

### **Why has it become so difficult to dispose of out of date flares?**

The issue of flare disposal has been a growing source of frustration for recreational boaters for at least the last 3 years. The carriage and storage regulations have changed and the MoD Explosive Ordnance Disposal (EOD) Teams routine collection service from HM Coastguard Maritime Rescue Co-ordination Centres (MRCC) and other collection points was withdrawn. It was no longer possible to dispose of out of date flares at many marinas and chandleries.

Nevertheless the Coastguard continued to offer special interim collection arrangements with disposal assistance from the MoD until 01 April 2010, which was funded by the MCA. This functioned in more or less the same way as the old system until the MCA could devise a system that complied with the law and did not require MoD disposal assistance.

### **So what are the new arrangements?**

The MCA has recently circulated a leaflet to all UK registered boat owners which gives details of the new arrangements implemented from 1 April 2010. 18 licensed sites that will accept out of date flares, also referred to as TEP, from private boat owners have been listed in the leaflet, however you must telephone first to make an appointment. MCA sites other than those listed will not be able to accept TEP.

### **Why are there only 18 sites?**

Until legislative changes in 2005 concerning the transport and storage of explosives, the MCA had a Crown Exemption from the previous Explosive Acts which made the storage of TEP possible. The loss of this exemption and the total withdrawal of the collection and disposal service once provided by the MoD Explosive Ordnance Disposal (EOD) Teams has meant that the MCA must now operate in accordance with current Explosive Storage and Transport Regulations for the holding of out of date flares. This is only possible at the 18 sites listed in the leaflet. The listed sites may have restricted opening times due to Coastguard operational priorities. This arrangement is supported by a civilian contract for the collection and disposal service.

### **Is it legal for me to transport the flares in my car?**

The regulations apply to places of work and places in public use, but they do not apply to individuals, so you can legally put TEP in your car and drive them to a recognized disposal site.

### **Why do I have to phone first to make an appointment?**

Due to operational priorities some storage sites have restricted opening times which will be advised to you when making your appointment. If you do not make an appointment you may find that the store is closed and you will have made a wasted journey. The licensed sites have a limited capacity and may not

be able to accept your flares immediately. The MCA is required by law to have a managed process in place for accepting of out of date flares which includes ascertaining the condition of your flares prior to their disposal.

### **Why does my local council not have a responsibility to provide a disposal route?**

TEP are hazardous goods not hazardous waste, there is therefore no requirement for councils to provide facilities for disposal, however some may and you should check with you local authority.

### **These new arrangements simply do not provide enough disposal points and are inconvenient to use, what can be done?**

The MCA is not responsible for the disposal of out of date flares but with the assistance of the DfT has put in a system that maintains a free disposal service at the point of delivery, however there is no additional funding to provide an ongoing system which has to be funded from within the MCAs existing budget. The fact is that the MCA is not a 'refuse collection and disposal agency'; neither for that matter are the Fire Brigade or the Police.

Many recreational boat owners have asked the RYA to approach the Government and its agencies to ask for further free collection sites. However, it is unrealistic to expect to be able to buy flares at the cheapest price possible, often from mail order or the internet, and then to expect someone else to be responsible for their disposal when they become out of date; they are the responsibility of the person that purchased them. It is unreasonable to expect the tax payer to foot the bill for more facilities simply for the convenient disposal of TEP.

If you are unable or unwilling to travel to the disposal sites provided, there are commercial companies that will dispose of your unwanted TEP, although the cost may be significantly more than would be incurred travelling to your nearest MCA disposal site.

### **What's to stop me throwing my flares overboard or setting them off?**

It is an offence to dump pyrotechnics at non licensed sites and at sea therefore out of date flares should be landed ashore as soon as possible after the date of expiry for safe disposal. It is also an offence to fire distress-signal pyrotechnics on land, in harbour or at sea for either testing purposes, practice or as fireworks (whether the pyrotechnics are out of date or not). See [MGN 287](#) - this is currently being redrafted to provide advice on the new service.

### **Why don't the flare manufacturers and distributors offer to help?**

The problem is further exacerbated because the costs of disposal are not amortised into the cost of purchase. So far any scheme relating to the disposal of TEP has been strongly resisted by distributors, in the face of severe competition from overseas imports and direct on-line purchasing which would put them at a disadvantage.

## So what is the RYA's advice?

If the nominated collection points are not convenient, boaters are strongly advised to only buy their flares from a supplier who will also take their out of date ones back. In fact buyers should be extremely cautious when buying flares over the internet, as cheap imports may not be safe to use.

Ultimately the responsibility for the safe disposal of out of date flares rests with their owner. The eventual disposal of TEP must become part of your buying decision and who you buy them from.

## Who to contact

More information is available at:

<http://www.mcga.gov.uk/c4mca/mcga07-home/emergencyresponse/mcga-searchandrescue/mcga-hmcgsar-sarsystem/pyrotechnics.htm>.



From 1st April 2010 if you want to hand over time expired pyrotechnics, like distress flares, to HM Coastguard for safe disposal you must contact your nearest centre to make an appointment.

Please be ready to give details of the type, quantity, age and condition of your time expired pyrotechnics when you call.

1. MRCC Shetland 01595 692 976
2. MRCC Stornoway 01851 702 013
3. MRCC Belfast 02891 463 933
4. MRCC Liverpool 01519 313 341
5. MRCC Holyhead 01407 762 051
6. MRCC Milford Haven 01646 690 909
7. MRCC Falmouth 01326 317 575
8. MRCC Brixham 01803 882 704
9. MRCC Solent 02392 552 100
10. MRCC Dover 01304 210 008
11. MRCC Thames 01255 675 518
12. MRCC Humber 01262 672 317
13. St Andrews Sector Base  
(c/o MRCC Forth) 01333 450 666
14. Inverness Sector Base  
(c/o MRCC Aberdeen) 01224 592 334
15. North Norfolk Sector Base  
(c/o MRCC Yarmouth) 01493 851 338
16. Cruden Bay Coastguard Rescue Service  
(c/o MRCC Aberdeen) 01224 592 334
17. Girvan Coastguard Rescue Service  
(c/o MRCC Clyde) 01475 729 988
18. RNLI Headquarters Poole 01202 336 336

These FAQs have been prepared by:  
Cruising department (☎ 0845 345 0370) [cruising@rya.org.uk](mailto:cruising@rya.org.uk)