

## REGULATORY POSITION STATEMENT

### COMPOST AND ANAEROBIC DIGESTATE - RESPONSIBILITIES

#### **Producing Compost / Anaerobic Digestate**

If you produce Quality Protocol compliant compost and or anaerobic digestate, you must provide the details of the certification to those who are going to receive the material.

If you produce anaerobic digestate which has not achieved certification with the anaerobic digestate Quality Protocol but, has been produced from the anaerobic digestion of only agricultural manures and or slurries and or green energy crops, you can send it to a site / location without a waste management authorisation, as the NIEA does not regulate this anaerobic digestate as waste. Waste Transfer Notes are not required for the movement of this material.

If you do not produce compost or anaerobic digestate in accordance with a Quality Protocol and the digestate is not as outlined above, the material remains a waste and it must be transferred by a registered waste carrier. You must complete waste transfer notes and retain these for two years.

You must only transfer waste compost and or anaerobic digestate, to a site or location which holds an appropriate waste management authorisation.

#### **Registered Waste Carriers**

You must carry complete waste transfer notes when transporting waste compost and or waste anaerobic digestate.

You do not require waste documentation, if you are only carrying Quality Protocol compliant compost and or anaerobic digestate, and or anaerobic digestate produced from the anaerobic digestion of only agricultural manures and or slurries and or green energy crops.

#### **Accepting Compost / Anaerobic Digestate**

If you accept compost and or anaerobic digestate onto your farm which complies with a Quality Protocol, you must obtain written confirmation of the certification from the producer, prior to accepting the material. Waste documentation is not required to accept this material.

If you accept anaerobic digestate which does not comply with the Anaerobic Digestate Quality Protocol but, has been produced from the anaerobic digestion of only agricultural manures and or slurries and or green energy crops, you can accept it onto your farm without a waste management authorisation, as the NIEA does not regulate the anaerobic digestate as waste. Waste Transfer Notes are not required for the movement of this material.

If you accept compost which does not comply with the Compost Quality Protocol - waste compost, you can only accept it if you hold an appropriate waste management authorisation. Waste Transfer Notes are required for the movement of this material.

If you accept waste anaerobic digestate which does not comply with the Anaerobic Digestate Quality Protocol and which is produced from waste materials other than agricultural manures, slurries and green energy crops, you can only accept it onto your farm if you hold an appropriate waste management authorisation.

N.B. Please note that, if you accept and apply compost and or anaerobic digestate, you must also comply with the Nitrates Action Programme and Phosphorus Regulations.

### **Enforcement Statement**

- You will be committing an offence, if you give waste compost and or anaerobic digestate to an unregistered waste carrier and you do not have valid waste transfer notes.
- You will be committing an offence, if you transport waste compost and or anaerobic digestate and you are not registered with NIEA to do so.
- You will be committing an offence, if you transport waste compost and or anaerobic digestate and do not have a complete waste transfer note with you.
- You will be committing an offence, if you treat, keep or dispose of waste compost and or anaerobic digestate without the relevant waste authorisation.

## **Useful Links**

Anaerobic Digestate Quality Protocol

<http://www.biofertiliser.org.uk/pdf/Anaerobic-Digestion-Quality-Protocol.pdf>

Compost Quality Protocol

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297215/geho0812bwpl-e-e.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297215/geho0812bwpl-e-e.pdf)

The Duty of Care - A Code of Practice

<https://www.doeni.gov.uk/sites/default/files/publications/doe/waste-policy-duty-of-care-code-of-practice-2014.pdf>

Registration of Carriers Guidance

<https://www.doeni.gov.uk/articles/registration-carriers-and-brokers>

Lower Tier Carrier Application Form

<https://www.doeni.gov.uk/sites/default/files/publications/doe/waste-form-application-lower-tier-waste-carrier-2015.pdf>

Upper Tier Carrier Application Form

<https://www.doeni.gov.uk/sites/default/files/publications/doe/waste-form-application-upper-tier-waste-carrier-2015.pdf>

Regulation of the Anaerobic Digestion of Waste

<https://www.doeni.gov.uk/sites/default/files/publications/doe/waste-guidance-rps-regulation-anaerobic-digestion-waste.pdf>

The Regulatory Position Statement on the anaerobic digestion of agricultural manure and slurry

<https://www.doeni.gov.uk/sites/default/files/publications/doe/waste-guidance-rps-ad-of-manure-and-slurry.pdf>

Waste Management Licence Application Form

<https://www.doeni.gov.uk/publications/general-guidance-applying-waste-management-licence>

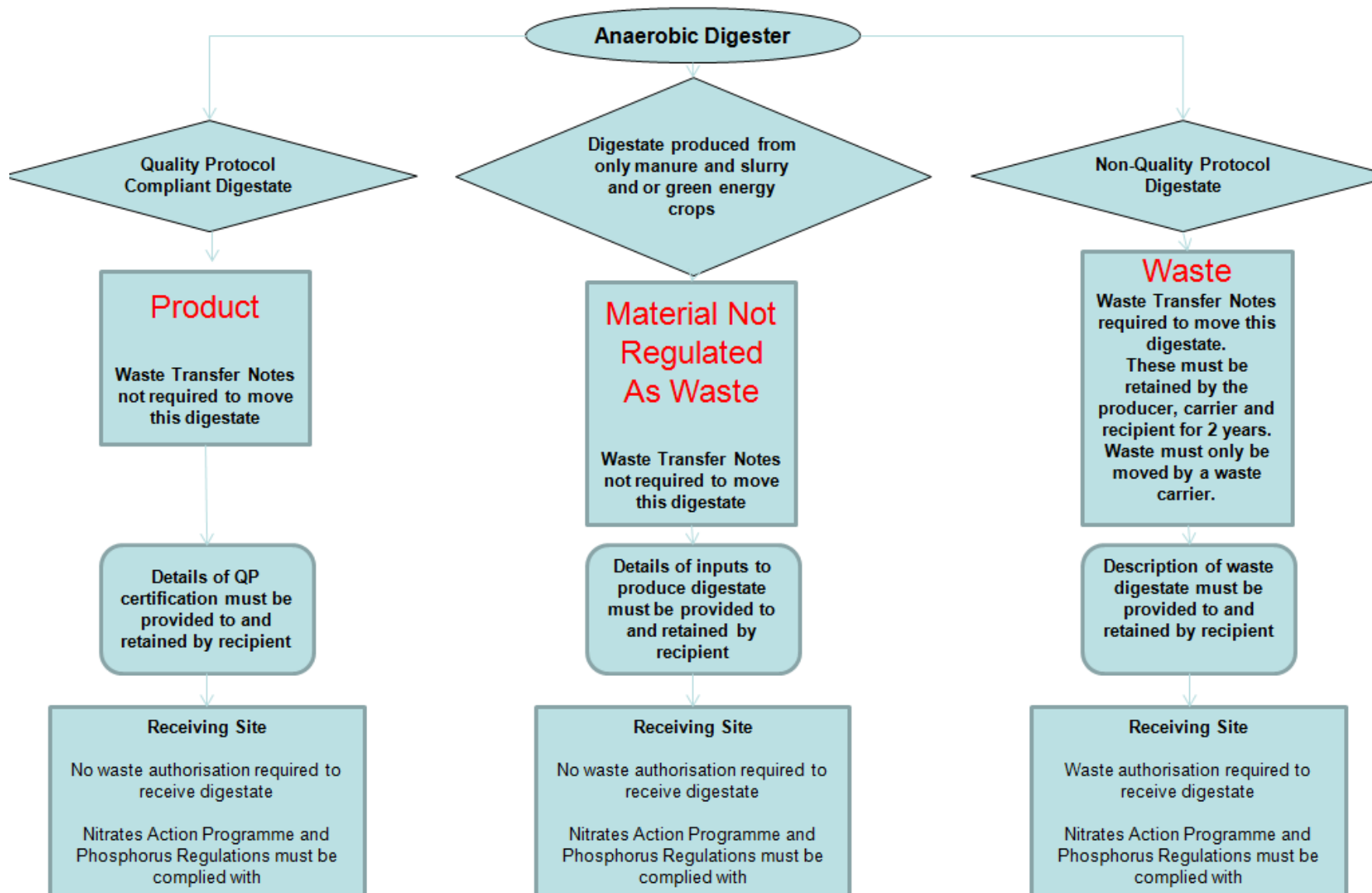
Paragraph 9 Exemption - Land Treatment for Agricultural Benefit or Ecological Improvement Guidance and Application Form etc.

<https://www.doeni.gov.uk/articles/land-treatment-agricultural-benefit-or-ecological-improvement-paragraph-9-exemption>

## **Further Information**

Further information can be obtained from <https://www.doeni.gov.uk/topics/waste> or by contacting Tel No. 02890 569359.

## Anaerobic Digestate - Responsibilities



## Compost - Responsibilities

