

T23 – Aerobic composting and associated prior treatment

What is the purpose of this exemption?

This exemption allows you to compost small volumes of vegetation, cardboard and food wastes to produce a compost that can be spread on land to provide benefit. This could be in the form of adding nutrients or to improve structure of the soil. You can also treat the waste, before you compost it, by chipping or similar activities.

What types of activities can I do?

Example activities include:

- A school wants to compost kitchen and garden waste in its grounds.
- An allotment association wants to compost their old plants and trimmings.
- A community composting group wants to bring locally produced vegetable peelings and garden waste to a central point for composting, prior to use back in local gardens.

Where can I carry out this activity?

This can be done at any place that can comply with the environmental controls listed below.

What can't I do?

You can't:

- Purposefully treat the waste in the absence of oxygen (anaerobically). See [Related exemptions](#).
- Treat wastes that are not listed in [What waste can be used under this exemption?](#)
- Treat [hazardous waste](#).
- Treat wastes that are animal by-products, unless you also have appropriate authorisation from Animal Health. See [What else do I need to know?](#)

What are the key limits?

There are two separate limits for the amount of waste you can store or treat at a place at any one time.

1. You can store or treat **up to 80 tonnes of waste** at any one time if you are:

- composting waste at the [place of production](#) and,
- the resultant compost is to be used at that place.

Example places for this would be:

- a large estate, for example a National Trust property, where garden waste is collected, composted and then used on the estate.
- a plant nursery where dead plants are collected, composted and then the resultant compost is used for growing new plants.
- An allotment association where garden waste is collected, composted and then used at the same allotments.

2. You can store or treat **up to 60 tonnes of waste** at any one time if you are:

- bringing waste from other places to the place where it will be composted or.
- going to use the resultant compost at a different place than where it is composted.

Example places for this would be:

- An allotment association if garden waste and vegetable peelings are brought in from various houses and the resultant compost is to be used on the allotments.
- A community composting group collects locally produced food and garden waste from various houses, composts the waste and then the resultant compost is used by the community on their gardens.

Within the limits specified above and dependant on the source of the wastes being composted, you can use the following amounts of certain wastes at any one time:

- a) Up to 10 tonnes of paper or cardboard;
- b) Up to 20 tonnes of manure;
- c) Up to 10 tonnes in total of the wastes listed in [Table 2](#).

You can store those wastes listed in [Table 1](#) for **up to one month** prior to treatment.

You can store those wastes listed in [Table 2](#) for **up to seven days** prior to treatment.

You can store the resultant compost for **up to 12 months** after treatment is complete. This storage counts towards the total quantity limit for the site.

What are the key conditions?

The limits outlined include all waste at any stage of the process on site. This includes the storage of waste before composting and the resulting finished compost.

The treatment must produce a [stable sanitised material \(see compost\)](#) capable of being spread onto land to provide a benefit such as nutrients or improvement to soil structure.

What else do I need to know?

Associated prior treatment in relation to this exemption means screening, chipping, shredding, cutting, pulverising or sorting waste for the purposes of aerobic composting.

Composting

Aerobic composting is the purposeful decomposition of biodegradable waste by bacteria, yeast and fungi in the presence of oxygen which produces a stable "[compost](#)" (stable sanitised material).

Composting may be done in open windrows or heaps which are regularly turned or in small closed vessels which is known as In-Vessel Composting (IVC).

Composting is an active process and you must maintain the correct conditions to prevent the treatment becoming anaerobic, which leads to odours and a poor compost.

Further information on odour control can be found in our horizontal guidance H4:
<http://www.environment-agency.gov.uk/research/library/consultations/108783.aspx>

There is a composting industry code of practice which can be found on the Association For Organics Recycling website: http://www.organics-recycling.org.uk/index.php?option=com_docman&task=cat_view&gid=73&Itemid=86

Animal By-products Regulations

If you are treating catering waste from premises handling meat or products of animal origin, you will need to comply with the:

- Animal By-Products Regulations 2005 in England;
- Animal By-Products (Wales) Regulations 2006 in Wales.

Catering waste means 'all waste food including used cooking oil originating in restaurants, catering facilities and kitchens, including central kitchens and household kitchens'.

These wastes must be treated under an authorisation granted by Defra's Animal Health section. There are exceptions for cases such as schools, hospitals and prisons if the waste is both composted **and** used at those premises.

If you are not sure whether you require such an authorisation, please contact your local Animal Health Division office. Contact details can be found at: www.defra.gov.uk/corporate/contacts/ahdo.htm

Compost Quality Protocol

Working with WRAP (Waste & Resources Action Programme), we have developed a quality protocol for producing compost from different types of segregated biowaste, including food and garden plant waste. The aim is to help you to produce a compost that will not be classified as waste.

If you comply with the Compost Quality Protocol and produce a compost that complies with the PAS100 standard, we will not consider the compost as waste.

Further details on how we regulate the composting sector can be found at: http://www.environment-agency.gov.uk/static/documents/Business/MWRP_RPS_002_Compost_v3_final_08-04-09.pdf

What waste can be used under this exemption?

The waste codes below are those listed in the List of Wastes (LoW) Regulations. You should read the guidance on the LoW to ensure that the waste type you want to treat fits within the waste code.

In some instances the waste types permitted are more restricted than the LoW code. This is indicated by the word "only" in the waste type description in the table below.

You need to make sure your waste falls within the LoW code and the written description in the table.

Further guidance on this can be found at:

<http://www.environment-agency.gov.uk/business/topics/waste/32140.aspx>

Table 1

Codes	Waste types
170506	Plant tissue waste from inland waters only
020103, 200201	Plant tissue waste
020106	Horse manure and farmyard manure only
020107	Biodegradable waste from forestry only
200101	Paper and cardboard
200201	Biodegradable waste plant matter only

Table 2

Codes	Waste types
020202	Animal tissue waste
020501, 020601	Materials unsuitable for consumption or processing
200108	Biodegradable kitchen and canteen waste
200302	Biodegradable waste from markets only

The full text of the legislation can be found at:

http://www.opsi.gov.uk/si/si2010/draft/ukdsi_9780111491423_en_1

Related exemptions

You can treat waste by anaerobic digestion at premises used for agriculture under **T24 Anaerobic digestion at premises used for agriculture and burning of resultant biogas**.

You can treat waste by anaerobic digestion at any other premises under **T25 Anaerobic digestion at premises not used for agriculture and burning of resultant biogas**.

You can spread the compost you have produced under **U10 Spreading waste on agricultural land to confer benefit** or **U11 Spreading waste on non-agricultural land to confer benefit**.

Related permits

If you want to compost more waste than is allowed under this exemption you will need to apply for an environmental permit. Further information can be found at:

<http://www.environment-agency.gov.uk/business/topics/permitting/32330.aspx>

Registration of this exemption

You cannot register this exemption until **6 April 2010**. A link to the registration process is available on the following web page:

<http://www.environment-agency.gov.uk/business/topics/permitting/116406.aspx>

Definitions

“catering waste” means 'all waste food including used cooking oil originating in restaurants, catering facilities and kitchens, including central kitchens and household kitchens'.

“compost” means a solid particulate material that is the result of composting, which has been *sanitised* and *stabilised*, and which confers beneficial effects when added to soil, used as a component of growing media or used in another way in conjunction with plants.

“hazardous waste”, except in Section 5.1 of Part 2 of Schedule 1:

(a) in relation to England, has the meaning given in regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005,

(b) in relation to Wales, has the meaning given in regulation 6 of the Hazardous Waste (Wales) Regulations 2005.

Guidance on what is hazardous waste can be found at:

<http://www.environment-agency.gov.uk/business/topics/waste/32200.aspx>

“place of production” means in relation to any waste, the place where the waste was originally produced.

The full '**Glossary of terms**' can be viewed [here](#)