

Composting farm yard manure and stable manure which includes bedding made from wastes listed under exemption U8

This statement sets out our interim position in relation to composting and anaerobic digestion of farmyard and horse manure containing the following soiled bedding materials: shredded paper, cardboard, paper sludge, wood shavings, wood chip, oversized compost and sawdust.

Background

The Environmental Permitting (England and Wales) Regulations (EPR) 2010 resulted in a new set of exemptions which came into force on 6 April 2010.

One of the new exemptions [U8 – Use of waste for a specified purpose](#), allows the following wastes to be used as animal bedding materials:

- **Shredded paper and cardboard** - List of Waste (LoW) code 19 12 01
- **Paper pulp and paper sludge from paper recycling** - LoW 03 03 05 & 03 03 11
- **Wood shavings, woodchip, oversize compost and sawdust only** - LoW 03 01 05 & 19 12 07)

These wastes are recovered and cease to be waste when used as animal bedding and become waste again when they are soiled. Farmyard and horse manure (where it is waste) can be spread on land as a fertiliser under either a [U10 and U11 exemption](#). However, these exemptions allow only manure that falls within list of waste (LoW) code 02 01 06 to be spread on land.

The wastes allowed under exemption U8 as animal bedding do not fall within LoW code 02 01 06 so there is currently no option to compost or anaerobically digest this type of soiled bedding under the following exemptions;

- [T23 - Aerobic composting and associated prior treatment.](#)
- [T24 – Anaerobic digestion at premises used for agriculture and the burning of resultant biogas.](#)
- [T25 – Anaerobic digestion at premises not used for agriculture and the burning of resultant biogas.](#)

Once these bedding materials are soiled they can currently only be spread on land under an [environmental permit](#).

We recognise that the bedding materials listed under the U8 exemption are suitable for composting and anaerobic digestion and that the resulting compost could be spread on land as a fertiliser under either exemption U10 or U11.

Our position

We will not pursue an application for an environmental permit to compost soiled bedding materials that were used in accordance with a registered U8 exemption where:

- the operation is registered with us
- you comply with the conditions and limits of either a T23, T24 and T25 exemption
- you meet the relevant objectives of the Waste Framework Directive;
'... ensuring that waste management is carried out without endangering human health, without harming the environment and in particular:
 - (i) without risk to water, air, soil, plants or animals;
 - (ii) without causing a nuisance through noise or odours; and
 - (iii) without adversely affecting the countryside or places of special interest.'

The compost or digestate may then be spread on land in accordance with exemptions U10, U11 or an environmental permit.

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 document can be found on the 'How we regulate you' page in the Business & Industry section of our website.

Defra are currently consulting on proposed amendments to the EPR 2010. These include amending exemptions T23, T24 and T25 to allow the composting and anaerobic digestion of U8 bedding materials. Should these amendments not take place this regulatory position statement will be withdrawn.

This regulatory position will be reviewed by 31 March 2013.

Further advice

Guidance on all the waste exemptions and how to register them can be found on our website at: www.environment-agency.gov.uk/exemptions

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