### Guidance on the Management of Invasive Non-Native Plant Species (INNS)

The following is based on an Environment Agency internal note summarising controls for plant material and soil containing plant material.

364\_04\_SD21 Invasive Non-Native Plants (INNS) v2 published on 12/09/17.

Note that web links shown under Regulatory Controls may be inaccessible to landscape contractors but the CA may provide a copy in specific circumstances.

**THE SCOPE OF THIS WASTE MANAGEMENT NOTE**

INNS plants and soils contaminated with INNS that have been removed or excavated are classified as waste. Their storage, disposal such as burning, burying and treatment is subject to waste legislation and relevant code of practice. This note summaries waste regulatory controls needed to manage them.

Table 1 summarises preferable options to control certain INNS plants. For advice on how to manage other INNS plant species or detailed clarification contact your CA.

**GENERAL DUTY OF CARE REQUIREMENTS**

* Removal of INNS plants from the place of generation is subject to Duty of Care and additionally, where hazardous, the Hazardous Waste Regulations as they may be contaminated with oil.
* Registered waste carriers must be used when transporting waste.
* Waste must be kept safe and prevented from escaping during transport, handling and subsequent storage.
* Hazardous waste consignment notes must be completed when hazardous waste is moved from one premises to another and when waste leaves our control, it must be kept for three years.
* Transfer of hazardous waste from waterways or the field as part of pollution control activities to a depot or waste facility must be accompanied by a consignment note.
* Waste transfer notes must be completed when the waste leaves our control, the documentation must be kept for two years.

**Important!** All equipment used to manage INNS plants must be thoroughly cleaned after use, in accordance with the [check, clean, dry](http://www.nonnativespecies.org/checkcleandry/index.cfm) campaign.

**Invasive non-native plant species (INNS) V 2 July 2017**

**WASTE TYPE, DESCRIPTION AND CLASSIFICATION**

Waste is any INNS plant material which has grown at the location where we undertake riverbank maintenance, in channels, site clearance works (including revenue and capital projects) which needs removing. Waste may also be generated on our trash screens, pumping stations or by targeted control programmes against the INNS.

Definition - ‘site clearance’ means pruning/trimming or removing any invasive plant species which have grown at the location of work.

**LOW CODE: 20 02 01 – Biodegradable waste** (i.e. Non–Hazardous)

**LOW CODE: 02 01 03 – Plant tissue waste** (i.e. Non–Hazardous)

**LOW CODE:** **17 09 03\*** – Biodegradable waste contaminated with hazardous substances e.g. plant

 matter contaminated with oil removed as a part of a pollution incident.

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| Waste Activity | **Conditions/ Limits, for all details see full wording of relevant regulatory control.** | **Regulatory control** |
| 1. **TREATMENT**

**Important!** Many invasive plants are spread by vegetative means. Chipped or shredded material is a high bio-security risk and must be disposed of with great care. You must not transport INNS plant materials off site for treatment at other location. It can only be taken off site if transferred directly to an external licensed waste facility. |
| 1a) Cutting and size reduction of waste timber prior to transfer to a waste facility carried out at the place of generation. | Ancillary treatment can be undertaken prior to the collection of waste – this may involve crushing, chipping, size reduction, separation of recyclables to help with storage, collection and transport of waste. If the waste is taken for disposal preparatory treatment is allowed to help load and transport waste.Ensure the waste cannot escape during transport. Chipped or shredded material is a high bio-security risk and must be disposed of with great care.  | None required[check, clean, dry](http://www.nonnativespecies.org/checkcleandry/index.cfm) |
| 2b) Chipping or shredding of waste plant matter at any site (e.g. riverbank, contractor’s depot) with associated storage.T6 must be registered on a site specific basis. . | The chipping, shredding and storage of non-hazardous plant tissue waste (LOW code: 200201) are exempt.

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| Quantity | Time | Other conditions |
| The total quantity treated or stored over any seven day period does not exceed 500 tonnes. | No waste is stored for longer than 3 months after treatment. | The activity can be undertaken at any site, for the purposes of recovery or reuse. |

 | [T6 - Treatment of waste wood and waste plant matter](http://intranet.ea.gov/knowledge/enquiries/nccc/50270.aspx) [T6 - guidance note](https://www.gov.uk/waste-exemption-t6-treating-waste-wood-and-waste-plant-matter-by-chipping-shredding-cutting-or-pulverising)[check, clean, dry](http://www.nonnativespecies.org/checkcleandry/index.cfm) |
| DISPOSAL |
| 2a) Burning INNS plant material on site of generation |
| Burnt on site of production. The exemption D7 must be registered on a site specific basis.  | The volume must not exceed 10 tonnes in 24 hours. The total quantity of waste stored at any one time must not exceed 20 tonnes. Smoke must not constitute a nuisance to occupiers or neighbours of property. Litter must not be included. The waste cannot include plastics and other non-wood/timber wastes. Fires must be controlled, supervised and fully extinguished upon leaving the site. You must also ensure that your activity does not:* endanger human health or cause pollution to water, air or soil
* constitute a risk to plants or animals
* cause a nuisance, e.g. in terms of noise or odour
* adversely affect the countryside or places of special interest

Good practice* Burning plant material should only give rise to white smoke.
* Tell the local fire brigade before you begin burning and again when you finish, so that they are not called out unnecessarily.
* You can leave cut stems to dry out in the sun rather than burning them. Make sure you place cut Japanese knotweed and Himalayan balsam material on a membrane and not in direct contact with the ground.
* Giant hogweed sap remains toxic after the plant has been cut down. Do not leave cut stems where they could harm people or livestock.
 | [D7 - Burning waste in the open](http://intranet.ea.gov/knowledge/enquiries/nccc/50341.aspx)[D7 - guidance note](https://www.gov.uk/waste-exemption-d7-burning-waste-in-the-open) |
| **2b) Burying INNS plant material on site of generation** |
| Buried on site of production.Taking plant material and soil containing plant material away for disposal off site uses valuable landfill capacity and increases the likelihood of the spread of invasive plants. Burial of the plant material and contaminated soil on site is an effective method of controlling the spread of INNS plants.  |

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| **INNS plant** | **Recommended burial depth below ground level** | **Burial time needed for the material to not grow back again** | **Regulatory control** |
| [Water Primrose](https://secure.fera.defra.gov.uk/nonnativespecies/downloadDocument.cfm?id=861) | 1m | 5 years | RPS for the disposal by burial of invasive non-native plants |
| [Floating Pennywort](http://www.nonnativespecies.org/downloadDocument.cfm?id=31)  | 1m | 5 years |
| [Giant Hogweed](http://www.nonnativespecies.org/downloadDocument.cfm?id=30)  | 1m | 15 years |
| [Japanese Knotweed](https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading)  | 5m + a barrier membrane put on top of the material and fill the hole with clean soil | Until the rhizome is dead, which is likely to take in excess of 20 years | Refer to the prevention guide of Japanese Knotweed on GOV.UK  |
| [Himalayan Balsam](http://www.nonnativespecies.org/downloadDocument.cfm?id=33)  | 1m | 2 years | RPS for the disposal by burial of invasive non-native plants |
| [Parrot’s Feather](http://www.nonnativespecies.org/downloadDocument.cfm?id=66)  | 1m | 5 years |

Other considerations:* If spraying the plants with chemicals you must only use approved herbicides, ensure you follow the COSHH guidance and dispose of the residues through a registered waste carrier to a permitted site.
* If plant matter is to be buried on site you must follow RPS 178 to decide whether an environmental permit is required or your activity matches the criteria set out in RPS 178.
* If you burn the plant matter onside you must ensure you have an environmental permit/registered waste exemption in place and follow the criteria set out by the permit.
* If you dispose the plant matter off site always ensure you use a registered waste carrier and dispose of the waste at a suitable site which can accept the waste, you cannot compost the waste. You must also dispose the soil responsibly if you suspect it has been contaminated with herbicides.
 | [RPS 178 for the disposal by burial of INNS.](http://ams.ea.gov/ams_root/2015/151_200/167_15.doc)[Prevent Japanese Knotweed from spreading](https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading) [Prevent harmful weeds and invasive non-native plants spreading](https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants) |
| 1. **STORAGE**

**Important!** INNS plant waste can only be stored at the place of generation.You must not transport INNS plant materials off site to other locations for bulk up. The material should be only be taken off site if transferred directly to an external licensed waste facility. |
| 3A) Temporary storage of INNS plant matter at the place of production generated as a result of operations. This includes green waste generated on trash screens, pumping assets or washed downstream.No registration is needed for this exemption. | Storage at the site of production, whether waste is non-hazardous or hazardous is exempt (Exemption 2).

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| Waste types & Quantity | Time | Other conditions |
| Any waste, no time limit  | Up to 12 months | The waste is stored in a secure\* place |

Plant material must be stored in a manner that prevents further spread, either by disturbance, weather or floods. Any regrowth should be subjected to control measures, such as treatment with herbicide.Hazardous waste must not be mixed with non-hazardous waste or other hazardous waste. ‘Secure place’means a place is secure in relation to waste kept in it if all reasonable precautions are taken to ensure that the waste cannot escape from it and members of the public are unable to gain access to the waste. | [NWFD Exemption 2 – Temporary Storage at the site of production](http://intranet.ea.gov/knowledge/enquiries/nccc/50345.aspx)[Guidance](https://www.gov.uk/government/collections/waste-exemptions-storing-waste#non-waste-framework-directive-exemptions) |
| B) Temporary storage of non - hazardous and hazardous **fly tipped waste** contaminated with viable propagules of INNS plants at **any** site (including trash screens and depots), pending recovery or disposal.  | Unsorted, fly tipped waste can be stored under Modernising Waste Regulatory Position MWRP RPS 060, conditions apply:* Quantity: Up to 20 m3 (non-hazardous waste) and 5 m3 (hazardous waste)
* Storage time: up to 6 months
* Other conditions: The waste is stored securely (waste cannot escape and unauthorised persons are prevented from accessing it).

When choosing how wastes are stored risks to public health and the environment must be considered, in particular for hazardous wastes. Where possible, storage should be in locked cages, on an impermeable surface, not subject to flooding. If you suspect the waste to be hazardous, assume they are and dispose of them as such. The CA can arrange for waste samples to be tested for waste identification. Hazardous waste should not be despatched for disposal at a landfill, but instead sent for treatment if possible.This option is not available for waste containing Japanese knotweed, which should either be treated on site, or taken to a licensed landfill, in accordance with the in line with the [prevention of spreading Japanese Knotweed](https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading). Plant material must be stored in a manner that prevents further spread, either by disturbance, weather or floods. Any regrowth should be subjected to control measures, such as treatment with herbicide. | [The temporary storage of fly–tipped waste and waste from trash screens other than at the site of production](https://www.gov.uk/government/publications/temporary-secure-storage-of-fly-tipped-waste) |

### Relevant additional documents

1) Waste Guidance Sheet No. 13 – [Aquatic Weed](http://ams.ea.gov/ams_root/icontent/DocDir07/364_04_SD13.doc)

2) [RPS178](http://ams.ea.gov/ams_root/2015/151_200/167_15.doc) for disposal by burial of invasive non-native plants

3) [Prevention of spreading Japanese Knotweed](https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading)

4) Information from gov.uk [prevent harmful weeds and invasive non-native plants spreading](https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants)

5) [Water Primrose](https://secure.fera.defra.gov.uk/nonnativespecies/downloadDocument.cfm?id=861), [Floating Pennywort](http://www.nonnativespecies.org/downloadDocument.cfm?id=31), [Giant Hogweed](http://www.nonnativespecies.org/downloadDocument.cfm?id=30), [Japanese Knotweed](https://secure.fera.defra.gov.uk/nonnativespecies/downloadDocument.cfm?id=369), [Himalayan Balsam](http://www.nonnativespecies.org/downloadDocument.cfm?id=33), [Parrot’s Feather](http://www.nonnativespecies.org/downloadDocument.cfm?id=66)