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Joint Circular from the
Department of the Environment
2 Marsham Street, London SW1P 3EB



Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

Welsh Office
Cathays Park, Cardiff CF1 3NQ

Sir

7 May 1976

CONTROL OF SMELLS FROM THE ANIMAL WASTE PROCESSING INDUSTRY

PART I

1. We are directed by the Secretary of State for the Environment, the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales to refer to the Department of the Environment's circular letter of 21 February 1975 and the Welsh Office's letter of 13 March 1975. The purpose of this circular is to amplify the information given in those letters and to give guidance to local authorities on appropriate action to deal with smell problems caused by the animal waste processing industry.

Smell Nuisance

2. Local authorities faced with a problem of smell nuisance have been properly concerned to protect the communities they represent. Some authorities have taken action under section 100 of the Public Health Act 1936 which has led to the closure of premises. But without sufficient processing capacity a potentially serious waste disposal problem will arise.

3. The Secretaries of State and the Minister are concerned that local authorities should be fully aware of the national and local implications of any action they might be contemplating in order to reduce smell nuisance and they are therefore requested to take into account the contents of this circular. Authorities will also wish to be aware of the Reports of the Working Party on the Suppression of Odours from Offensive and Selected Other Trades¹ which give guidance on the best practicable means for dealing with smells from this and other industries. The Department of the Environment, with the co-

¹ Published by Warren Spring Laboratory

operation of local authorities, the industry and other Departments, is preparing a code of practice addressed primarily to the animal waste processing industry and intended to be read in conjunction with these reports. It will give advice on the prevention of smell nuisance and will emphasise the potential that often exists now for improvements in methods and housekeeping.

PART II

The Animal Waste Processing Industry

4. The industry processes annually about 1 million tons of animal wastes – bones, offal, skin, fat etc. This is the best and most economic method of disposing of this material and reduces risk to both animal and human health. Many of the products (animal feedstuffs, tallow etc) would otherwise have to be imported at a cost estimated by the industry to be in the region of £70 millions per year.

5. Although the community greatly benefits from the functions performed by the industry, serious smell nuisance problems can arise. The industry has a responsibility to take whatever steps it can to prevent the emission of smells from its premises and where the best practicable means of odour prevention are conscientiously applied (which means well designed premises, good housekeeping practices and the use of suitable odour abatement equipment), these problems can normally be contained.

The Prospect of Improved Technology

6. The Government is aware of the urgent need for better technology, and an extensive research and development programme is being carried out at Warren Spring Laboratory (Department of Industry). The costs are being largely met by the Department of the Environment, but industry and a number of local authorities are also contributing. The programme is expected to be complete in about another 2 years, and the information on odour measurement, abatement and prevention technology will be disseminated in the form of guidelines and codes of practice.

The Responsibility of Local Authorities

7. The Public Health Act 1936 gives local authorities powers to require adoption of the best practicable means to prevent nuisance. But the same Act also recognises that there are practical limitations on what industrialists can be asked to do. In the context of the animal waste processing industry (and the technology now available to it) it may be unreasonable to demand the elimination of all smells.

8. Section 100 of the 1936 Act enables local authorities to take proceedings in the High Court where they think that summary proceedings (i.e. the adoption of the best practicable means) would afford an inadequate remedy. Local authorities are asked to do everything possible by means of discussion and co-operation and, if necessary, through summary proceedings to achieve the desired improvements. Where these measures are not successful the use of section 100 may be appropriate. But this power should still only be used sparingly. If section 100 comes to be regarded as anything more than an emergency power, the effect may be to deprive the industry of the means to continue its operations and so bring about a situation where local authorities themselves become responsible for disposing of waste material.

9. Despite the limitations of existing technology the adoption and rigorous enforcement of the best practicable means should be adequate to deal with most smell nuisance problems. The Working Party has set out the present best practicable means, and has underlined the importance of good housekeeping, the expert design of factories and processes, the use of properly designed transport, adequate storage facilities and formal maintenance and cleaning schedules. It is important that local environmental health officials and processors collaborate in putting those principles into effect.

10. This circular is not meant to discourage local authorities from taking all necessary action to secure improvement where possible. Efforts to ensure that the best practicable means are used will always have the Government's full support. But closure of processing plants (without the provision of an alternative site) may do little more than deal with one local environmental difficulty at the expense of creating another. It may also have serious economic repercussions.

11. The United Kingdom Renderers' Association (formerly the Raw Fat and Bone Processors' Association), which speaks for the majority of processors, is anxious to achieve a high standard of operation and to co-operate fully with local authorities. It recognises that there may be room for improvement at some existing plants and that normal trade development could lead to a rationalisation of the industry's operations. But that would demand considerable capital investment which will not be made until the industry can be sure that its future is reasonably secure. If there is a definite risk of plants being required to close because of a smell problem then the industry will be reluctant to undertake the necessary investment. That would be particularly undesirable when the future shape and size of the industry are difficult to predict because of the changing pattern of supply and demand. To have a further source of uncertainty could add unacceptably to the management problems of an important sector of economic activity.

Implications For Waste Disposal

12. Local authorities will appreciate the importance of the industry's waste disposal role. If all or part of the industry ceases to operate, waste material will not be collected from slaughterhouses, abattoirs etc nor will it be processed. Emergency alternative arrangements will have to be made and local authorities will almost certainly find themselves having to assume some responsibility for them.

13. Many local authorities are co-operating with the industry in providing facilities for the disposal of material where processing capacity is inadequate. But there is evidence that in some cases it is becoming increasingly difficult to find satisfactory sites for tipping where large quantities are involved. Such problems would be exacerbated if further processing plants closed. Therefore continued co-operation with the industry is desirable if material is to be disposed of safely, inoffensively and economically.

14. Waste disposal authorities will be aware of the dangers of the spread of disease by birds and vermin if animal waste is tipped, and of the special precautions that need to be taken. The Report of the Working Party on Refuse Disposal² contains recommendations for safe disposal; authorities are asked to note this advice and to ensure that as far as possible no unnecessary risks are incurred through unsupervised tipping, inadequate procedures or the use of unsuitable sites.

² Published by HM Stationery Office

15. Despite the problems associated with processing, it remains together with destruction the only really satisfactory method of disposal. Tipping on any scale should be carried out only as a last resort and under the most stringent controls. Considerations of this kind might make it necessary for some local authorities to undertake processing of the material themselves with all the associated problems of smell nuisance remaining.

Planning Policies

16. If nuisance from smell from either animal waste processing or any other industry is to be minimised, good planning is important. If processing factories are isolated it is particularly important that incompatible development (eg houses, schools) is not permitted so close that it may be affected by smell. Where such development has been allowed to encroach upon previously isolated factories, and there has been an increase in the throughput of those factories, complaints have led local authorities to take action against the processor.

17. Where there have been such developments near a factory, or where for other reasons it is considered desirable to close an existing plant, planning and environmental health interests should be brought together when a local authority is considering an alternative and more suitable location for the factory.

18. It is important to avoid doing nothing more than moving a smell problem from one area to another. One advantage of the relocation of an offending plant is that local planning authorities can require the new premises to be designed and equipped in ways which will minimise the risk of smell nuisance. They can require the application of the best practicable means to prevent and abate odours from the outset.

Survey

19. Although much can be done in the short-term to improve individual processing plants, it is at the same time important to take into consideration the longer-term development of the industry. The Government will be discussing with local authorities and industry the possibility of a survey in each locality concerned to identify those situations where short-term remedial action is both necessary and practicable. This should help to reduce the potential for dispute and subsequent legal action. The information gathered will also be most useful in considering the longer-term development of the industry, in terms both of avoiding smell nuisance problems and of its relationship with other activities in the meat trade.

Expert Advice

20. The technology of odour prevention and abatement is specialised and comparatively new. It will therefore often be to the advantage of both local authorities and the industry to obtain independent and expert advice. This is available from Warren Spring Laboratory, which provides an advisory service against payment. Those local authorities participating in the odour research programme already have access to the services of the Laboratory on special terms, but any local authority can seek advice and assistance about a particular problem. Requests should be made to the Director, Warren Spring Laboratory, Gunnels Wood Road, Stevenage, Hertfordshire.

21. Where a local authority considers it necessary to take action either to secure improvements at an existing plant or to find an alternative site for it,

it will be helpful to consult the United Kingdom Renderers' Association at an early stage. The Association has indicated that it would welcome this opportunity, and in some cases it may be able to assist a local authority in resolving difficulties.

Community Liaison

22. It is important that the community is properly informed about the nature and purpose of the industry generally and what is being done to deal with any smell problem that it presents. It is especially important, where a particular problem is likely to continue for some time before the methods and equipment to deal with it are available, to explain the reasoning behind any decision not to seek closure of the plant in the meantime. Whether or not it is desirable to establish liaison committees (on similar lines to those often set up for works registered under the Alkali Act) is something local authorities may wish to consider in the light of each situation.

PART III

The Fish Meal Industry

23. To a greater or lesser degree the considerations outlined above also apply to the fish meal manufacturing industry, which handles about 500,000 tons of fish each year. The offal and filleted waste, together with whole fish, is processed into fish meal which comprises a significant contribution to the total UK consumption. Unpleasant smells arise during processing and it is important that the best practicable means be applied at all times to prevent or abate them. Although for the most part processing factories are adjacent to the main fishing ports the industry is aware that smell can cause a nuisance in the neighbourhood. It is anxious to eliminate the risk of emission but in some cases it cannot do so completely because the means are not yet known. The industry is contributing to the research programme at the Warren Spring Laboratory referred to above. The processing factories are few in number and it is important that sufficient capacity remains available to handle the quantities of material produced. Although processing minimises health risks, tipping could again cause danger to either human or animal health.

24. When dealing with smell problems caused by the fish meal industry local authorities are asked to bear in mind those considerations set out above which apply to the animal by-products industry as a whole. The industry's trade Association (The Association of Fish Meal Manufacturers) has expressed its willingness to discuss any particular problem with the local authority concerned.

25. A document drawing together advice and guidance on the application of the best practicable means to prevent and abate smell from this industry is being prepared by the Torry Research Station (Ministry of Agriculture, Fisheries and Food).

PART IV

Poultry Manure Drying

26. There may also be odour problems associated with the drying of poultry manure, which is usually carried out at the production unit. About 3 million tons of crude manure are handled every year, some 300,000 tons of which are used to produce 100,000 tons of dried manure as a preliminary to its main use in animal feedingstuffs. Poultry manure is rich in nitrogen, and makes an ideal fertiliser for grassland and other crops. It constitutes an important source of income for the producer and contributes to the balance of payments by reducing imports.

27. Although at present there may be technical problems to resolve and the cost of total elimination of odours is prohibitive, levels of offensiveness can be minimised by good management and hygiene, and the development of completely effective and economically viable systems is proceeding. An advisory leaflet covering all aspects of farm waste odour control will be published by the Ministry of Agriculture, Fisheries and Food. Specialist advice may also be obtained from the MAFF Farm Waste Unit at their Reading Regional Office.

28. Local authorities are asked to bear these, as well as the more general considerations outlined in this circular, in mind when dealing with cases in this sector.

We are, Sir, your obedient Servants,

W J S BATHO, *Assistant Secretary*

D R DOW, *Assistant Secretary*

R D POTTER, *Assistant Secretary*

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