

Waste Exemptions Guidance

Exempt waste operations originate from the Waste Framework Directive. Exempt waste operations are not unregulated but are subject to lighter touch regulation.

Article 4 of the Waste Framework Directive details the requirement for an operator to recover or dispose of waste without endangering human health and without using processes or methods which could harm the environment, and in particular:

- without risk to water, air, soil, plants or animals; or
- without causing nuisance through noise or odours; or
- without adversely affecting the countryside or places of special interest

Waste exemptions and the local authority

Under the Environmental Permitting (England and Wales) Regulations 2010 (the EP Regulations), Schedule 3, Chapter 3, Section 2, any T3 and T7 waste exempt operations operating within the North Kesteven District must be registered with North Kesteven District Council (NKDC). These are briefly described as:

- T3 is the treatment of waste metals and alloys for the purposes of removing grease, oil or any other non-metallic contaminant by heating it in an appliance or appliances with a net rated thermal input of less than 0.2 megawatts
- T7 is the treatment of waste bricks, ceramic tiles and concrete by crushing, grinding or reducing it in size but not including any treatment covered by a Part B permitted activity as described in Schedule 1, Section 3.5 of the EP Regulations

Please note, where an exempt waste activity is a directly associated activity of a permitted Part B activity in relation to emissions to air, the waste activity must be incorporated into the existing Permit.

Waste exemptions and the Environment Agency

All other waste exemption operations described in Schedule 3 (with the exception of T22) of the EP Regulations must be registered with the Environment Agency.

Waste exemptions and animal health

A T22 waste exemption for the treatment of animal by-product waste at a collection centre, is registered with the Department of Food and Rural Affairs (DEFRA).

When is a waste operation eligible for registering an exemption?

This is when:

- the waste operation is listed in Schedule 3 of the Environmental Permitting Regulations and,
- it doesn't breach the Waste Framework Directive Article 4 objectives and,
- is not a directly associated activity of a Part B activity, which are listed in Schedule 1 of the Environmental Permitting Regulations.

How can I register my waste operation?

You can only register a T3 and T7 waste operation within the North Kesteven District with NKDC using the T3 and T7 registration form available on NKDC's website. Please either complete online or print and complete then send the application form to the Environmental Protection Team.

How long will it take to register my waste operation?

NKDC will make the decision to accept your registration within 21 working days and the register will be updated within this time. A letter confirming your registration will be forwarded to you.

How much does it cost?

There is no charge to register your T3 and T7 waste operation with NKDC.

Are there any restrictions on registering my exempt waste operation?

You cannot register more than one of the same exempt waste operations at the same place at the same time. No more than one company, establishment or undertaking may be registered at the same place for the same exempt waste operation at the same time.

Therefore any subsequent registrations for the same waste operation will become invalid. Only the first registered waste operation will be relevant until it is removed or expires.

If you are operating above the thresholds listed within the Environmental Permitting Regulations for each exemption then you must apply for a waste operation permit with the Environment Agency.

Making changes to your registration

If you make any changes, for example, change of address, change in the waste operation, changes to the primary contact, you must inform NKDC in writing using the T3 and T7 Registration Form.

Renewal of your registration

Your registration will be valid for three years and you must renew your registration before the registration expires. You can apply for a renewal of your registration up to one month before the expiry date. If you do not apply for a renewal before the expiry date, your registration will be removed and you will no longer be registered for that exempt waste operation.

Failure to comply with the regulations

Failure to apply for a registration or failure to renew your registration within the specified time, or failure to comply with the conditions of the Registration is an offence, under Regulation 38(1), of the Environmental Permitting Regulations. The penalty for such an offence is, upon conviction in a magistrates' court, a fine of up to £50,000 and/or up to six months imprisonment or, upon conviction in a crown court, an unlimited fine and/or up to two years imprisonment.