

Appendix EC.5

Storage of Potential Pollutants

Summary of Legal Requirements

The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations set out the requirements for storage of a number of potential pollutants in agriculture. The following provides an outline of some of the key details of this legislation. Further information may be found on the Netregs website (www.netregs.gov.uk) or by contacting the Environment Agency or appropriate regional body.

Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations

General

- Installations must be at least 10 metres from watercourses and at least 50 metres from well / bore hole
- Pre 1991 structures exempt in England, Wales & Scotland (2003 – Northern Ireland)
- Substantially reconstructed or enlarged facilities lose exemption
- Environment Agency can issue improvement orders on any structure deemed to present a significant risk

Silage

- Silage Clamps
 - must have sufficient effluent collection capacity
 - the base, drains & tank must be impermeable
 - walls are optional, but if present and permeable, must have collection drains beyond
- Towers - not covered
- Field Heaps - no excavation is permitted and prior approval should be sought from the Environment Agency or equivalent regional body.
- Big Bales - must not leak and be stored at least 10m from watercourses
- The regulations are equally applicable to clamps for maize and whole crop silages

Slurry

- Tanks must have -
 - A base, reception pit and channels which must be impermeable
 - Adequate capacity, particularly in NVZ areas

Agricultural Fuel Oil

- Requirements are applicable only to tanks installed in England and Wales since 1991 and if total tank capacities are greater than 1500 litres or in Northern Ireland since 2003 and with capacity greater than 1250 litres. [NB In Scotland, storage of any fuel falls under The Water Environment (Oil Storage) (Scotland) Regulations 2006 which will from April 2010 require bunding of all tanks over 200 litres capacity].
- Tanks
 - Must have an impermeable bund of sufficient capacity, either at least 110% capacity of the individual tank, or if there is more than one tank within the bund, 25% of the total or 110% of the largest tank.
 - Must have the outlet within bund (NB – with double skinned tanks, in principle the outer skin can act as the bund for the inner tank however this benefit is lost if the outlet is at the bottom of the tank as any leakage through or around the outlet will not be captured.)
- Underground & mobile tanks are outside the scope of the legislation
- Domestic only supplies are exempt from this legislation

(It is best practice for all tanks to be bunded even if they benefit from exemptions to the legislation.)