

### SCHEDULE 3

Descriptions: exempt waste operations and other operations  
to which section 33(1)(a) of the 1990 Act does not apply

## PART 1

### Exempt waste operations: descriptions

#### Sludge on land

6.—(1) Treatment with sludge of land which is not agricultural land within the meaning of the 1989 Regulations if—

- (a) it results in—
  - (i) ecological improvement, or
  - (ii) in the case of the treatment of land used for non-food crops not grown in short term rotation with food crops, benefit to agriculture;
- (b) it does not cause the concentration in the soil of any of the elements listed in column 1 of the soil table set out in Schedule 2 to the 1989 Regulations to exceed the limit specified in column 2 of that table; and
- (c) no more than 250 tonnes of sludge per hectare is used on the land in any period of 12 months.

(2) Storage in a secure container or lagoon (or, in the case of dewatered sludge, in a secure place) of sludge intended to be used for such treatment if—

- (a) the sludge is stored at the place where it is to be used;
- (b) the sludge is stored at least—
  - (i) 10 metres from any watercourse,
  - (ii) 50 metres from any spring or well, or from any borehole not used to supply water for domestic or food production purposes, and
  - (iii) 250 metres from any borehole used to supply water for domestic or food production purposes;
- (c) no sludge is stored within a zone defined by a 50 day travel time for groundwater to reach a groundwater source used to supply water for domestic or food production purposes;
- (d) no sludge is stored within 0.3 metres of the top of an open storage container or within 0.75 metres of the top of an earthbank tank or lagoon;
- (e) no sludge is stored for a period of more than 12 months; and
- (f) no more than 1,250 tonnes of sludge is stored at any one time.

(3) In this paragraph “sludge” means residual sludge from sewage plants treating domestic or urban waste waters and from other sewage plants treating waste waters of a composition similar to domestic and urban waste waters.