

## The dewatering of street sweepings

**If you comply with the requirements set out below, we will allow the dewatering of street sweepings, without an environmental permit.**

### Background

The Environmental Protection (England and Wales) Regulations 2010 introduced a new 'non-Waste Framework Directive' exemption for the temporary storage of waste at a collection point. This allows the temporary storage of waste at a site pending disposal or recovery elsewhere, subject to certain conditions. The exemption is for storage and does not allow treatment.

Local Councils and their contractors are able to make use of this exemption by bringing waste arising from street sweeping back to their yards pending collection for recovery or disposal. There is likely to be a certain amount of water mixed in with the waste when it is deposited at the site. Dewatering of this waste is a treatment operation and requires an environmental permit.

### Our position

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

- street sweepings only are dewatered (this position does **not** apply to gully wastes)
- any dewatering is carried out on an impermeable<sup>1</sup> surface that has a sealed drainage<sup>2</sup> system
- all other conditions of the collection point exemption in Annex 1 are met
- you meet the relevant objectives of the Waste Framework Directive; '... ensuring that waste is recovered or disposed of 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.'

<sup>1</sup> "impermeable surface" means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids beyond the surface

<sup>2</sup> "sealed drainage" means a drainage system with an impermeable surface which ensures that—  
(a) no liquid will run off the surface otherwise than via the system, and  
(b) except where they may be lawfully discharged, all liquids entering the system are collected in a sealed sump;

## **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 the public interest factors in *Guidance for the Enforcement and Prosecution Policy*. This document can be found on the 'How we regulate you' page in the Business & Industry section of our website.

This regulatory position will be reviewed by July 2012.

MWRP RPS 065  
Version: 1  
Issued: July 2010

## **Annex 1 - Paragraph 4 to Part 3 of Schedule 25 to the Environmental Permitting (England and Wales) Regulations 2010**

### **Temporary storage at a collection point**

4.(1) The temporary storage of waste at a collection point for the purposes of recovering or disposing of the waste elsewhere.

(2) For the purposes of this paragraph, the conditions are that—

- (a) the waste does not contain or consist of—
  - (i) asbestos,
  - (ii) any substance with a flash point of less than 21 degrees Celsius;
- (b) the waste is stored in a secure<sup>3</sup> container;
- (c) where more than one type of waste is stored, the types are not mixed;
- (d) in relation to WEEE, the total quantity of waste stored at any one time does not exceed 30 cubic metres;
- (e) in relation to non-hazardous waste that —
  - (i) is not WEEE, and
  - (ii) is to be recovered elsewhere, the total quantity of waste stored any one time does not exceed 50 cubic metres; and
- (f) in relation to waste not covered by paragraph (d) or (e), the total quantity of waste stored at any one time does not exceed 5 cubic metres.

---

<sup>3</sup> a container is secure in relation to waste kept in it if—

- (a) all reasonable precautions are taken to ensure that the waste cannot escape from it; and
- (b) members of the public are unable to gain access to the waste.