

Flood recovery advice for the agricultural sector

August 2019

We are the Environment Agency. We protect and improve the environment and make it a better place for people and wildlife.

We operate at the place where environmental change has its greatest impact [} Á ^ [] | ^ q Á ã ^ • È We reduce the risks to people and properties from flooding; make sure there is enough water for people and wildlife; protect and improve air, land and water quality and apply the environmental standards within which industry can operate.

Acting to reduce climate change and helping people and wildlife adapt to its consequences are at the heart of all that we do.

We cannot do this alone. We work closely with a wide range of partners including government, business, local authorities, other agencies, civil society groups and the communities we serve.

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Environment Agency
Horizon house, Deanery Road,
Bristol BS1 5AH
Email enquiries@environment-agency.gov.uk
www.gov.uk/environment-agency

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Draining land and discharging water

Draining water from land is the responsibility of the landowner. Before you carry out any earthworks or take any other actions to remove water you must consider the potential environmental impacts.

Be

We do not require landowners to get a flood risk activity permit under the Environmental Permitting Regulations 2016 to undertake bank repairs or removal of accumulated debris from rivers impacted by flooding, where works are required in order to prevent further flooding from

Many of these species have the potential to contribute to flood risk. Invasive plants can reduce the capacity of flood channels and block sluices and other structures. Some invasive animals, such as certain non-native crayfish and Chinese mitten crab, burrow into flood banks and increase erosion. Many lakes and ponds contain invasive non-native species that have the potential to do considerable harm if they are allowed to escape into the wild.

Where equipment or materials are entering or leaving the site, please endeavour to follow the

Sediment and other materials washed onto farmland

You may need to remove material deposited on fields following the floods for re-use or disposal.

You must assess the classification of the waste before you can decide what to do with it. Do not assume that a waste is hazardous or non-hazardous - you must determine this on a case-by-case basis. Contact us if you are uncertain.

It may be best to return clean gravels to the river, but you must speak to us before you do this. The deposition of fine sediment (soil or silt) on floodplains is a natural process and part of soil building and fertilisation. Materials should only be treated as waste and removed if they are man-made, contaminated, prevent natural recovery of the land or conflict with current land uses.

Other material such as contaminated silt, or anything that conflicts with natural recovery or current land use, may be considered waste. These may be spread and restored to land under a 'waste exemption' or 'permit and deployment authorisation', if it will cause no environmental damage. Waste exemptions are free to register.

“ [Register your waste exemptions online](#)

Your local authority may be able to remove large quantities of waste in exceptional circumstances. Local Authorities are responsible for inspecting land in their area to identify contaminated land under Part 2A of Environmental Protection Act 1990.

Clean stone and gravel

If gravel contains lots of manmade debris it may need to be screened before it can be reused.

If you need our advice please phone us on 03708 506 506 ([call charges apply](#)) or send an e-mail with photographs to enquiries@environment-agency.gov.uk. We are unlikely to classify the gravel as hazardous waste due to the large volumes of floodwater involved in their transport and deposition. There will be exceptions where the gravel is removed from an area where there has been heavy contamination of the floodwater by hazardous substances like heating oil or fuel, for example. It may be easy to spot contamination from the appearance and odour. Therefore if it smells or looks oily, it should be tested.

Where clean stone and gravel can be used beneficially without treatment or harm to the environment within the catchment from which they originated (for example, returned to the river or for track, path or road repair) these will not be viewed as a waste and therefore waste transfer notes and Duty of Care legislation will not apply.

Where materials cannot be reused within the catchment or require treatment (such as crushing) then they are viewed as waste and the usual Duty of Care requirements will apply. This includes the use of transfer notes, registered waste carriers and exemptions or permits for the treatment or disposal. Where treatment (such as crushing) takes place within the catchment, you will need to register a waste exemption. Private individuals carrying out these activities on their private land do not need to register the exemption but they must comply with the Duty of Care.

With our approval, landowners can:

- “ stockpile gravels in a field, on the farm or on private land where they have been deposited (for possible reuse)
- “ remove the gravels and use them off the farm but within the catchment

You should have contingency plans in place to cope with exceptional conditions, such as temporary stores and off-farm arrangements

If Defra/APHA agree that burial of animal carcasses is acceptable we are likely to require the activity to be carried out in accordance with an Environmental Permit for the protection of groundwater (a risk assessment will be required) to ensure your proposed burial location is suitable. For more information contact our National Customer Contact Centre on 03708 506 506 ([call charges apply](#)).

Disposal of milk

If flooding prevents road tankers collecting your milk, you may need to dispose of it onto land.

You can do this under a U10 waste exemption, although the exemption is not valid for spreading onto waterlogged soil. During exceptional circumstances we will not take any enforcement action for breach of this exemption provided that:

- “ there is no risk to a site or species of conservation importance
- “ you have made use of any temporary storage options available to you
- “ you have fed the milk back to livestock as far as possible
- “ you spread at low rates (no more than 20cu m/ha in a 24 hour period on land with the lowest run-off risk) onto the land to reduce the risk of pollution
- “ the land where the waste milk is spread is at least 50 metres from a watercourse or a conduit leading to surface water, and at least 50 metres from a spring, well or borehole.

If the land is saturated then you must assess the risk of further pollution to water courses from run-off. Alternatively if you are able to hold /store waste milk until it can be moved it can be taken to a permitted anaerobic digestion plant.

If you mix milk with slurry you increase the risk of lethal or explosive gases such as methane, carbon dioxide, ammonia and hydrogen sulphide.

You should contact our National Customer Contact Centre on 03708 506 506 ([call charges apply](#)) to discuss site specific issues.

Storage of pesticides

During a flood you should do everything you can to keep pesticides secure in line with the Code of Practice for Plant Protection Products.

Damaged pesticide products which cannot be used must be treated as hazardous waste and disposed of safely in line with manufacturers' recommendations.

- “ [Register as a hazardous waste producer](#)
- “ [Handling pesticide containers](#)

They may also fail to meet the conditions of the T32 waste operation exemption. Potential problems include risk of short circuiting, or anaerobic conditions that limit the ability of the biobed to breakdown pesticides.

If your biobed is wa3

Annex A - Advice to farmers on

Would you like to find out more about us
or about your environment?

Thank you

06 360 Write Friday

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