

## The temporary secure storage of fly-tipped waste and waste from trash screens other than at the site of production.

If you comply with the requirements set out below, we will allow the temporary secure storage of fly-tipped waste and waste from trash screen clearance at a site other than where it was produced, pending recovery or disposal of it elsewhere.

### Background

The site where waste has been fly-tipped is the site of production. The same applies to waste which is cleared from trash screens on waterways. When someone collects them and takes them to a site to store them before they are disposed of, then that site requires an environmental permit.

### Our position

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

- you are the owner of the land or are responsible for the land where the fly tipped material has been dumped, or the trash screen has been cleared;
- you are also the owner of the land or responsible for the site where the waste is stored;
- the total quantity of non-hazardous waste stored at any one site, at any one time does not exceed 20 cubic metres;
- the total quantity of hazardous waste stored at any one site, at any one time does not exceed 5 cubic metres;
- the waste is stored securely<sup>1</sup> and for no longer than six months;
- any hazardous wastes are consigned in accordance with the Hazardous Waste Regulations<sup>2</sup>; and
- 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> 'securely' mean the waste cannot escape and unauthorised persons are prevented from accessing it.

<sup>2</sup> Hazardous Waste (England and Wales) Regulations 2005 in England and the Hazardous Waste (Wales) Regulations 2005 in Wales

## **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 31 March 2011.

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customer service line

08708 506 506

[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

incident hotline

0800 80 70 60

floodline

0845 988 1188