

Notification of new /substantially enlarged /substantially reconstructed silos /slurry storage systems /agricultural fuel oil storage systems



Agricultural Regulations Team

The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland) 2003

1. Notification

Notice is hereby given that, in accordance with the above Regulations, I intend to bring into use a *(please tick as many as appropriate):*

- new
- substantially enlarged
- substantially reconstructed

structure as a /as part of a:*

- silage storage system
- slurry storage system
- agricultural fuel oil store

It will be used from (the date of use should be more than 28 days from date of this notification):

Date / /

I am the person having custody or control of the substance(s) to be stored in the structure(s). *(Normally the occupier of the farm (owner or tenant).)*

Name

Address

Postcode

Telephone No. _____

Address of structure (if different from above)

Postcode

2. Previous correspondence

If you have already contacted EHS (or we have contacted you), about this proposal, please give details of the most recent correspondence.

Date / / **EHS Reference** _____

Name of contact (if known) _____

3. Grant applications

Have you made, or intend to make, an application to DARD for grant aid for all or part of this work?

***Yes /No** (*Delete as appropriate)

Name of grant scheme _____

4. Certification A: Design and construction /installation (to be completed by a chartered, structural or civil engineer)

I (name)

am a chartered civil /structural engineer and member of (professional institution)

Membership number

and confirm I authorised the design and supervised the construction /supervised the installation of the (please tick as many as appropriate):

- new
- substantially enlarged
- substantially reconstructed

structure as a /as part of a:*

- silage storage system
- slurry storage system
- agricultural fuel oil store

being the system specified on this notification.

at (address of structure)

Postcode

Irish Grid Reference of structure

To the best of my knowledge, information and belief the system has been designed and constructed /installed to satisfy the requirements of the above Regulations in every respect.

Signature

Date of certification / /

Address (company /business)

Postcode

Telephone No.

5. Certification B: Single unit tanks, proprietary agricultural fuel oil storage facilities and minor works only (may be completed by applicant (farmer))

I (name)

installed /constructed (please tick as many as appropriate):

- a proprietary /prefabricated single unit effluent tank
- a proprietary agricultural fuel oil storage facility
- pipe-work or other drainage work
- slurry transfer channels (not designed for more than two days storage of slurry)

- an MDPE below ground pumping main
- or enlarged /reconstructed an exempt store by less than 10 %

as a /as part of a (please tick as many as appropriate):

- silage storage system
- slurry storage system
- agricultural fuel oil store

and confirm that the work fully complies with the above Regulations, and that any tank or pipe-work was installed according to the manufacturer's specifications.

Signature

Date of certification / /

6. Details of your application

Please state size (*feet or metres*) and type (*silage, effluent, slurry, oil*) of all new, substantially enlarged, substantially reconstructed storage structures

Please send us details of your application including:

- brief technical details and /or drawings of the structure (*if available*).
- a copy of the manufacturers' certificate including design specifications for the tank (***necessary for proprietary /prefabricated tanks***).

7. Installation of diverter systems

Please inform us if you have installed any new diverter systems to manage yard drainage and describe system briefly:

All diverter systems must be carefully managed to ensure pollution of a waterway or underground stratum does not occur. If pollution, or an unconsented discharge of polluting matter, does occur, this would be an offence under the Water (Northern Ireland) Order 1999 and may lead to enforcement action being taken.

8. Data Protection

The information provided will be processed by us to deal with your application, monitor compliance with the SSAFO Regulations and for maintaining the relevant public registers.

We may also process and /or disclose it in connection with the following:

- offering /providing you with our literature /services relating to environmental matters

- consulting with the public, public bodies and other organisations (e.g. DARD, FCB) on environmental issues, including cross compliance in respect of support payments
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving our service.

We may pass it on to our agents /representatives to do these things on our behalf.

You should ensure that any persons named on this form are informed of the contents of this data protection notice.

9. Checklist and declaration

I am including

- details of sizes and types of storage structures
- brief technical details of the structure (*if available*).
- a copy of the manufacturer's certificate including design specifications for the tank (***necessary for proprietary /prefabricated tanks and agricultural fuel oil storage facilities***).

The information I have given is correct to the best of knowledge.

I have read '7. Data Protection'

Signature of applicant (*normally the occupier of the farm (owner or tenant.)*)

Date of notification / /

10. Do you need more information /clarification?

Please contact:

Agricultural Regulations Team, Environment and Heritage Service, 17 Antrim Road, Lisburn, Co. Antrim, BT28 3AL Tel: 028 92623261 Fax: 028 92623011

11. Please return completed form to:

Agricultural Regulations Team, Environment and Heritage Service, 17 Antrim Road, Lisburn, Co. Antrim, BT28 3AL

12. Please note:

Incomplete forms will not be accepted and may be returned

13. Any other information

Guidance notes for notification of new /substantially enlarged /substantially reconstructed silos /slurry storage systems /agricultural fuel oil storage systems

Agricultural
Regulations Team

The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland) 2003

1. The Regulations

The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland) 2003 (known as SSAFO) cover the design, siting, construction, repair and maintenance of silage (and silage effluent), slurry (including contaminated run-off or washings containing any animal excreta) and agricultural fuel oil storage facilities. The powers are in place to help prevent agricultural pollution in Northern Ireland. **The Regulations apply to storage facilities, where construction, substantial enlargement or substantial reconstruction is completed after 1 December 2003.**

Existing, unaltered stores are exempt from the Regulations. However, if, on inspection by a representative of Environment and Heritage Service (EHS), they are found to pose a pollution risk, EHS may require their repair, or improvement. Where necessary, under the Regulations, a Notice can be served requiring works to be carried out. If the terms of a Notice are not complied with, the store covered by that Notice may lose its exempt status and the farmer could be liable to prosecution. Provision is made in the Regulations for appeals should the terms of a Notice be considered unreasonable.

EHS hopes to work constructively with farmers to implement the SSAFO Regulations, in order to prevent pollution from agricultural sources and improve the environment for rural communities in Northern Ireland.

2. When to use this form.

You must tell EHS about any new, substantially reconstructed or substantially enlarged silage, slurry or agricultural fuel oil stores at least **28 days** before first intended use. You should use the accompanying form to do this. If substantive works have been carried out you must ask the engineer who designed the structure, and supervised the construction or installation, to sign the certification section (**Section 4: Certification A**).

3. Notification

Notification should be given by the person having custody or control of the substance(s) to be stored in the structure(s). This is normally the occupier of the farm (owner or tenant).

4. Substantive works - engineer's certification

The engineer who authorised the design of the structure, and supervised its construction, is required to confirm that it has been designed and built to comply with the requirements of the SSAFO Regulations. You must ask the engineer to sign **Section 4: Certification A**.

The engineer must be a qualified structural or civil engineer and a member of a chartered institute. It is recommended that you check that the engineer carries public indemnity insurance. It is the responsibility of the engineer to ensure that the system is designed and constructed to satisfy the requirements of the above Regulations in every respect.

You (the farmer) may build the structure yourself as long as the design and materials specified by the engineer have been used and the engineer has carried out a site inspection during the construction phase and on completion of work.

5. Single unit tanks – certification by farmer

For installation of proprietary /prefabricated single unit tanks you (the farmer) must sign the notification form (**Section 5: Certification B**) to confirm that the work fully complies with the above Regulations. An engineer's signature will not be required for such work. Notification of the

installation of a proprietary /prefabricated tank must be accompanied by a manufacturer's certificate stating that the tank has been designed and constructed to fully comply with the above Regulations. This would include meeting the appropriate British Standard, being approved by the manufacturer for the purpose for which it will be used and having (at least) a 20-year life span. Care must be taken to ensure that any joins are impermeable. You may need to take advice from an engineer on the suitability of the ground conditions for installing a tank.

6. Proprietary agricultural fuel oil storage facilities– certification by farmer

For installation of proprietary agricultural fuel oil storage facilities (delivered as complete single units, incorporating a bund **and complying fully with the Regulations**) you (the farmer) must sign the notification form (**Section 5: Certification B**) to confirm that the work fully complies with the above Regulations. An engineer's signature will not be required for such work. Notification of the installation of a proprietary fuel oil storage facility must be accompanied by a manufacturer's certificate stating that the unit has been designed and constructed to fully comply with the above Regulations. This would include meeting the appropriate British Standard, being approved by the manufacturer for the purpose for which it will be used and having (at least) a 20-year life span.

If a non-proprietary agricultural fuel oil storage facility is constructed on site, an engineer is required to confirm that it has been designed and built to comply with the requirements of the SSAFO Regulations.

7. Minor works – certification by farmer

For minor works carried out under the SSAFO Regulations, and for enlargement or reconstruction of less than 10% on exempt structures, EHS recommends that you (the farmer) complete and sign a Notification form. **Notification of minor works is likely to be necessary for grant claims.** Minor works would include:

- Installation of pipe-work, channels, and drainage systems.
- Construction of slurry transfer channels, i.e. **not designed for more than two days storage of slurry.**
- Installation of MDPE below ground pumping mains
- Enlargement or reconstruction of exempt structures of less than 10%.

In these situations you (the farmer) must sign the notification form (**Section 5: Certification B**) to confirm that the work fully complies with the above Regulations. An engineer's signature will not be required for such works. However, if the work has implications the load bearing capacity or impermeability of existing structures, it is strongly recommended that an engineer is consulted to ensure that these parameters are not adversely affected by the work and that the structures remain fit for purpose.

If a below ground pumping main is installed, it is recommended that the work is carried out by qualified installation specialists and that a copy of the firm's certificate /guarantee relating to the work is included with the Notification form.

All installation of pipe-work, inspection chambers *etc* must be carried out according to the manufacturer's specifications, and, where appropriate, meet the relevant British Standard. Care must be taken to ensure that all joins and seals are impermeable.

If you are unsure if your works will require certification from an engineer, we recommend that you contact the EHS Agricultural Regulations Team at the address /telephone number below, **prior to work beginning.**

6. Design specifications of the Regulations.

Design standards for new, substantially reconstructed or substantially enlarged silage, slurry or agricultural fuel oil stores are outlined in Schedules 1, 2 and 3 (respectively) of the SSAFO Regulations. One of the general requirements is that new, substantially reconstructed or substantially enlarged stores must be built to last for at least **20 years with maintenance.** You should also note that **no** new, substantially enlarged or substantially reconstructed silage, slurry or agricultural fuel oil stores **should be within 10 metres of any waterway.** The definition of waterway (under the Water (Northern Ireland) Order 1999) includes surface, storm and field drains.

Further details of design specifications should be obtained from a qualified, chartered, structural or civil engineer. If you have not started construction and are unsure whether your proposal complies with the Regulations, we recommend that you contact the EHS Agricultural Regulations Team, for guidance (at the address /telephone number below), **prior to work beginning**.

General advice on farm storage systems, pollution prevention measures and best practice is available from your local DARD Office and DARD Countryside Management Branch.

A copy of The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland) 2003 can be found on the internet at: www.northernireland-legislation.hmso.gov.uk/sr/sr2003/20030319.htm

7. Substantial enlargement and /or substantial reconstruction.

A store will normally be deemed substantially enlarged if it is enlarged by more than 10 % of original volume. A store will be deemed substantially reconstructed if more than 10 % of its supporting wall(s) and /or base area require reconstruction. In certain circumstances, and in consultation with EHS Agricultural Regulations Team, a greater amount of enlargement or reconstruction may be permitted without a structure losing its exemption. For example, if current storage on the farm was inadequate, but no site was available for building a new store at least 10 m away from any waterway.

If you are unsure if your plans will lead to substantial enlargement and /or substantial reconstruction of your storage structure(s), we recommend that you contact EHS Agricultural Regulations Team at the address /telephone number below, **prior to work beginning**.

8. Do you need more information/ clarification?

- Please contact: Agricultural Regulations Team, Environment and Heritage Service, Calvert House, 23 Castle Place, Belfast, BT1 1FY. Tel: 028 90254925, Fax: 028 90254865
- More information can also be obtained by contacting your local DARD Office or DARD Countryside Management Branch.

9. Please return completed form to:

Agricultural Regulations Team, Environment and Heritage Service, Calvert House, 23 Castle Place, Belfast, BT1 1FY

10. What will happen next?

- EHS Agricultural Regulations Team may contact you (initially by phone) to arrange to inspect the structures you have notified us about, to assess compliance with the SSAFO Regulations. If, after 28 days of receipt of the **completed** Notification form, EHS has not inspected the structure(s), you will be issued with a letter by us. **You may need this correspondence if applying for a grant.** If, at a later date, an inspection of farm storage takes place and non-compliance with the Regulations is determined, enforcement action may follow.
- When an inspection takes place a storage audit may be carried out to confirm that the farm has four months' slurry storage capacity and adequate effluent storage (in compliance with the SSAFO Regulations). If storage is found to be inadequate you may be asked to provide additional storage or to demonstrate that you can manage with your existing storage without posing a significant risk of pollution. The requirement for four months' storage capacity may be increased as a result of the implementation of other legislation.
- The Agricultural Regulations Team may contact you if we need clarification of any information on your form.