

**2009 No. 360**

**ENVIRONMENTAL PROTECTION**

**The Nitrates Action Programme (Amendment) Regulations  
(Northern Ireland) 2009**

*Made* - - - - - *6th November 2009*

*Coming into operation* - *14th December 2009*

The Department of the Environment and the Department of Agriculture and Rural Development, being Departments designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the environment, in exercise of the powers conferred upon them by that section hereby make the following Regulations:

**Citation and Commencement**

1. These Regulations may be cited as the Nitrates Action Programme (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 14 December 2009.

**Interpretation**

2. The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

**Amendments to the Nitrates Action Programme Regulations (Northern Ireland) 2006**

3.—(1) These Regulations amend the Nitrates Action Programme Regulations (Northern Ireland) 2006(d) in accordance with paragraphs (2) to (3).

(2) For regulation 14 substitute—

**“Manner of storage and location of poultry litter storage facilities**

14.—(1) Poultry litter may be stored in a field or midden 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 a field in consecutive years and must be covered with an impermeable membrane within 24 hours of placement in a field.

(4) Compact heaps of poultry litter must not be placed within:

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(a) S.I. 2008/301  
(b) 1972 c.68  
(c) 1954 c.33  
(d) S.R. 2006/489

- (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 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%.

(6) This regulation will apply from the operative date of these Regulations until 31 December 2010.”

(3) In regulation 16(1), insert “(e) the quantity of poultry litter stored in a field or midden prior to land application in accordance with regulation 14.”

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 6<sup>th</sup> November 2009.



*John Speers*  
A senior officer of the Department of Agriculture and Rural Development

Sealed with the Official Seal of the Department of the Environment on 6<sup>th</sup> November 2009.



*Maggie Smith*  
A senior officer of the Department of the Environment

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend The Nitrates Action Programme Regulations (Northern Ireland) 2006 to allow the storage of poultry litter up to a maximum of 180 days in a field or midden where land application will take place from the operative date of these Regulations until 31 December 2010.

Regulation 3(2) substitutes the provisions of regulation 14 of The Nitrates Action Programme Regulations (Northern Ireland) 2006 detailing the management, siting, etc of field heaps, that had been removed, allowing farmers to use field heaps for 180 days prior to land application and in accordance with environmental requirements.

Regulation 3(3) amends regulation 16 of The Nitrates Action Programme Regulations (Northern Ireland) 2006 allowing for the storage of poultry litter in a field or midden prior to land application to be taken into account when calculating the livestock manure storage capacity of a holding.

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