



Isle of Man
Government

Reillys Ellan Vannin

Department of Environment, Food and Agriculture

**PLEASE COMPLY AND CONTRIBUTE TO A SAFER COMMUNITY AND
SUSTAINABLE ISLAND ENVIRONMENT**

Environmental Awareness - Controlled Waste

DON'T BURN IT

BURNING IS NOT AN ACCEPTABLE, SAFE OR SUSTAINABLE WASTE DISPOSAL OPTION. IT POLLUTES THE ENVIRONMENT, CAN BE HAZARDOUS TO HEALTH AND MAY RESULT IN CRIMINAL PROSECUTION AND SUBSTANTIAL FINES.

The Island's Legislation requires waste producers (individuals, businesses and public bodies) to dispose of waste without endangering the environment or public health. Measures include secure storage of waste prior to collection, arrangements for collection and delivery to a licensed (disposal) site for processing or disposal. Disposal in this context includes recycling, re-use, storage, transfer, incineration and landfill.

Government's Policy for waste is designed towards a 'zero waste culture', where seeking to capture 'resource or value from waste' is preferred to disposal by incineration without energy recovery or landfill.

'Municipal mixed waste' contains materials (paper, metal, plastic, glass, rubber, leather, textiles, wood, food and clinical and/or special waste) of differing polluting potential if improperly disposed and resource value where effectively managed. Uncontrolled burning of wastes produces smoke, malodours and particulates which pollute the environment, risk public health and adversely affect the amenity of the locality.

Is it worth the risk of criminal prosecution and fines, when legitimate options are readily available? Please contribute to improving and maintaining the quality of the local environment by ensuring that your waste is managed properly.

The Isle of Man Government is committed to protecting the environment and public health. This commitment is established in legislation and evidenced in facility provision. Government also recognises the important role individuals, local authorities and businesses play in achieving this 'common goal' for the betterment of the Island, and applauds all environmental conscious individuals and businesses.

This leaflet reminds all waste producers of the need for regulatory compliance. It is hoped that this advice reduces the number of costly and unnecessary incidents of fire that the emergency services are called to attend.

BURNING IS NOT AN ACCEPTABLE, SAFE OR SUSTAINABLE WAY OF CONTROLLED WASTE DISPOSAL

Your responsibilities

The Public Health Act 1990 (the Act) places a Duty of Care on waste producers to ensure that all waste is disposed of correctly. This includes secure storage in bespoke containers to prevent waste escaping, access for collection and transportation to a licensed disposal site. Burning allows the escape of waste through emissions of particulates and smoke to the atmosphere. Failure to comply with this Duty of Care is a criminal offence potentially carrying an unlimited fine.

It is also an offence to deposit waste or use plant or equipment for the purpose of waste disposal unless both (the land which forms the location of the deposit and the plant or equipment) benefit from a licence (disposal licence) issued by the Department of

Environment, Food and Agriculture. Failure to comply with this requirement is a criminal offence carrying a maximum penalty of a prison sentence and a fine.

Conditions of a disposal licence are designed for the protection of public health and the environment. Fires and/or burning waste are prohibited through a licence condition. Failure to comply fully with a condition of a licence may result in formal enforcement action through the service of a notice.

Smoke is often a cause of nuisance to neighbours. The Act places a duty on the Local Authorities to investigate complaints of smoke nuisance, which may result in the service of a Statutory Nuisance Abatement Notice. Breach of a notice served on domestic, industrial, trade or business premises can result in a fine not exceeding £2,500 and further enforcement proceedings.

WHAT'S THE ALTERNATIVE?

How to dispose of your waste

In order to fulfil the Duty of Care businesses (waste producers) should ensure that all waste generated is removed from their premises and delivered to a licensed site.

Each Local Authority provides a household and commercial waste collection service. This provision includes supply of refuse sacks and/or wheelie bins. Some may also offer a bulky waste uplift service. The Local Authority or the Department of Infrastructure may also collect industrial waste in exceptional cases.

Further information is available via www.gov.im/transport/msd/local/

Any businesses that store, process, recycle or dispose of controlled waste may also require a disposal licence. There are exemptions for certain activities and types of waste, however these too need to be registered. To find out if your business requires a Waste Disposal Licence or an exemption please contact the Department of Environment, Food and Agriculture's Environmental Protection Unit on 01624 685894.

Recycling

Recycling opportunities are readily accessible throughout the Island at Civic Amenity Sites and Bring Banks for household waste, and at Licensed Sites for Commercial and Industrial Waste. For further information regarding these facilities please contact DEFA on 01624 685894. Further information is also available via www.gov.im/transport/operations/waste

EXEMPTIONS

Burning of waste on campfires and bonfires

If you comply with the requirements below, we will allow the burning of waste on campfires at Scout and Guide centres and Guy Fawkes' night bonfires.

We recognise that certain traditional cultural events need to be upheld such as Guy Fawkes' night bonfires. This is aimed at helping to ensure the spirit of such events can continue to be enjoyed whilst minimising their impact on the environment.

Our Approach

We will not pursue enforcement action for the activity where:

- the burning of waste is for a traditional cultural event such as campfires at Scout and Guide centres and Guy Fawkes' night bonfires;
- the waste is kept securely before being burnt;
- the material being kept and burned is suitable for purpose (i.e. untreated¹ wood, branches, and small amounts of leaves, card and paper and not plastics, rubber, glass, metal etc);
- the size of the bonfire or campfire is appropriate for the event;
- the location is appropriate and does not indicate the involvement of waste operations in the course of, or as a result of, their waste business;
- the activity does not risk or cause pollution or endanger human health.

This advice will be reviewed by October 2013.

¹ Treated wood is any wood that has been chemically treated (e.g. to enhance or alter the performance of the original wood). Treatments may include penetrating oils, tar oil preservatives, waterborne preservatives, organic-based preservatives, boron and organo-metallic based preservatives, boron and halogenated flame retardants and surface treatments. This does not include wood that has been heat treated.