



**ENVIRONMENT  
AGENCY**

## Guidance for Registering an Exempt Operation: Dunnage burning on or near docksides.

**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 46 registration. It should be read in conjunction with the notification form EPA, EPB-46 & 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 46 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 46 operation. You must use the notification form with the same reference as this document – EPA, EPB-46 & 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 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 46 exemption which covers the burning of dunnage at a dockside and a summary explaining the legislation can be found on our web site at:-

<http://www.environment-agency.gov.uk/business/topics/permitting/34789.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 46 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 46 is a chargeable exemption. You can find information under Table of Charges 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. If we refuse your notification we will tell you why. There is no appeal process for exemptions.

If the first date on which you wish to carry out the operation is before we have made a decision, the operation will be deemed to be registered on the first date requested. However, we have the power to remove details from the register should we subsequently decide that your activities do not fall within the scope of the exemption.

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. You can register for a repeated operation over a period of 12 months.

### 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 46 exemption you will need to complete the notification form. Supporting documents may be required with your renewal, 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.

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 the time either at the time of the operation or at any other time.

As a requirement of this exemption you will need to keep records of the -

- quantity
- nature
- origin

of the dunnage wastes covered by the exemption that are disposed of at that place. These records need to be cross-referenced to specific notices issued by the Forestry Commission inspectors. You must keep this information for 2 years and make it available to us on request. We will send you more information on record keeping when you are registered.

**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](mailto:enquiries@environment-agency.gov.uk)

Website: [www.environment-agency.gov.uk](http://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, EPB46 & 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.

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

### 2 About the waste

**Confirm the details of the waste you propose to burn.**

2a – 2b Please indicate in the tick box provided, whether you propose to burn only solid timber dunnage over the 12 month period. Where there are other wastes please state what type of wastes these are.

### 3 Operation details – burning location

**Where will the burning take place?**

3a – 3b If you have not already done so, please enter the address and grid reference of the place where the burning will take place.

You can only burn dunnage at a specified place on your site. The burning place should be chosen to minimise the effect of smoke, ash and other resultant pollution on the local community.

**What kind of facility do you intend to use?**

3c Please indicate by placing a tick in either of the boxes provided, what kind of facility you intend to use to undertake the burning of the dunnage.

### 4 Storage location

**Where is your storage facility?**

4a – 4b Please give the address and a grid reference of the location where you will store the waste prior to burning. It is essential that you provide an accurate grid reference. You can find this out by looking up your site on an OS map or by searching on the Ordnance Survey web site [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

You may store up to 15 tonnes of dunnage at the dock where it was unloaded for up to 24 hours before burning.

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 locked compound.*

### 5 Occupancy of the land

**Occupancy**

5a – 5c 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 are not the owner or occupier please tell us why you are allowed to carry on this operation.

## SECTION C

### 6 Supporting Documentation

#### 6.1 Site map or plan

You need to send us a plan of the area where the exempt operation will be carried out, showing

- the boundary of that area (i.e. the dockside boundaries)
- locations within that area at which the burning is to be carried out
- the storage site(s)

Any maps or plans you send us should

- be an A4 or A3 sheet
- show the area of land covered by your notification
- be at a scale of 1:10,000 or larger (base your map on an Ordnance Survey map)
- 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 labeled and highlighted areas on the map.

It may be easier to explain or clarify complicated proposals (including answering questions on the forms) by reference to maps and plans than in words.

#### 6.2 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

#### 6.3 Evidence of any Changes (renewals)

Provide any new or amended plans and other evidence to support your changes and enter the information in the box provided.

## 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](mailto:enquiries@environment-agency.gov.uk)  
Website: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)