

The disposal by burning, other than at a dockside, of waste plant tissue and wood as required under The Plant Health Order 2005 or 2006

If you comply with the requirements set out below we will allow the burning of 'dunnage' other than at the site of production.

Background

'Dunnage' is waste plant tissue or wood of any kind – including packaging material, spacers and pallets – used to wedge or support ship's cargo. Dunnage needs to be burnt on arrival at a dockside to avoid beetles, etc. being introduced from abroad. The burning of dunnage at the dockside where the cargo is unloaded is exempt from environmental permitting.

For practical or logistical reasons, it is not always possible to burn all the waste plant tissue or wood at the dockside. Instead the waste is burnt at the place where the goods are delivered to, but this does not qualify for the exemption.

The Environment Agency's position

We are satisfied that there is no additional environmental risk to burning dunnage away from the docks provided it is done under a Plant Health Order notice issued by the Forestry Commission. Such notices are issued under Article 32 of the Plant Health (England) Order 2005 or Article 32 of the Plant Health (Wales) Order 2006.

We will not pursue an application for an environmental permit for the activity where:

- the waste is kept securely before being burnt;
- only the waste required to be disposed of under the Plant Health Order notice is burnt;
- the waste is burnt as soon as is practicable following the removal of the product it is packaging;
- a copy of the Plant Health Order notice relating to the waste is:
 - kept by the person it is served on for up to six months following the burning;
 - made available to our officers on request;
- you meet the relevant objectives of the Waste Framework Directive;
'... ensuring that waste management is carried out without endangering human health and without using processes or methods which could harm the environment and in particular without –

- (i) risk to water, air, soil, plants or animals; or
- (ii) causing nuisance through noise or odours; or
- (iii) adversely affecting the countryside or places of special interest.'

Enforcement

In not pursuing an application for a permit, this means we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please refer to our **Enforcement and Sanctions Statement**. This can be found on the 'How and why we regulate your business' page in the Business & Industry section of our website.

This regulatory position will be reviewed by 30 June 2012.

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