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**Environment
Agency**

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Guidance

Exceeding waste storage limits at permitted sites because of COVID-19: RPS C2

Published 6 April 2020

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You must usually comply with the waste storage limits in your environmental permit. However, this COVID-19 regulatory position statement (RPS) allows you to temporarily exceed those limits if you cannot remove waste from your site because of COVID-19 restrictions.

You must notify the Environment Agency by email before using this COVID-19 RPS.

1. When this COVID-19 RPS applies

This COVID-19 RPS only applies:

- if you can demonstrate that you need to temporarily store more waste than your permit allows because of COVID-19 restrictions
- to wastes you are authorised to store under your permit

This COVID-19 RPS does not apply to any other activity, even if it is under the same legislation. You may still need other permits or licences for other activities you carry out.

You must be able to demonstrate that you have taken all reasonable steps to comply with your permit.

Reasonable steps include:

- contingency planning to avoid or minimise disruption to your business because of COVID-19
- COVID-19 response planning to minimise the impact and duration of not being able to comply with your permit or licence
- minimising how far you exceed your waste storage limits

2. Conditions you must comply with

You must:

- comply with all the other requirements on your permit
- stop accepting waste at your site if there is a risk to human health or the environment
- have written agreement from the landowner before you increase the amount of waste you store, if you are not the landowner
- notify the Environment Agency in writing, in advance of the types and quantities of waste you want to store over your permitted limits
- store all waste within the permitted site boundary
- keep all storage areas secure to prevent unauthorised access
- manage the waste you receive on site on a strict rotation basis so waste received on the site first is removed from the site first and that you separate waste of different storage age
- make sure all waste above the limits in your permit is removed from site within 3 months unless we have agreed otherwise in writing – and in all cases by the expiry date on this COVID-19 RPS
- do a written review of the risks of storing additional waste and how it will affect any plans, for example your management system and fire prevention plan
- make a record of any changes you make to your plans and comply with them – you must make the record of change available to all your staff and to the Environment Agency on request
- keep records to show that you have complied with the conditions in this COVID-19 RPS for 24 months – these must be available to the Environment Agency on request

You must not:

- store a type of waste that is not on your permit
- store waste for more than 3 months unless we have agreed this in writing

You must make sure that temporarily increasing the amount of waste you store does not endanger human health or the environment. You must not:

- cause a risk to water, air, soil, plants or animals
- cause a nuisance through noise or odours
- adversely affect the countryside or places of special interest

Places of Special Interest include but are not limited to:

- European sites (Special Areas of Conservation and Special Protection Areas)
- Ramsar sites
- Sites of Special Scientific Interest
- national and local nature reserves
- Areas of Outstanding Natural Beauty
- Marine Conservation Zones
- National Parks

If you operate under this COVID-19 [RPS](#) but think you may no longer be able to comply with its conditions, you must tell the Environment Agency immediately.

3. Enforcement

A COVID-19 [RPS](#) means that the Environment Agency will not normally take enforcement action against you provided:

- your activity meets the description set out in this COVID-19 [RPS](#)
- you comply with the conditions set out in this COVID-19 [RPS](#)
- your activity does not, and is not likely to, cause environmental pollution or harm human health
- you have taken all reasonable steps to comply with your permit

4. When to check back

This COVID-19 [RPS](#) will be withdrawn on 30 September 2020 unless we extend it. After this date you must comply with your permit.

5. Contact the Environment Agency

You must notify the Environment Agency by email before using this COVID-19 [RPS](#).

Put this wording in the title of your email: Waste COVID-19 [RPS](#) C2 – ‘For information’.

If you need us to respond to a query please add ‘For action’ at the end of the wording in the title of your email.

Email: enquiries@environment-agency.gov.uk