

SCHEDULE 2

Regulation 17(10)

ASSESSMENT OF BENEFIT TO AGRICULTURE OR ECOLOGICAL IMPROVEMENT

1. In assessing benefit to agriculture or ecological improvement for the purposes of paragraphs 7, 8, 9, 25, 42 and 50 of Schedule 1 to these Regulations, regard shall be had to the following paragraphs.

2. In assessing benefit to agriculture, regard shall be had to whether the use of the waste on the land will result in an improvement of the soil for the purpose of growing crops or grazing, and the following criteria shall apply for the purposes of such assessment—

- (a) the addition of nitrogen, phosphorus and other plant nutrients in the waste material should take account of the soil nutrient status and other sources of nutrient supply and be matched to the needs of the planned crop rotation;
- (b) the addition of total nitrogen attributable to the use of the waste on the land in any 12 month period must not exceed 250 kilograms per hectare, except in the case of the following wastes as listed in the European Waste Catalogue—
 - (i) soil from cleaning and washing beet (02 04 01);
 - (ii) soil (including excavated soil from contaminated sites), stones and dredging spoil consisting of soil and stones other than those containing dangerous substances (17 05 04);
 - (iii) dredging spoil other than those containing dangerous substances (17 05 06); and
 - (iv) garden and park wastes (including cemetery wastes) consisting of soil and stones (20 02 02);
- (c) the addition of organic matter which improves the capacity of the soil to hold water, or its porosity, stability, tilth and workability is a benefit;
- (d) the addition of materials containing lime should take account of the neutralising value of the material, the pH of the soil and the target soil pH for the crop rotation;
- (e) the spreading or injection of watery wastes may be a benefit where the moisture of the soil is insufficient to support the growth of crops at the time of application, or where they contain nutrients which are applied at an appropriate rate;
- (f) the spreading of waste soil may be a benefit where it is done in order to level uneven land and thereby facilitate the use of the land for agriculture, but not where it is done solely in order to raise the level of the land.

3. In assessing ecological improvement, regard shall be had to the extent to which wildlife habitats which might otherwise deteriorate are maintained or supported. The creation of a new habitat, or the restoration of an old habitat, is regarded as an improvement.