

Regulatory position statement 052

Storage of food waste intended for recovery

If you comply with the requirements below, we will allow the secure storage of food waste, including liquid waste, at any place other than the premises where it is produced until the Standard Rules Permit is available.

Background

We intend to work with industry to develop a standard rules permit that will cover the temporary storage of food waste for the purpose of bulking up prior to recovery at another location. This statement sets out how we will regulate this activity until the permit is available, which is expected to be April 2013.

In order to maximise the recovery of waste, many supermarkets are storing and compacting food waste (bulking up) until quantities are sufficient to make recovery most cost effective. Storage at the place where waste is produced is exempt from permitting under a non-Waste Framework Directive (nWFD) exemption number 2¹.

In some cases waste food is being brought from smaller stores to larger stores or regional depots where storage facilities are available. The current exemption from an environmental permit for this type of activity (nWFD number 3) allows for storage of up to 50 cubic metres. This statement is about that activity.

We want to facilitate waste diversion from landfill and increase recovery of waste. We consider that the secure storage of food waste, including liquid waste, up to 120 cubic metres could be acceptable provided that the waste is stored in such a way as not to cause harm to the environment or human health. This is the limit being proposed for the standard rules permit. This position does not apply to hazardous waste.

Our approach

We will not pursue an application for an environmental permit for storing food waste (including solid and liquid waste) at any place other than the premises where it is produced until the Standard Rules Permit is available where:

- It is stored in a secure weatherproof container(s) on an impermeable pavement which is provided with a sealed drainage system or spillage plan.

1. See Part 3 of Schedule 25 to the Environmental Permitting (England and Wales) Regulations 2010.

- The total amount of waste food stored, whether in one or more containers, does not at any time exceed 120 cubic metres and is not kept for a period longer than seven days.
- The person storing the waste is the owner of the container or has the consent of the owner.
- The place where it is stored is not a site designed or adapted for the reception of waste with a view to its being disposed of or recovered elsewhere.
- Such storage is incidental to the collection or transport of the waste.
- The operator of such a facility informs the local area office that they agree to apply for a permit or stop the operation once the Standards Rule Permit is available.
- 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.'

Enforcement

In not pursuing an application for a permit, 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 see our [Enforcement and Sanctions](#) statement. This can be found on the '[How we regulate you](#)' page in the Business & Industry section of our web site.

This regulatory position will be reviewed by September 2016.

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customer service line
03708 506 506

incident hotline
0800 80 70 60

floodline
0845 988 1188

www.environment-agency.gov.uk