

RESPONSE TO THE CONSULTATION PAPER ON A DRAFT WASTE (AMENDMENT) (NORTHERN IRELAND) ORDER 2006

The new powers given to the Department and local councils will greatly benefit the waste management infrastructure of Northern Ireland and will prove beneficial for legal waste contractor's.

In regards to the new powers for fines for illegal waste disposal it will provide substantial income to the Government how will this money be spent ?

Failure to furnish documentation : Fixed penalty notice

What will happen if there was a repeat offence ? Who is charged for this failure as both the contractor and producer are responsible to ensure the documents are completed properly ?

Unregistered transport : Defence of acting under the employer's instructions

There was no mention of exemptions under the unregistered transport section. How will the exemptions be impacted ?

What responsibility does a business have for all contractor's working on their site in regard to Duty of Care ?

Should the contractor provide the business with duty of care waste transfer note to state the material has been disposed at a licensed site ? For example, we would have many contractor's completing works at the hospital – do they need to provide evidence for their waste disposal.

Registration of Carriers

The Order sets out provisions as to the registration of waste carriers and the removal of providing the certificate of registration and copies of such a certificate free of charge.

Is this free of charge certificate of registration for additional copies of businesses ?

Is it possible to add the expiry date for the registration of carriers to the Department's website ?

Registered carriers will be subject to conditions relating to the vehicles used by him in transporting such waste. How will those persons who are exempt be affected in relation to the vehicles used in transport of waste ?

Site Waste Management Plans

Who are the persons of a prescribed description – consultants ?

The plans for waste management of works involving construction or demolition may be completed but who is going to check these ? – What standards must be reached ? Have the thresholds been set for these ?

Who checks if the contractors are registered carriers ?

Who checks the transfer notes to ensure the waste is being recycled ?

The Department

With the changes described in the Order this will mean a substantial amount of work involved for the Department ? How will this be managed ?

Previous experience has been that the relevant Department has been contacted and no answers are available over the phone.