
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 489

**The Nitrates Action Programme
Regulations (Northern Ireland) 2006**

PART 4

LIVESTOCK MANURE STORAGE REQUIREMENTS

General obligations as to storage facilities for livestock manure

11.—(1) Subject to paragraphs (2) and (3) and regulations 14 and 16, the capacity of storage facilities for livestock manure of a holding shall be sufficient and adequate to provide for the storage of all the livestock manure which is likely to require storage on the holding for such period as may be necessary to ensure compliance with these Regulations and the avoidance of water pollution.

(2) For the purposes of paragraph (1), the controller shall have due regard to the storage capacity likely to be needed by the holding during periods of adverse weather conditions when, due to extended periods of wet weather, frozen ground or otherwise, the application to land of livestock manure is not permitted.

(3) Subject to regulation 12, the total livestock manure storage capacity on holdings shall be sufficient for at least 22 weeks storage.

(4) All storage facilities for livestock manure and silage effluent shall be maintained free of structural defect, shall be of such standard as is necessary to prevent run-off or seepage, directly or indirectly, into a waterway or water contained in any underground strata and where applicable shall comply with The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland) 2003 and any amending Regulations.

Obligations as to livestock manure storage capacity on pig and poultry enterprises

12.—(1) Subject to paragraph (2), on holdings where there is a pig or poultry enterprise there shall be a storage requirement of 26 weeks.

(2) Holdings with less than 10 breeding sow places or 150 finishing pig places and holdings with less than 500 poultry places shall require 22 weeks storage.

(3) Holdings where there is a pig and/or poultry enterprise and another livestock enterprise shall require 26 weeks storage for the pig and/or poultry enterprise and 22 weeks storage for the other livestock enterprise.

Manner of storage and location of farmyard manure storage facilities

13.—(1) Prior to field storage or land application farmyard manure should be stored in a midden which shall have adequate effluent collection facilities.

(2) Farmyard manure may be stored in the field where land application will take place subject to a maximum limit of 180 days.

(3) Where stored in a field, farmyard manure must not be stored in the same location of the field in consecutive years.

(4) Farmyard manure must be stored in a compact heap and such heaps must not be placed within:

- (a) 50m of lakes; or
- (b) 20m of any waterway, including open areas of water, open field drains or any drain which has been backfilled to the surface with permeable material such as stone/aggregate; or
- (c) 50m around a borehole, spring or well; or
- (d) 250m from any borehole used for a public water supply; or
- (e) 50m of exposed cavernous or karstified limestone features (such as swallow-holes and collapse features).

Manner of storage and location of poultry litter storage facilities

14.—(1) Subject to regulation 28 poultry litter may be stored in the field where land application will take place subject to a maximum limit of 180 days.

(2) Where poultry litter is stored in a midden it shall have adequate effluent collection facilities prior to field storage or land application.

(3) Where stored in a field, poultry litter must be stored in a compact heap but not in the same location of the field in consecutive years and must be covered with an impermeable membrane within 24 hours of placement in the fields.

(4) Poultry litter heaps must not be placed within:

- (a) 50m of lakes; or
- (b) 20m of any waterway, including open areas of water, open field drains or any drain which has been backfilled to the surface with permeable material such as stone/aggregate; or
- (c) 50m around a borehole, spring or well; or
- (d) 250m from any borehole used for a public water supply; or
- (e) 50m of exposed cavernous or karstified limestone features (such as swallow-holes and collapse features).

(5) In this regulation, poultry litter means a mixture of bedding material and poultry manure arising from the housing of poultry and with a dry matter content not less than 55%.

Manner of storage for dirty water

15. Provision for the safe storage of dirty water should be available for those periods when weather and ground conditions, as set out in regulation 7(2), are unsuitable for land application.

Calculation of livestock manure storage capacity

16.—(1) In calculating the livestock manure storage capacity of a holding, the following farming practices may be taken into account:

- (a) the quantity of farmyard manure;
- (b) any solids removed from slurry other than pig slurry by means of a slurry separator;
- (c) any additional storage available off the holding, by means of a rental agreement; and
- (d) any valid contract the holding has with a manure processing facility or demonstrable access to an approved treatment or recovery outlet.

(2) Subject to paragraph (4), the livestock manure storage capacity of a holding may be less than the capacity specified in regulation 11 in relation to: –

- (a) sheep, deer and goats which are out-wintered at a grassland stocking rate which does not exceed 130 kg nitrogen at any time during the period specified in regulation 6(3) in relation to the application of organic manure as calculated in accordance with paragraph (6); and
 - (b) livestock (other than dairy cows, sheep, deer and goats) which are out-wintered at a grassland stocking rate which does not exceed 85 kg of nitrogen at any time during the period specified in regulation 6(3) in relation to the application of organic manure, as calculated in accordance with paragraph (6), provided the amount of livestock manure produced on the holding does not exceed 140kg N/ha/year in accordance with regulation 9.
 - (c) in the case of a mixed holding the nitrogen limit in sub-paragraph (b) shall apply except where the controller of the holding demonstrates to the Department that the livestock out-wintered more appropriately reflects the composition of the livestock applicable in sub-paragraph (a).
- (3) The livestock manure storage capacity of a holding shall be calculated in accordance with:
- (a) the livestock manure production figures specified in Schedule 1 Table 5; and
 - (b) any further procedures for calculating such storage capacity which will be specified in guidance relating to these Regulations.
- (4) A holding falling within paragraph (2) must ensure that:
- (a) out-wintered livestock have free access at all times to the required land area;
 - (b) land is maintained in good agricultural and environmental condition; and
 - (c) the reduction in storage capacity is proportionate to the extent of out-wintered livestock on the holding.
- (5) Any land used for the purpose of out-wintering under paragraphs (2) and (4) must be under the control of the holding to which the exemption applies.
- (6) In this regulation, a grassland stocking rate of 130 kg or 85 kg of nitrogen, as the case may be, means the stocking of grassland on a holding at any time by such numbers and types of livestock as would in the course of a year excrete waste products containing 130 kg or 85 kg of nitrogen, as the case may be, per hectare of the grassland when calculated in accordance with the nitrogen excretion rate for livestock specified in Schedule 1 Table 1.
- (7) In this regulation, mixed holding means a holding where there are sheep, deer, goats and other livestock (other than dairy cows).