

Regulatory position statement 131

The short term storage of chipped wood waste at a dockside pending import or export

If you comply with the requirements below, we will allow the short term storage of chipped wood waste (EWC 19 12 07) at a dockside pending its loading or unloading for export or import for recovery without the need for a permit. This will allow time for an appropriate regulatory solution to be developed. This position does not apply to intermediate storage sites or other transit points linked to a dockside; these remain subject to existing permit controls.

Background

Chipped wood waste has a number of characteristics which can cause environmental pollution issues if it is inappropriately managed. As a result there is a need to ensure that the controls placed upon its storage, pending export or import, are sufficient to minimise environmental risks.

The Environmental Permitting (England and Wales) Regulations 2010 (EPR) allow for the storage of certain wastes at a dockside prior to export or import to take place under an exemption. We adopted a low risk waste position (LWR432) in 2010 applying similar criteria specified in the wording of the current exemptions to the storage of chipped wood waste. However we have now withdrawn LWR432 following evidence of unacceptable environmental impacts on amenity (dust) and risk of fire caused by poor storage arrangements at sites operating under that position. This regulatory position statement (RPS) replaces LWR432. In the longer term, we will be requiring all sites storing this material to be covered by a permit.

Our approach

Provided that area teams are satisfied that the operator meets the following requirements, we will not pursue an application for an environmental permit where:

- The local area Environment Management team has been informed in writing of how the persons responsible for the storage area propose to comply with the requirements of this RPS.
- The waste conforms to the classification EWC 19 12 07 - Wood. The waste has to meet the calorific, moisture content and other properties specified by the receiving recovery facility.
- The total amount of chipped wood waste (EWC 19 12 07) stored at any one time does not exceed 8,000 tonnes.
- The chipped wood waste is stored at the location for no longer than 3 months.

- The chipped wood waste is stored in a secure place¹.
- A written system for chipped wood waste storage is in place to ensure that a strict rotation system exists so that the oldest waste is shipped first and no waste is stored longer than 3 months. This system should include clear spatial separation of chipped wood waste of different storage age.
- A written system is in place to prevent, detect, contain and mitigate fires. This will include ensuring sufficient access for Fire and Rescue Service vehicles².
- The chipped wood waste is stored in the following way:

A) Where the site is within a Groundwater Source Protection Zone 1 or 2 the waste shall be stored:

- In a secure and sealed container; or
- If not fully containerised, inside a building with a sealed drainage system and that prevents the ingress of water, odour or dust release and access by pests; or
- In a storage area with bunds or walls that prevent the escape of waste and on an impermeable surface with a sealed drainage system; or
- In fully wrapped bales that prevent the ingress of water, odour release and access by pests, on an impermeable surface with a sealed drainage system.

B) Where the site is not is within a Groundwater Source Protection Zone 1 or 2 the waste shall be stored:

- Inside a secure and sealed container; or
- If not fully containerised, inside a building that prevents dust release and access by pests; or
- In a storage area with bunds or walls that prevent the escape of waste and on hardstanding ; or
- In fully wrapped bales that prevent the ingress of water, odour release and access by pests, on hardstanding

And:

- The activity meets the relevant objectives of Article 13 of the [Waste Framework Directive \(2008/98/EC\)](#), ensuring that the activity is carried out without endangering human health, without harming the environment and in particular:

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1. A place 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
 2. You should consult your local Fire prevention Officer.

- (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.
- Where the chipped wood waste is destined for an EfW plant that plant must be compliant with the Waste Incineration Directive within the EU, or if outside the EU then proof is provided that the plant complies with standards equivalent to WID. Proof of destination and standards of plant will be required as part of the submission to the area Environment Management team.
 - Chipped wood waste destined for an EfW plant in the EU must meet the requirements of Directive 2008/98/EC revised Waste Framework Directive - Annex II "Recovery Operations" R1 - Use principally as a fuel or other means to generate energy.

This position will **NOT** apply when:

- The chipped wood waste is stored within a building that is within 200 metres of a European Site, Ramsar site or Site of Special Scientific Interest³ or
- Storage is outside a building (even if it is securely baled or containerised) and is within 500 metres of a European Site, Ramsar Site or Site of Special Scientific Interest.

In these cases the activity will require a permit.

For the purposes of this RPS:

A "dockside" is an area adjacent to where the ship is or will be docked. This RPS does not apply to any other intermediate storage sites or other transit points linked to a dock/dockside.

"Pending" means the last point in the shipment process before entering the exporting ship, or immediately after leaving the importing ship. It is the final point of transit following which the chipped wood waste is loaded or the point at dockside directly after the ship has been unloaded. However where chipped wood waste is actually in the process of being loaded or unloaded there will be a period of grace of up to three days where the RPS requirements will not apply providing that the requirements of Article 13 of the Waste Framework Directive continue to be met.

Enforcement

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, please see our [Enforcement and Sanctions](#) statement.

The date for removal of this Regulatory Position Statement is set at 30th April 2015.

3. You can find out information on habitats by calling us on 0370 8506506, or by visiting one of these websites: www.naturalengland.org.uk or in Wales, www.ccw.gov.uk.

After this date, if you were operating under this RPS we will need you to prove one of the following:

- you have an appropriate permit in place;
- you have applied for an appropriate permit, either a Standard Rules permit or a bespoke permit;
- you have cleared the site of any waste previously covered by this RPS.

If you continue to take waste after this date without one of the above in place we will consider it to be an illegal activity and take the appropriate enforcement action against you.

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LIT 7830

customer service line
03708 506 506

incident hotline
0800 80 70 60

floodline
0845 988 1188

www.environment-agency.gov.uk