

U10 – Spreading waste on agricultural land to confer benefit

What is the purpose of this exemption?

To allow certain wastes to be spread on [agricultural land](#) to improve or maintain soils instead of manufactured fertilisers or virgin materials such as quarried lime.

What types of activities can I do?

You can:

- spread listed wastes on [agricultural land](#) to improve or maintain the physical, chemical and biological properties of the soil.
- spread listed wastes on [agricultural land](#) to support crop growth.

For example you can:

- add [digestate](#) produced in an Anaerobic Digestion (AD) plant operated under either a T24 or T25 exemption as an alternative to using inorganic fertiliser.
- add chalk to soil as a liming agent to improve soils which require lime to support particular crops.

A full list of the wastes that may be spread under this exemption with the quantities you can spread are in the table at the end of this guidance.

Where can I carry out this activity?

On [agricultural land](#) that has been registered under this exemption.

What can't I do?

You can't:

- spread the listed wastes if they do not provide a benefit to the land.
- spread the listed wastes on non-agricultural land. Exemption U11 allows the spreading of certain wastes on non-agricultural land.
- spread wastes that are not listed under the exemption even if they would provide benefit.

If you want to spread waste types that are not listed you will need to apply for an [environmental permit](#). Further guidance on environmental permits and what you need to do can be found in our [Making the step to permitting guidance](#).

What are the key limits?

The maximum amount of the waste you can spread to provide benefit is set out in column 3 of the table at the end of this guidance – but only the amount of waste that is necessary to benefit the soil should be spread. This may be less than the amount permitted in the table.

The quantity limits specified in the table relating to the use or storage of the waste apply regardless of whether more than one farmer uses the land. For example, if one farmer rents land for six months and spreads 50 tonnes of compost per hectare, the next person who rents the land could not register this exemption to spread a further 50 tonnes per hectare of compost within that 12 month period.

The maximum amount of the waste you can store at any one time is set out in column 4 of the table at the end of this guidance.

What are the key conditions?

You must not spread the waste if the land upon which you are spreading is:

- waterlogged, frozen or snow covered; or
- has been frozen for 12 hours or more in the 24 hours before you want to start spreading.

This is because the waste is unlikely to be absorbed into the soil and may run-off into watercourses under such conditions.

Biobed or biofilter material must be stored for 12 months prior to spreading it. This is to ensure any non-hazardous pesticide residues that remain in the material are fully broken down before the material is spread on land.

Milk waste listed under this exemption is for waste produced on farms only; you cannot import milk waste from dairies and creameries back to your farm to spread. Milk waste has some additional conditions:

- It must not be stored for more than 24 hours before it is spread.
- It must be diluted with an equal or greater quantity of water or slurry before it is spread.
- You can only spread it on your land once in any four week period.

To minimise the risk of pollution the following waste types must not be stored or spread within 10 metres of a watercourse and 50 metres from a spring, well or borehole:

- chalk
- farmyard and horse manure
- soil from cleaning and washing fruit and vegetables
- spent compost from the cultivation of mushrooms
- compost
- digestate produced in an AD plant
- biobed or biofilter material
- diluted milk

- woodchip boiler ash

Dredging spoil must be spread on land next to where it was dredged from.

Record keeping

You must keep records of the quantity, nature and origin of all waste spread on your land as part of your U10 exemption. These records must be kept for 2 years and be available for inspection if we ask. If you are already required to keep records under the Nitrate Pollution Prevention Regulations 2008 or the Nitrate Pollution Prevention (Wales) Regulations 2008 (sometimes referred to as NVZ rules) you do not need to keep these additional records.

What else do I need to know?

Agricultural land

Agricultural land is premises that are used for an activity defined as 'agricultural' in the Agriculture Act 1947. This includes land used for:

- horticulture
- fruit growing
- seed growing
- dairy farming
- livestock breeding and keeping
- grazing
- all arable farming
- growing willow (osier land)
- It also includes:
 - meadow land
 - market gardens
 - nursery grounds
 - woodlands which are secondary to the use of land for other agricultural purposes
 - timber production; and
 - land where other non-food crops are grown (e.g. energy crops for bio-fuel).

Agricultural benefit

Agricultural benefit includes maintaining or improving the soil's suitability for crops or for grazing by adding:

- plant nutrient requirements (for example, nitrogen, phosphorus, potassium, magnesium, sodium).

- soil chemical properties (for example, liming/ ph).
- soil physical properties (such as organic matter/ soil structure).

Meaning of “Pursuant to”

The second column of the [Table of waste types permitted by U10](#) allows certain wastes only if they are produced “pursuant to” a specific exemption.

For example: *“compost produced pursuant to a treatment described in paragraph T23 or T26 only”*.

This means that you cannot register an exemption under U10 to spread compost or digestate produced at sites that are:

- operating under a [paragraph 12 exemption](#) during the transitional phase; or
- operating under a permit which allows them to accept a wider range of wastes than those listed under [T23](#), [T26](#).

You can register a U10 exemption to spread compost produced at a facility operating under an environmental permit provided the conditions of the permit mirror the conditions in T23 and T26.

Further information is available in our position statement on [The meaning of pursuant to in exemptions U10 and U11](#).

Meaning of “Place”

Exemptions are registered for a 'place'. When you are registering exemptions for activities on your farm, 'place' is taken to include:

- the farm in question;
- outlying land; and
- discrete farmyards that are being managed as a single farm unit or form one business location.

Yards and land parcels with different addresses and correspondence addresses are considered separate units and each should be registered as a separate 'place'.

Other wastes

Wastes that are not listed under the exemption cannot be spread on the land even if they would provide benefit. If you want to spread waste types that are not listed, you will need to apply for an [environmental permit](#).

Further guidance on environmental permits and what you need to do can be found in our [Making the step to permitting guidance](#).

Table of wastes permitted under U10

The wastes codes below are those listed in the List of Wastes (LoW) Regulations. You should read the guidance on the LoW to ensure that the waste type you want to treat fits within the waste code.

In some instances the waste types permitted are more restricted than the LoW code. This is indicated by the word “only” in the waste type description in the table below.

You need to make sure your waste falls within the LoW code and the written description in the table.

Further guidance on this can be found at <http://www.environment-agency.gov.uk/business/topics/waste/32140.aspx>

Codes	Waste types	Quantity limit over 12 months	Storage limit
010102, 010408, 170504	Chalk only	50 tonnes per hectare	200 tonnes
020106	Farmyard and horse manure only	50 tonnes per hectare	200 tonnes
020401, 020399	Soil from cleaning and washing fruit and vegetables only	50 tonnes per hectare	200 tonnes
020199	Milk from agricultural premises only	50 cubic metres of diluted milk per hectare	200 tonnes
100101	Ash from wood chip boilers produced pursuant to an operation described in the paragraph numbered U4 in this Chapter only	1 tonne per hectare	10 tonnes
170506	Dredging spoil (other than those mentioned in 170505) generated from the creation or maintenance of habitats, ditches or ponds within parks, gardens, fields and forests only	150 tonnes per hectare	1,250 tonnes
020199	Spent compost from the growing of mushrooms only	50 tonnes per hectare	500 tonnes
190599	Compost produced pursuant to a treatment described in the paragraph numbered T23 or T26 of Chapter 2 only	50 tonnes per hectare	500 tonnes
190604	Digestate produced pursuant to a treatment described in the paragraph numbered T24 or T25 of Chapter 2 only	50 tonnes per hectare	200 tonnes
190812	Waste consisting of biobed or biofilter material produced pursuant to a treatment described in the paragraph numbered T32 of Chapter 2 only	50 tonnes per hectare	200 tonnes

The full text of the legislation can be found at: http://www.opsi.gov.uk/si/si2010/uksi_20100675_en_1

Related exemptions

You can spread waste on non-agricultural land under [U11 Spreading waste on non-agricultural land to confer benefit](#).

There are other exemptions which allow you to spread waste on land where they will be beneficial to the soil. [U12 Use of mulch](#) and [U13 Spreading plant matter to confer benefit](#).

Related permits

If you want to spread a wider range of wastes or apply more waste than is allowed under this exemption you will need to apply for an environmental permit. Further information can be found at: <http://www.environment-agency.gov.uk/business/topics/permitting/32330.aspx>

Registration of this exemption

A link to the registration process is available on the following web page:

<http://www.environment-agency.gov.uk/business/topics/permitting/121138.aspx>

Definitions

“digestate” is the final output from the treatment of organic and biodegradable waste either anaerobically or aerobically. The digestate may be whole digestate, separated fibre or separated liquor and can be used in compost as an input material or process additive or spread to land as a soil nutrient and conditioner.

The full ‘**Glossary of terms**’ can be viewed [here](#)