

## **PUBLIC HEALTH ACT 1990**

### **COLLECTION AND DISPOSAL OF WASTE REGULATIONS 2000**

## **AUTHORISATION OF EXEMPT ACTIVITY**

### **Notice of intention to carry out an exempt activity falling in Regulation 8 Schedule 5** **The deposit of waste for fertilising or otherwise beneficially conditioning that land**

Please complete this form if you wish to give notice to the Department of Environment, Food and Agriculture herein referred to as the Department, of your intention to carry on a Paragraph 12 exempt activity under the following provisions of Schedule 5 of The Collection and Disposal of Waste Regulations 2000 (appendix 2).

This notice should be received by the Department at least 21 days before the activity is due to begin. A separate form must be filled out for each activity. The Department will either:

- i. enter the particulars of the exempt activity on the register and confirm this in writing to you;  
OR
- ii. serve on you a notice of refusal stating that registration is refused and giving reasons for that decision.

Before completing this form:

- Please read the accompanying guidance in appendix 1 on how to complete a notice for registration of an exempt activity.
- Please note that this form should only be used to register an activity which is exempt under Paragraph 12 of Schedule 5 of The Collection and Disposal of Waste Regulations 2000 (see appendix 2).



<b>1. Applicant for Exempt Activity</b>	
Company Name:	
Waste Disposal Licence Number:	
Contact Name:	
Address:	
Telephone:	
Email:	

<b>2. Notice of Exempt Activity under Schedule 5 of The Collection and Disposal of Waste Regulations 2000.</b>			
Compost	Yes / No		
Other Waste:	Yes / No	If yes, EWC code:	

<b>3. The Treatment Activity</b>	
Grid Reference or field numbers of areas to undergo land spreading	
Address of land undergoing treatment	
Method of application	
Frequency of application	
Has the landowner provided permission for land spreading?	
Is the land to be used participating in the Agricultural Development Scheme?	

<b>7. Accompanying Documents to be included with application:</b>	<b>Please tick where included:</b>
(b) An analysis of the wastes to be used including metals.	
(c) A statement describing how the treatment will result in agricultural and/or ecological improvement.	



The statement shall be prepared by or based on advice from a person with appropriate technical or professional expertise.

***If you would like to know what we do with your personal information and your rights in relation to it, our Privacy Policy can be found here <https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/environment-directorate/fisheries-division/privacy-notice/>***

***Our Data Protection Officer can be contacted on 686781 or at [DPO\\_DEFA@gov.im](mailto:DPO_DEFA@gov.im)***

We may also process and/or disclose it in connection with the following: offering/providing you with our literature/services relating to environmental affairs, consulting with the public, public bodies and other organisations (e.g. Health and Safety at Work Inspectorate, Local Authorities, Emergency Services) on environmental issues carrying out statistical analysis, research and development on environmental issues, providing public register information to enquirers investigating possible breaches of environmental law and making any resulting action preventing breaches of environmental law, assessing customer satisfaction and improving our service.

We may pass this information on to our agents/representatives who may ask to do any of these things on our behalf. You should ensure that any persons named on this form are informed of the contents of this Data Protection Notice.

**Important Please Note:** It is an offence under section 59(5) of the Public Health Act 1990 for a person to make a statement which they know to be false or misleading in a material particular, or to recklessly make a statement which is false or misleading in a material particular.

**8. Declaration of Notice**

**I/we certify that, to the best of my/our knowledge, the information provided in this form and any associated documents are correct.**

**Signature:**

**Name:**

**Date:**

**Company Name:**



## Appendix 1: Guidance

1. Applicant for Exempt Activity	
Name:	<i>Name of applicant wanting to spread sludge on their land</i>
Address:	<i>Contact address of applicant</i>
Telephone:	<i>Contact telephone number of applicant</i>
Email:	<i>Contact email address of applicant</i>

2. Notice of Exempt Activity under Schedule 5 of The Collection and Disposal of Waste Regulations 2000.	
Sewage Sludge	<i>Please indicate whether this application includes the spreading of sewage sludge</i>
Other Waste:	<i>If you intend to spread other waste please select YES (Y)</i>
EWC code(s)	<i>If other wastes are to be spread, please provide the relevant <a href="#">European Waste Catalogue (EWC) code(s)</a><sup>1</sup>.</i>

3. The Storage Activity	
Grid reference of where the waste will be stored	<i>A six digit grid reference should be provided for the storage location</i>
Address of storage location	<i>Please provide the approximate address for the storage location</i>
Storage capacity (tonnes)	<i>Please specify the maximum amount of waste to be stored at any one time</i>
Duration of storage (days)	<i>Please provide an estimate of how many days the waste will be stored at this location prior to being spread.</i>
Has the landowner provided permission for storage activity?	<i>Please provide the landowners permission for the storage of this waste on the site.</i>

4. The Treatment Activity	
Grid Reference or field numbers of areas to undergo land spreading	<i>For the areas of land on which the waste is to be spread, please provide either grid references for the field access locations, or provide the field number(s)</i>
Address of land undergoing treatment	<i>Please provide a postal address for the land undergoing treatment (e.g. farm name).</i>
Method of application	<i>Please provide information about how the waste is to be applied to the fields (e.g. spread in a slurry, deep discing, ploughing, broadcasting, injecting into soil etc.)</i>
Frequency of application	<i>How often will the waste be spread to land</i>
Has the landowner provided permission for land spreading?	<i>Please provide the permission of the landowner</i>
Is the land to be used participating in the Agricultural Development Scheme?	<i>If the land to be used for spreading waste is currently designated as part of the agricultural development scheme, please provide reference to this.</i>

<sup>1</sup> EWC codes are listed in appendix 1:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1021051/Waste\\_classification\\_technical\\_guidance\\_WM3.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1021051/Waste_classification_technical_guidance_WM3.pdf)



5. Description of the Waste involved in the Exempt Activity	
(i) Type of waste:	<i>Describe the type of waste to be spread</i>
(ii) 6 digit European Waste Catalogue (EWC) Code:	<i>Please provide the EWC code for the wastes</i>
(iii) Physical form (e.g. liquid/solid):	<i>Please provide a description of the physical form of the waste (liquid/solid, moisture content etc.)</i>
(iv) Process from which it arose:	<i>Provide information as to where the waste came from and the type of operation that produced it.</i>
(v) Has the waste been mixed with other wastes? If yes, please provide details including percentage of each constituent.	<i>If the waste is to be mixed with other wastes, please report the concentrations of each waste used.</i>
(vi) Quantity to be used per annum (tonnes)	<i>Please specify the quantity of waste to be spread to land each year in tonnes.</i>
(vii) If from urban waste water treatment, is it considered to have undergone advanced or enhanced treatment?	<i>The soil matrix is used to determine the type of application suitable for the sewage sludge, identifying the level of treatment can be completed <a href="#">here</a><sup>2</sup>.</i>

6. Individual Field Assessment – (Please attach additional sheets if required)	
Field Number / Identified & Size (ac)	<i>Please provide the field number to be used for spreading to land.</i>
(i) Current crop / use	<i>Please report what type of use the field is currently undergoing</i>
(ii) Planned crop / use	<i>Please indicate if any change in use will occur following the spreading of waste to land.</i>
(iii) Soil pH	<i>Please provide a representative sample of the soil pH. Information on how to take a representative sample can be found <a href="#">here</a><sup>3</sup>.</i>

7. Accompanying Documents to be included with application:	Please tick where included:
(a) A plan detailing the location of the storage activity (1:1250 maximum)	<i>Maps should be included of the storage location</i>
(b) An analysis of the wastes to be used including metals	<i>Analysis of the waste should be provided including the metal content.</i>
(c) A statement describing how the treatment will result in agricultural and/or ecological improvement. The statement shall be prepared by or based on advice from a person with appropriate technical or professional expertise.	<i>A statement of environmental benefit should be provided from a relevant person.</i>

8. Declaration of Notice	
Signature:	<i>Please sign and date the form, to demonstrate your approval as the Director, Owner, Site Manager, or Land Owner.</i>
Name:	
Date:	
Company Name:	

<sup>2</sup> Soil Matrix - <https://www.gov.scot/publications/sewage-sludge-processing-systems-scotland/>

<sup>3</sup> Representative soil samples - [https://www.gov.im/media/1347817/soil\\_sampling\\_info.pdf](https://www.gov.im/media/1347817/soil_sampling_info.pdf)



**Appendix 2:**

Statutory Document No. 696/00



THE PUBLIC HEALTH ACT 1990

**THE COLLECTION AND DISPOSAL OF WASTE REGULATIONS 2000**

*Approved by Tynwald*

*22<sup>nd</sup> November 2000*

*Coming into operation*

*1<sup>st</sup> December 2000*

In exercise of the powers conferred on the Department of Local Government and the Environment by sections 57(1), 77(3) and 94(1) of the Public Health Act 1990<sup>1</sup>, and of all other enabling powers, the following Regulations are hereby made: -

**1. Citation and commencement**

These Regulations may be cited as the Collection and Disposal of Waste Regulations 2000 and, subject to section 94(3) of the Act, shall come into operation on the 1<sup>st</sup> December 2000.

**2. Interpretation**

(1) In these Regulations —

"the Act" means the Public Health Act 1990;

"agriculture" includes horticulture, fruit growing, seed growing, dairy farming and livestock keeping and breeding, the use of land as grazing land, meadow land, market gardens and nursery grounds;



"agricultural purposes" means the growing of commercial food crops including the growing of such crops for stock-rearing purposes;

"camp site" means land on which tents are pitched for the purposes of human habitation and land the use of which is incidental to land on which tents are so pitched;

"clinical waste" includes —

- (a) any waste which consists wholly or partly of human or animal tissue, blood or other body fluids, excretions, drugs or other pharmaceutical products, swabs or dressings, or syringes, needles or other sharp instruments, being waste which unless rendered safe may prove hazardous to any person coming into contact with it; and
- (b) any other waste arising from medical, nursing, dental, veterinary, pharmaceutical or similar practice, investigation, treatment, care, teaching or research, or the collection of blood for transfusion, being waste which may cause infection to any person coming into contact with it;

"construction" includes improvement, repair or alteration;

"container" includes a container in or on a vehicle, and a receptacle within the meaning of section 66;

"controlled waste" means household, industrial and commercial waste or any such waste;

"liquid waste" means waste which in the conditions under which it is handled will flow and can be transferred by pump, and includes leachate from waste;

"sewage sludge" means the residue produced at a sewage treatment works which is not discharged with the treated effluent;

"special waste" means waste of a kind to which regulations under section 71(1) for the time being apply;

"waste oil" means mineral or synthetic oil, which is contaminated, spoiled or otherwise unfit for its original purpose;

"waste solvent" means solvent which is contaminated, spoiled or otherwise unfit for its original purpose.

- (2) Any reference in these Regulations to a section is, except where the context otherwise requires, a reference to a section of the Act.
- (3) Any reference in these Regulations to waste does not include a reference to waste from any mine or quarry or to waste from premises used for agriculture.



**3. Waste to be treated as household waste**

Subject to regulation 4, waste of the descriptions set out in Schedule 1, except waste which falls within any description mentioned in regulation 5 or 6 shall be treated as household waste for the purposes of all the provisions of Part IV of the Act.

**4. Waste not to be treated as household waste**

Waste of the following descriptions shall not be treated as household waste for the purposes of section 58(1) (disposal of household waste within the curtilage of a private dwelling)

- (a) any mineral or synthetic oil or grease;
- (b) asbestos; and
- (c) clinical waste.

**5. Waste to be treated as industrial waste**

Waste of the descriptions set out in Schedule 2 shall be treated as industrial waste for the purposes of all the provisions of Part IV of the Act.

**6. Waste to be treated as commercial waste**

Waste of the descriptions set out in Schedule 3, except waste which falls within any description mentioned in regulation 5, shall be treated as commercial waste for the purposes of all the provisions of Part IV of the Act.

**7. Licence required for the use of plant or equipment for dealing in a prescribed manner with controlled waste**

So far as they do not constitute disposing of controlled waste, the manners of dealing with controlled waste set out in Schedule 4 are prescribed for the purposes of section 57(1)(b).

**8. Cases where disposal licence not required**

(1) Subject to paragraphs (2) and (3), the cases set out in Schedule 5 are prescribed for the purposes of section 57(1) as cases in which a disposal licence is not required for —

- (a) the deposit of controlled waste on land, or





## Department of **Environment, Food and Agriculture**

*Rheynn Chymmyltaght, Bee as Eirinys,*

- (b) the use of plant or equipment for the purpose of disposing of such waste,  
or
  - (c) the use of plant or equipment for the purpose of dealing with such waste in  
a manner prescribed by regulation 7.
- (2) Paragraphs 1 to 16 of Schedule 5 do not apply where the presence of the waste on  
land is liable to give rise to an environmental hazard within the meaning of  
section 57(3).
- (3) Paragraphs 1 to 13, 15 and 16 of Schedule 5 do not apply where the waste is  
special waste.



Regulation 3.

SCHEDULE 1

WASTE TO BE TREATED AS HOUSEHOLD WASTE

1. Waste from a garage or store used wholly in connection with a private dwelling.
2. Waste from premises occupied by a religious community and used wholly for the purposes of human habitation.
3. Waste from a place of religious worship.
4. Waste from premises occupied by a charitable institution and used by it for charitable purposes.
5. Waste from a camp site.
6. Waste from a residential hostel.
7. Waste from an institution within the meaning of the Custody Act 1995<sup>2</sup>
8. Waste from a hall or other premises used wholly or mainly for public meetings.



Regulation 5.

SCHEDULE 2

WASTE TO BE TREATED AS INDUSTRIAL WASTE

1. Waste from premises used for maintaining vehicles, vessels or aircraft not being part of, or whose use is incidental to, a private dwelling.
2. Waste from a laboratory.
3. Waste from premises which would be a factory or workshop within the meaning of the Factories and Workshops Act 1909 if the work carried on there were carried on by way of trade or for purposes of gain, but excluding waste from premises at which the principal activities are the copying of documents by photographic or lithographic means.
4. Waste from dredging operations.
5. Waste arising from works of construction or demolition, including waste arising from work preparatory thereto.
6. Waste arising from tunnelling or from any other excavation.
7. Sewage or sewage sludge deposited on land other than —
  - (a) sewage or sewage sludge deposited within the curtilage of a sewage treatment works as an integral part of the operation of those works; or
  - (b) sewage sludge deposited directly onto land for agricultural purposes.
8. Clinical waste other than that from a private dwelling or residential home.
9. Waste arising from any aircraft, vehicle or vessel which is not occupied as a private dwelling.



10. Waste which has previously formed part of any aircraft, vehicle or vessel and which is not household waste.
11. Waste removed from land on which it has previously been deposited and any soil with which such waste has been in contact.
12. Leachate from a deposit of waste.
13. Poisonous or noxious waste arising from any of the following processes undertaken on premises used for the purposes of a trade or business —
  - (a) mixing or selling paints;
  - (b) sign writing;
  - (c) laundering or dry cleaning;
  - (d) developing photographic film or making photographic prints;
  - (e) selling petrol, diesel fuel, paraffin, kerosene, heating oil or similar substances; or
  - (f) selling pesticides, herbicides or fungicides.
14. Waste from premises used for the purposes of breeding, boarding, stabling or exhibiting animals.
15. Waste imported into the Island for disposal, treatment or re-export.
16. Waste oil or waste solvent other than from a private dwelling or residential home.
17. Scrap metal other than that from a private dwelling or residential home.



Regulation 6.

SCHEDULE 3

WASTE TO BE TREATED AS COMMERCIAL WASTE

1. Waste from an office or showroom.
2. Waste from premises providing facilities for passengers at an airport, seaport, railway station or bus station.
3. Waste from premises occupied by a club, society or any association of persons (whether incorporated or not) in which activities are conducted for the benefit of the members.
4. Waste from premises (not being premises from which waste is by virtue of the Act or of any other provision of these Regulations to be treated as household waste or industrial waste) occupied by —
  - (a) a court;
  - (b) a Department;
  - (c) a Statutory Board other than the Manx Electricity Authority or the Isle of Man Water Authority;
  - (d) any department of the Government;
  - (e) a local authority;
  - (f) the Manx Museum and National Trust.
5. Waste from a tent pitched on land other than a camp site.
6. Waste from a market or fair.



Regulation 7.

SCHEDULE 4

PROCESSES FOR WHICH DISPOSAL LICENCE IS REQUIRED

1. Baling, compacting, incinerating, pulverising, sorting or storing waste.
2. Processing or holding waste at a site designed or adapted for the reception of waste with a view to its being disposed of elsewhere.
3. Shredding waste as a trade or business.
4. Treating waste by pyrolysis.
5. Producing fuel from waste.
6. Making compost from waste.
7. Processing or treating waste oil or waste solvent to permit its re-use.
8. Using untreated waste as fuel to produce electricity or heat.



Regulation 8.

SCHEDULE 5

ACTIVITIES FOR WHICH A DISPOSAL LICENCE IS NOT REQUIRED

The deposit of waste on land

1. The deposit of effluent or other waste matter in accordance with a consent give under Part 3 of the Sewerage Act 1999 4 .
2. The deposit of waste in accordance with a licence issued under Part 2 of the Water Pollution Act 1993 5 .
3. The deposit of waste specified by an order under section 18 of the Water Pollution Act 1993 as an operation which does not need a licence under Part 2 of that Act.
4. (1) The deposit on land of wastes of the descriptions set out in paragraphs 5 and 6 of Schedule 2, or of ash, slag or clinker, provided that the deposit —
  - (a) is made for the purposes of construction currently being undertaken on the land on which the waste is deposited, and
  - (b) is made by, or with the consent of, the lawful occupier of the land.(2) The deposit on land, for a period not exceeding 3 months, of wastes of the descriptions mentioned in sub-paragraph (1), provided that the deposit —
  - (a) is made for the purposes of future construction on the land on which the waste is deposited, and
  - (b) is made by, or with the consent of, the lawful occupier of the land.
5. The deposit of excavated material arising from peatworking.
6. The deposit of spent railway ballast on land vested in the Department of Tourism and Leisure and used for the purpose of its railway undertaking.
7. The deposit of waste from dredging operations of any inland water within the meaning of Part 1 of the Water Pollution Act 1993, provided that —



- (a) the deposit is made along the banks of the inland water from which the waste is dredged and is made as operations proceed; and
  - (b) the waste is not deposited in a lagoon or container.
  
- 8. (1) The deposit of waste vegetable matter or waste soil in any park, sports ground, public garden or other recreation ground or any churchyard, burial ground or cemetery, provided that the deposit —
  - (a) is made within the boundaries of the land on which the waste is produced, and
  - (b) is made by, or with the consent of, the lawful occupier of that land.
  
- 9. (1) The deposit, in a secure lagoon or container, on land used for agriculture, of sewage sludge intended to be deposited directly on to land for agricultural purposes:
  - (2) For the purposes of this paragraph a secure lagoon or container is one designed or adapted so that, as far as is practicable, waste cannot escape from it, and members of the public cannot have access to the waste contained within it.
  
- 10. The deposit of sewage from a sanitary convenience forming part of a passenger carrying rail vehicle.
  
- 11. The deposit by burial of sewage from a removable receptacle forming part of a sanitary convenience serving persons on premises other than a private dwelling.
  
- 12. (1) The deposit—
  - (a) of sewage sludge on land for the purpose of fertilising or otherwise beneficially conditioning that land; or
  - (b) of any waste, on land used for agricultural purposes, for the purpose of fertilising or otherwise beneficially conditioning that land;provided that —
  - (i) the waste is deposited directly onto the land and not in a lagoon or container; and





- (ii) the person depositing the waste furnishes particulars to the Department in accordance with sub-paragraph (2) or (3).
- (2) Where there is to be a single deposit of waste, the person depositing it shall furnish the following particulars in advance of making the deposit —
  - (a) his name, telephone number and address;
  - (b) a description of the waste, including the process from which it arises;
  - (c) an estimate of the quantity of the waste; and
  - (d) the location and intended date of the deposit.
- (3) Where there are to be regular or frequent deposits of wastes of a similar composition the person depositing it shall furnish the following particulars every 6 months:
  - (a) his name, telephone number and address;
  - (b) a description of the waste, including the process from which it arises;
  - (c) an estimate of the total quantity of waste he intends to deposit during the next 6 months; and
  - (d) the locations and frequency of the deposits; and he may deposit wastes of a different description from that notified, provided that he furnishes amended particulars in advance of making the deposit.
- 13. The deposit of waste on the premises on which it is produced, pending its disposal elsewhere.
- 14. (1) The deposit, on the premises on which it is produced, of special waste of the following descriptions, pending its disposal elsewhere —
  - (a) liquid waste of a total volume of not more than 23,000 litres deposited in a secure container or containers; and
  - (b) non-liquid waste either —
    - (i) of a total volume of not more than 80 cubic metres deposited in a secure container or containers; or
    - (ii) of a total volume of not more than 50 cubic metres deposited in a secure place or places.



- (2) For the purposes of sub-paragraph (1) a secure container or place is one designed or adapted so that, as far as is practicable, waste cannot escape from it, and members of the public cannot have access to the waste contained within it.
15. The deposit, outside the premises on which it is produced, of non-liquid waste of a total volume of not more than 50 cubic metres in a container or containers so designed or adapted that, as far as is practicable, waste cannot escape from it or from them, provided that the deposit —
- (a) is made for a period not exceeding 28 days;
  - (b) is made by, or with the consent of, the owner of the container; and
  - (c) is not at a site designed or adapted for the reception of waste with a view to its being disposed of elsewhere.
16. The deposit of waste paper or rags pending disposal elsewhere, provided that the deposit is made by, or with the consent of, the lawful occupier of the land.

**The use of plant or equipment for the purpose of disposing of waste**

17. The disposal of waste as an integral part of the industrial process that produces it.

**The use of plant or equipment for the purpose of dealing with waste in a manner prescribed by regulation 7**

18. Baling, compacting, pulverising or sorting waste on the premises on which it is produced.
19. Baling, sorting or shredding waste paper or rags.
20. Storing waste of the descriptions set out in paragraphs 14 and 15 on the premises on which it is produced.



MADE 20th October 2000

W. A. *Gilbey*

Minister for Local Government and the Environment

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EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations make provision for various matters concerning the collection and disposal of controlled waste under Part IV of the Public Health Act 1990.

Regulations 3, 5 and 6 provide that certain descriptions of waste are to be treated as household, industrial and commercial waste respectively for the purpose of Part IV. Regulation 4 prescribes 3 types of waste which are not to be treated as household waste for the purpose of section 58(1) (which enables waste to be disposed of in the curtilage of a private dwelling without a disposal licence).

Regulation 7 prescribes ways of dealing with waste (using plant or equipment) for which a disposal licence is required. Regulation 8 prescribes cases of waste disposal which do not require a disposal licence.