv) Enter how much waste you intend to store at any one time.		
v) Enter the date when you first plan to store the waste		
vi) Please confirm that the storage location of the waste will be outside those proximities listed in the guidance.	YES	NO
vii) What industrial or man-made development has the land been subject to?		
viii) State whether the land is within: ○ a Nitrate Vulnerable Zone, ○ a 1 km radius on an Environmentally Sensitive Site	YES	NO

Appendix 2

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