

Position Statement

The environmental regulation of wood

Purpose of this position statement

It advises our staff and external stakeholders on when we consider wood to be a waste, what regulatory controls should be followed and our recommendations to industry. The document deals with virgin timbers and non-virgin timbers.

The Northern Ireland Environment Agency's position

Virgin timber is timber from:

- whole trees and the woody parts of trees including branches and bark derived from forestry works, woodland management, tree surgery and other similar operations (it does not include clippings or trimmings that consist primarily of foliage¹);
- virgin wood processing (e.g. wood offcuts, shavings or sawdust from sawmills) or timber product manufacture dealing in virgin timber.

Virgin timbers are not waste and are not subject to waste regulatory controls provided they are certain to be used for purposes to which virgin wood is commonly put. These include use as:

- woodchip in gardens or on pathways;
 - a raw material for composting;
 - animal bedding;
 - fuel in an appliance;
 - a raw material for the production of wood-based products or in paper production.
- But if virgin timber is mixed with waste timber or any other waste, the mixed load is classed as waste.

Non-virgin timber may be either treated or clean.

- Clean non-virgin timber is any timber or timber product that has not been treated.
- Treated non virgin timber is any timber or timber product that has been chemically treated (e.g. to enhance or alter the performance of the original wood). Treatments may include penetrating oils, tar oil preservatives, waterborne preservatives, organic-based preservatives, boron and organometallic based preservatives, boron and halogenated flame retardants and surface treatments.

¹ The leaves of a tree, or leaves on the stems or branches on which they are growing.

The references to types of waste wood or their uses in this position statement are not intended to be exhaustive. Please contact us for further guidance on any waste type or use not mentioned.

Non-virgin timber offcuts, shavings, chippings and sawdust from the processing of non-virgin timbers (whether clean or treated) are waste. They remain waste and subject to regulatory control until the point of final use unless this is the spreading of compost that complies with the requirements of the PAS 100 standard.

The regulatory controls covering the use of processed waste wood depend on the intended use. Some examples are given below.

- **Use as fuel.** Waste wood remains waste until burned as a fuel. Its burning will normally be regulated by an environmental permit under The Waste Incineration Regulations (NI) 2003. In addition, burning of waste wood is normally subject to the requirements of the Waste Incineration Directive (WID). Plants that only burn wood not contaminated with halogenated organic compounds or heavy metals (resulting from treatment with wood preservatives or coating) are excluded from the WID requirements. However, storing and burning these materials may require an exemption from Waste Management Licensing. Details on these exemptions are available on the NIEA website.

- **Use in wood-based panel manufacture.** The wood remains waste until it is made into panelboard. It must be stored and processed into panelboard as specified either in a waste management licence or an exemption under Paragraph 15 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003 or the activity may be regulated under a PPC permit depending on the scale or type of the process.

- **Use in landscape applications.** Examples include weed suppressant, decorative woodchip, pathways and arena chip. The material must be stored and applied to land as specified either in a waste management licence or an exemption under Paragraph 9 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. The wood remains waste until it is applied to land.

- **Use in animal bedding.** Examples include cattle, horse and pet bedding. Untreated waste wood must be stored and used either as specified in a waste management licence or an exemption under Paragraph 16 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. The wood remains waste until incorporated into animal bedding.

We do not consider treated timber acceptable for use in animal bedding. The exemption in Paragraph 16 of Schedule 2 does not apply to treated waste wood.



- **Used to make compost.** Untreated waste wood must be stored and composted as specified either in a waste management licence or an exemption under Paragraph 13 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003.

NIEA considers compost which meets PAS100 to no longer be waste.

If the compost does not meet PAS100, it will remain waste until it has been applied to land. The compost must be stored and applied to land as specified either in a waste management license or an exemption under Paragraph 9 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003.

We do not consider treated timber acceptable for use in composting. The exemption under Paragraph 13 of Schedule 2 does not apply to treated waste wood.

Further information

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