

WMXS – Guidance notes



Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended), Schedule 2, Part I.

Guidance for registering simple Exemptions from waste management licensing.

Simple Exemptions are waste management activities that do not require a licence provided they meet the requirements detailed in Regulation 17 of the Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended) and, are relatively low risk. Although an activity may be exempt from waste management licensing it is still subject to statutory controls to prevent environmental pollution and harm to human health and must be registered with the Northern Ireland Environment Agency.

Use the Simple Exemption Application form **WMXS** if you wish to carry out any of the following exempt activities –

Paragraphs 2, 4, 5, 6, 7, 12, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 34, 36, 40, 44, 46, 47.

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Interpretation

Impermeable pavement means a pavement in the area where a waste recovery or storage operation takes place and which is capable of containing any spillage of waste received and is connected to a drainage system with impermeable components, which does not leak and which will ensure that-

- no liquid will run off the pavement otherwise than via the drainage system; and
- except where they may be lawfully discharged, all liquids entering the drainage system are collected in a sealed sump.

Read the guidance notes and application form carefully before you start to fill in the application form.

About the Regulations

Most waste management activities are regulated by *The Waste Management Licensing Regulations (Northern Ireland) 2003*, (as amended). These Regulations determine whether activities need a waste management licence or meet the criteria to allow the activity to be registered as exempt. You can find a list of the exempt activities in Schedule 2, Part I, of the 2003 Regulations. The 2003 regulations have subsequently been amended and a document incorporating these amendments can be found on the NIEA website, at: http://www.ni-environment.gov.uk/final_amended_wml_regs.pdf

For an activity to be considered exempt, it must be undertaken without endangering human health and without using processes or methods which could harm the environment, and in particular without:

- risk to water, air, soil, plants or animals;
- causing nuisance through noise or odours; and
- adversely affecting the countryside or places of special interest.

When to use this application form

Use the application form to:

- register an exemption for the first time;
 - renew an exemption; or
 - vary the details of an existing exemption.
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Registering an exemption

Before you submit your application, make sure you:

- read through the guidance notes and application form;
- answer all the questions on the application form (if any of the questions do not apply, write 'Not Applicable' on the application form);
- send the correct fee with your application form; and
- send all the documents asked for on the checklist in Section 6 of the application form.

New Registration

NIEA must receive the completed application form and all relevant documentation **at least 28 days** before you want to commence the activity. Without these the application will not be processed and the fee may be retained.

Renewal

NIEA will invite you to renew your exemption two months before the current registration expires. If you wish to renew your exemption, you must submit the completed application form and all relevant documentation **at least 28 days** before the expiry date. A renewal application received after a registration has expired will be treated as a new application.

Variation

Complete the application form if you wish to vary an existing registration. NIEA will review the information and decide if a variation is appropriate or if a new application is required. If a new application is appropriate you will be required to submit a fee.

Format of maps and plans

Any maps or plans you send NIEA should:

- be at a scale of at least 1:8000;
- be at least an A4 sheet;
- show the boundaries of the exempted site indicated by a Red-line;
- show the individual locations within that site where each activity is to be carried out eg: storage area, treatment plant etc;
- show the location and specifications of any impermeable pavements, drainage systems of hand standings

Fees

For details of fees see the 'Fees and Charges' document. Cheques should be made payable to the 'Department of the Environment' and crossed 'a/c payee'. **You must include the correct fee with the application, otherwise, all documentation will be returned to you without further processing.**

Where to send your application

Check that you have filled in all the relevant parts of the application form. Send it and the checklisted documents (see Section 6 of the application form) to:

Northern Ireland Environment Agency
Land and Resource Management Unit
Klondyke Building
Cromac Avenue
Gasworks Business Park
Belfast
BT7 2JA

What happens when your application is received?

NIEA will normally give you a decision within 28 days of receiving your **fully completed** application, by sending you either confirmation of your registration or a notice of refusal. In some cases it may be necessary to extend the determination period. In this case NIEA will contact you. If your application is refused NIEA will tell you why. There is no appeal process.

Letting NIEA know about changes during the exempted period

If there are any changes to the activity for which you have received the exemption, you must notify NIEA immediately. You may need to make a new application.

Disclosing information you provide in this application

NIEA has a regulatory responsibility to make certain information available on the public register for all activities that it registers as exempt.

This includes details about:

- the name, address and telephone number of the establishment or undertaking;
- the activity which constitutes the exempt activity; and
- the place or places where the activity is undertaken.

When you are registered

Inspections

All exempted activities will be subject to appropriate periodic inspections by NIEA.

Record Keeping

As a requirement of this exemption and in accordance with [The Controlled Waste \(Duty of Care\) Regulations \(Northern Ireland\) 2002 \(as amended\)](#) you must complete a waste transfer note detailing the:

- nature of the waste;
- quantity of the waste;
- name and address of the producer of the waste;
- name and address of waste carrier;
- waste carrier licence number;
- name and address of destination;
- destination reference number e.g. waste management licence/exemption number, permit number;
- method of waste containment during transport e.g. loose or in a container;
- type of container e.g. skip or tanker; and
- date and time of transfer.

Waste transfer notes must be retained for at least 2 years and you must make them available, on request, to NIEA.

You are also obliged, under The Waste Management Licensing Regulations (Northern Ireland) 2003, (as amended) to retain the following information:

- frequency of collection;
 - mode of transport; and
 - treatment method of any waste which is disposed of or recovered.
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Breach of the Regulations

NIEA may revoke your exemption and your details may be removed from the public register if you are carrying out your activity in breach of the Regulations. NIEA will send you a notice and explain why your registration has been revoked. You may also be liable to enforcement action.

Filling in the application form

Paragraph numbers in this guidance correspond to question numbers on the application form.

Continuation sheets

If you have used continuation sheets for any of your answers, you should tell NIEA how many sheets you are enclosing. Make sure that you label each sheet clearly with:

- the question number it applies to; and
- the number of the sheet, e.g. 3 of 5.

1. Contact details

1.1 Are you?

Tick appropriate box.

1.2 Applicant details

Provide contact details of the person, company, partnership, or other organisation that wishes to register the exempt activity.

1.3 Operator details

Provide contact details of the person, company, partnership, or other organisation that will be carrying out the exempt activity.

If the operator is also the applicant, write 'As applicant'

1.4 Further contact details (if applicable)

Provide contact details of the person, company, partnership or other organisation NIEA can contact with questions about this application.

This can be someone acting as a consultant or an agent for the applicant.

2. About the application

2.1 Type of application

Tick appropriate box.

New Registration

You must notify NIEA, using this form, **at least 28 days** before you wish to commence the activity. In this time NIEA will assess your application and decide whether the activity can be registered as exempt.

Renewal

NIEA will invite you to renew your exemption 2 calendar months before the current registration expires and NIEA must receive the completed application form and all relevant information **at least 28 days** before the current registration expires. An application received after a registration has expired will be deemed a new application.

Variation

Complete the application form and provide all relevant information if you wish to vary an existing registration.

2.2 Details of the current registration

Complete both boxes, if appropriate.

3. About the Activity

3.1 State the exemption paragraph number you wish to apply for as listed in Schedule 2, Part 1 of the Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended)

Complete as appropriate

3.2 Describe the activity you propose to carry out

Complete as appropriate

3.3 About the Waste

Type of waste(s)

Provide a description of the waste(s) to be present onsite, identified by reference to the descriptions in the Column 2 of the relevant appropriate Table in Schedule 2, Part 1 of the Waste Management Licensing Regulations (Northern Ireland) 2003 (*where appropriate*)

Quantity per week (if applicable)

Indicate the total quantity of each waste type which will be processed/stored on site in one week.

Quantity per annum (if applicable)

Indicate the total quantity of each waste type which will be processed/stored onsite in one year.

European Waste Catalogue (EWC) Codes

The codes relevant to this exemption can be found in the Consolidated European Waste Catalogue at [The List of Wastes Regulations \(Northern Ireland\) 2005](#)

Destination of the waste

Indicate the destinations of the waste at the end of the process.

3.4 Additional permit or authorisation required

Tick and complete as appropriate

4. Site location

4.1 Location of the exempt activity

Give the address and the Ordnance Survey Irish grid reference of the location where the exempt activity is to be carried on

4.2 Site plan or map

Provide an appropriate map or plan with your application.

You must provide a map or plan of the locations of the waste storage and where the waste is to be treated showing;

- the boundaries of that place marked in red; and
- the locations within that place at which the exempt activity is to be carried out

If you are both storing and treating waste you only need to supply one map or plan provided it shows details of both activities.

You must also show all of the following that are within 250 metres of the location where the waste is to be stored and/or used:

- the locations of any surrounding/nearby buildings;
- the locations of public rights of way; and
- road/street names.

For information on how you should format maps and plans see 'Format of maps and plans' on page 2.

Minimising risk

To make sure your activity does not have any adverse impacts, you will need to consider the risks and take steps to prevent or minimise their effect upon sensitive receptors.

Further advice on pollution prevention can be found at: www.ni-environment.gov.uk/pollution/ippc.htm or by contacting the NIEA.

Complete as appropriate.

5. Occupancy of the premises or site

Complete as appropriate.

NIEA can only register an exemption if either:

- the activity is undertaken by, or with the consent of the occupier of the premises or site where the activity is carried out; or
- the person carrying out the activity is otherwise entitled to do so on those premises or site.

You must have the written consent of the occupant or owner before carrying out the activity unless you have any other rights that allow you to do this. If you are not the owner or occupier, you must tell NIEA why you are allowed to undertake this activity.

Proof of occupancy may be one of the following:

- **site deeds;**
- **rates invoice/payment;**
- **rent invoice/payment; or**
- **mortgage payment.**

5.1 Do you occupy the premises or site where the exempt activity is to be carried out?

Tick and complete as appropriate

5.2 Do you have the occupant's consent to carry out the exempt activity on the premises or site?

Tick and complete as appropriate

5.3 Occupant's details

Complete as appropriate.

6 Checklist

Complete the checklist and provide details of any continuation sheets used.

7 Declaration

Read and complete as appropriate.

8 Data protection notice

Read the entire section.

Sources of further information and guidance

[The Waste Management Licensing Regulations \(Northern Ireland\) 2003 as updated by NIEA to incorporate subsequent amendments](#)

[The Controlled Waste \(Duty of Care\) Regulations \(Northern Ireland\) 2002 \(Updated by NIEA\)](#)

[NIEA website](#)

Legislation

- The list of Wastes Regulations (Northern Ireland) 2005
- The animal By Products Regulations (Northern Ireland) 2003
- The Environment Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007
- EU Habitats Directive (92/43/EEC)
- The Environment (Northern Ireland) Order 2002
- The Nature Conservation and Amenity Lands (Northern Ireland) Order 1985
- The Industrial Pollution Control (Prescribed Processes and Substances) regulation (Northern Ireland) 1998

Appendix 1

Adapted from the Waste Management Licensing (Northern Ireland) Regulations (2003) for the purpose of this guidance.

SCHEDULE 2 REGULATIONS 1(3) AND 17 **EXEMPTIONS FROM WASTE MANAGEMENT LICENSING** PART I

ACTIVITIES EXEMPT FROM WASTE MANAGEMENT LICENSING

- 2.—(1) The use, under a permit under the 2003 Regulations, of waste glass as part of an activity within Part B of section 3.3 (the manufacture of glass and glass fibre) of Part I of Schedule 1 to the 2003 Regulations if the total quantity of waste glass so used in that activity does not exceed 600,000 tonnes in any period of twelve months.
- (2) The storage, at the place where the activity is carried out, of any such waste which is intended to be so used.
- 4.—(1) The operation, under a permit under the 2003 Regulations, of a scrap metal furnace with a designed holding capacity of less than 25 tonnes to the extent that it is or forms part of an activity within paragraph (a), (b) or (d) of Part C of Section 2.1 (ferrous metals), or paragraph (a) of Part B or paragraph (a) or (b) of Part C of section 2.2 (non-ferrous metals), of Part I of Schedule 1 to the 2003 Regulations.
- (2) The loading or unloading of such a furnace in connection with its operation in a manner covered by the exemption conferred by sub-paragraph (1).
- (3) The storage, at the place where such a furnace is located (but not in cases where that place is used for carrying on business as a scrap metal dealer), of scrap metal intended to be submitted to an operation covered by the exemption conferred by sub-paragraph (1).
5. The carrying on of any of the following operations –
- (a) burning as a fuel at a rate less than one tonne per hour, under an authorisation granted under the Industrial Pollution Control Order or a permit under the 2003 Regulations, of –
 - (i) straw (02 01 03), poultry litter (02 01 06) or wood (02 01 07); or
 - (ii) solid fuel which has been manufactured from waste by a process involving the application of heat (19 12 10), to the extent that it is or forms part of a process within Part B or Part C of any section of Schedule 1 to the 1998 Regulations, or an activity within Part B or Part C of any section of Part I of Schedule 1 to the 2003 Regulations and the feeding of such waste into an appliance in which it is to be burned;
 - (b) the secure storage on any premises of any waste mentioned in sub-paragraph (a) which is intended to be burned as mentioned in that sub-paragraph if –
 - (i) no more than 25 tonnes is stored at any one time; and
 - (ii) no waste is stored there for longer than 1 year.
6. (1) The cleaning, washing, spraying or coating of waste consisting of packaging or containers so that it or they can be reused if the total quantity of such waste so dealt with at any place does not exceed 1,000 tonnes in any period of seven days.
- (2) The storage of waste in connection with the carrying on of any activities described in subparagraph (1) if that storage is at the place where the activity is carried on unless –
- (a) the total quantity of such waste stored at that place exceeds 1,000 tonnes; or
 - (b) more than 1 tonne of metal containers used for the transport or storage of any chemical are dealt with in any period of seven days.
7. (1) Burning waste as a fuel in an appliance if the appliance has a net rated thermal input of less than 0.4 megawatts or, where the appliance is used together with (whether or not it is operated simultaneously with) other appliances, the aggregate net rated thermal input of all the appliances is less than 0.4 megawatts.
- (2) The secure storage on the premises where the burning is to take place of waste intended to be submitted to such burning.
- (3) In this paragraph, “net rated thermal input”, means the rate at which fuel can be burned at the maximum continuous rating of the appliance multiplied by the net calorific value of the fuel and expressed as megawatts thermal.

12. Carrying on at any place, in respect of a kind of waste listed in Table 5, any of the activities specified in that Table in relation to that kind of waste where –
- (a) the activity is carried on with a view to the recovery or reuse of the waste (whether or not by the person carrying on the activity listed in that Table); and
 - (b) the total quantity of any particular kind of waste dealt with at that place does not in any period of seven days exceed the limit specified in relation to that kind of waste in that Table.

Table 5

Kind of waste (week)	Activities	Limit (tonnes per
Waste paper or cardboard	Baling, sorting or shredding	3,000
Waste textiles	Baling, sorting or shredding	100
Waste plastic	Baling, sorting, shredding, densifying or washing	100
Waste glass	Sorting, crushing or washing	1,000
Waste steel cans, aluminium cans or aluminium foil	Sorting, crushing, pulverising, shredding, compacting or baling	100
Waste food or drink cartons	Sorting, crushing, pulverising, shredding, compacting or baling	100

16. (1) The beneficial use of waste if –
- (a) it is put to that use without further treatment; and
 - (b) that use of the waste does not involve its disposal.
- (2) The storage of waste intended to be used in reliance upon the exemption conferred by subparagraph (1) at the site where the waste is to be used insofar as that storage does not amount to disposal of the waste.
- (3) This paragraph does not apply to the use or storage of waste if that activity is covered by an exemption conferred by paragraph 9, 10, 11, 19 or 25, or would be so covered but for any condition or limitation to which that exemption is subject by virtue of any provision contained in the paragraph by which that exemption is conferred.
17. (1) The storage in a secure place on any premises of waste of a kind described in Table 7 if –
- (a) the total quantity of that kind of waste stored on those premises at any time does not exceed the quantity specified in that Table;
 - (b) the waste is to be reused, or used for the purposes of –
 - (i) an activity described in paragraph 12; or
 - (ii) any other recovery operation;
 - (c) each kind of waste listed in the Table stored on the premises is kept separately; and
 - (d) no waste is stored on the premises for longer than twelve months.

Table 7

Kind of waste	Maximum total quantity
Waste paper or cardboard	15,000 tonnes
Waste textiles	1,000 tonnes
Waste plastics	500 tonnes
Waste glass	5,000 tonnes
Waste steel cans, aluminium cans or aluminium foil	500 tonnes
Waste food or drink cartons	500 tonnes
Waste articles which are to be used for construction work which are capable of being so used in their existing state	100 tonnes
Solvents	5 cubic metres
Refrigerants and halons	18 tonnes
Tyres	250 tyres
Waste mammalian protein	100 tonnes
Waste mammalian tallow	100 tonnes

(2) In this paragraph, “refrigerants” means dichlorodifluoromethane, chlorotrifluoromethane, dichlorotetrafluoroethane, chloropentafluoroethane, bromotrifluoromethane, chlorodifluoromethane, chlorotetrafluoroethane, trifluoromethane, difluoromethane, pentafluoroethane, tetrafluoroethane, chlorodifluoroethane, difluoroethane, trichlorofluoromethane, trichlorotrifluoroethane, dichlorotrifluoroethane, dichlorofluoroethane and mixtures containing any of those substances.

(3) In this paragraph “mammalian protein” means proteinaceous material and “mammalian tallow” means fat, which in each case is derived from the whole or part of any dead mammal by a process of crushing, cooking or grinding.

18. (1) The storage on any premises in a secure container or containers of waste of a kind described in sub-paragraph (2) if –

- (a) the storage capacity of the container or containers does not exceed 400 cubic metres in total;
- (b) in the case of waste oil, the storage capacity of any container or containers used for its storage does not exceed 3 cubic metres in total, and provision is made to prevent oil escaping into the ground or a drain;
- (c) there are no more than 20 containers on those premises;
- (d) the waste will be reused, or used for the purposes of –
 - (i) any activity described in paragraph 12 carried on at those premises; or
 - (ii) any other recovery activity;
- (e) each kind of waste described in sub-paragraph (2) stored on the premises is kept separately;
- (f) no waste is stored on the premises for longer than twelve months; and
- (g) the person storing the waste is the owner of the container or has the consent of the owner.

(2) Sub-paragraph (1) applies to the following kinds of waste –

- (a) any waste described in paragraph 17 other than waste solvents, refrigerants or halons; and
- (b) waste oil.

20. (1) Laundering or otherwise cleaning waste textiles with a view to their recovery or reuse.

(2) The storage of waste textiles at the place where they are to be so laundered or cleaned.

21. (1) Chipping, shredding, cutting or pulverising waste plant matter (including wood or bark), or sorting and baling sawdust or wood shavings, on any premises if –

- (a) those activities are carried on for the purposes of recovery or reuse; and
- (b) no more than 1,000 tonnes of such waste are dealt with on those premises in any period of seven days.

(2) The storage of waste in connection with any activity mentioned in sub-paragraph (1) at the premises where it is carried on if the total amount of waste stored at those premises does not at any time exceed 1,000 tonnes.

22. (1) The recovery, at any premises, of silver from waste produced in connection with printing or photographic processing if no more than 50,000 litres of such waste are dealt with on those premises in any day.

(2) The storage, at those premises, of waste which is to be submitted to such a recovery operation as is mentioned in sub-paragraph (1).

23. (1) The recovery of waste consisting of animal by-products at one of the collection centres in accordance with an authorisation under regulation 27 of the Animal By-Products Regulations (Northern Ireland) 2003 if the total quantity of waste being recovered at that collection centre at any time does not exceed 10 tonnes.

(2) The storage of the waste intended to be submitted to such a recovery operation as is mentioned in sub-paragraph (1) if—

- (a) storage takes place in a secure place; and
- (b) no waste is stored for more than twelve months.

(3) In this paragraph, “collection centres” has the same meaning as in the Community Regulation.

24. (1) Crushing, grinding or other size reduction of waste bricks, tiles or concrete, under an authorisation granted under the Industrial Pollution Control Order, to the extent that it is or forms part of a process within paragraph (b) of Part C of section 3.4 (other mineral processes) of Schedule 1 to the 1998 Regulations or under a permit under the 2003 Regulations, to the extent that it is or forms part of an activity within paragraph (a) of Part B of section 3.5 (other mineral activities) of Part I of Schedule 1 to the 2003 Regulations.

- (2) Where any such crushing, grinding or other size reduction is carried on otherwise than at the place where the waste is produced, the exemption conferred by sub-paragraph (1) only applies if those activities are carried on with a view to recovery or reuse of the waste.
- (3) The storage, at the place where the process is carried on, of any such waste which is intended to be so crushed, ground or otherwise reduced in size, if the total quantity of such waste so stored at that place at any one time does not exceed 20,000 tonnes.
25. (1) Subject to sub-paragraphs (2) to (4), the deposit of waste arising from dredging inland waters, or from clearing plant matter from inland waters, if either –
- (a) the waste is deposited along the bank or towpath of the waters where the dredging or clearing takes place; or
 - (b) the waste is deposited along the bank or towpath of any inland waters so as to result in benefit to agriculture or ecological improvement.
- (2) The total amount of waste deposited along the bank or towpath under sub-paragraph (1) on any day must not exceed 50 tonnes for each metre of the bank or towpath along which it is deposited.
- (3) Sub-paragraph (1) does not apply to waste deposited in a container or lagoon.
- (4) Sub-paragraph (1)(a) only applies to an establishment or undertaking where the waste deposited is the establishment or undertaking's own waste.
- (5) The treatment by screening or dewatering of such waste as is mentioned in sub-paragraph (1) –
- (a) on the bank or towpath of the waters where either the dredging or clearing takes place or the waste is to be deposited, prior to its being deposited in reliance upon the exemption conferred by the foregoing provisions of this paragraph;
 - (b) on the bank or towpath of the waters where the dredging or clearing takes place, or at a place where the waste is to be spread, prior to its being spread in reliance upon the exemption conferred by paragraph 9(1) or (2); or
 - (c) in the case of waste from dredging, on the bank or towpath of the waters where the dredging takes place, or at a place where the waste is to be spread, prior to its being spread in reliance upon the exemption conferred by paragraph 11(1).
26. (1) The recovery or disposal of waste, at the place where it is produced, as an integral part of the process that produces it.
- (2) The storage, at the place where it is produced, of waste which is intended to be so recovered or disposed of.
- (3) Sub-paragraph (1) does not apply to the final disposal of waste by deposit in or on land.
29. (1) The disposal of waste at the place where it is produced, by the person producing it, by burning it in an incinerator which is an exempt incinerator for the purposes of section 5.1 (incineration) of Schedule 1 to the 1998 Regulations.
- (2) The secure storage at that place of any such waste intended to be submitted to such burning.
30. (1) Subject to sub-paragraph (2), burning waste on land in the open if –
- (a) the waste consists of plant tissue;
 - (b) it is agricultural waste or it is produced on land which is operational land of a railway, light railway, tramway, or any Government Department, or which is a forest, woodland, park, garden, verge, landscaped area, sports ground, recreation ground, bank of inland waterway, churchyard or cemetery, or it is produced on other land as a result of demolition work;
 - (c) it is burned on the land where it is produced; and
 - (d) the total quantity burned in any period of 24 hours does not exceed 10 tonnes.
- (2) Sub-paragraph (1) only applies to the burning of waste by an establishment or undertaking where the waste burned is the establishment or undertaking's own waste.
- (3) The storage pending its burning, on the land where it is to be burned, of waste which is to be burned in reliance upon the exemption conferred by sub-paragraph (1).
- (4) For the purposes of this paragraph "plant tissue" includes any linseed residues, oil-seed rape residues, field beans harvested dry residues, peas harvested dry residues, cereal straw or cereal stubble.

31. The discharge of waste onto the track of a railway from a sanitary convenience or sink forming part of a vehicle used for the carriage of passengers on the railway if the discharge in question does not exceed 25 litres.
34. (1) The keeping or deposit on land at the place where it is produced of spent ballast if the land is operational land of a railway, light railway or tramway and the total amount kept or deposited at that place does not exceed 10 tonnes for each metre of track from which the ballast derives.
- (2) Sub-paragraph (1) only applies to the keeping or deposit of waste by an establishment or undertaking where the waste kept or deposited is the establishment or undertaking's own waste.
36. 1) The temporary storage of waste consisting of garbage, at waste reception facilities subject to and in accordance with the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003(b), where such storage is incidental to the collection or transport of the waste and so long as –
- (a) the amount of garbage so stored at such waste reception facilities at any time does not exceed 20 cubic metres for each ship from which garbage has been landed; and
- (b) no garbage is so stored for more than seven days.
- (2) The temporary storage of waste consisting of tank washings, at waste reception facilities subject to and in accordance with the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003, where such storage is incidental to the collection or transport of the waste and so long as –
- (a) the amount of tank washings consisting of dirty ballast so stored at such waste reception facilities at any time does not exceed 30% of the total deadweight of the ships from which such washings have been landed;
- (b) the amount of tank washings consisting of waste mixtures containing oil so stored at such waste reception facilities at any time does not exceed 1% of the total deadweight of the ships from which such washings have been landed.
- (3) In this paragraph –
- “garbage” and “tank washings” have the same meaning as in paragraph 20(2) of Schedule 3 to the Controlled Waste Regulations (Northern Ireland) 2002(c);
- “ship” means a vessel of any type whatsoever operating in the marine environment including submersible craft, floating craft and any structure which is a fixed or floating platform.
40. (1) The storage, pending its collection or transport, of non-liquid waste at any site other than the premises where it is produced including the temporary storage of WEEE pending its recovery if –
- (a) it is stored in a secure container or containers, does not at any time exceed 50 cubic metres in total and is not kept for a period longer than 3 months;
- (b) the person storing the waste is the owner of the container or has the consent of the owner; and
- (c) the container in which it is stored is not on a site which is otherwise being used for the reception of waste with a view to its being disposed of or recovered elsewhere.
- (2) Sub-paragraph (1) does not apply to the storage of waste at a place used for the recovery of scrap metal or the dismantling of waste motor vehicles.
- (3) The temporary storage, pending their collection or transport, of scrap rails on operational land of a railway, light railway or tramway if the total quantity of that waste in any one place does not at any time exceed 10 tonnes.
44. (1) Heating iron, steel or any ferrous-alloy, non-ferrous metal or non-ferrous metal alloy, in one or more furnaces or other appliances the primary combustion chambers of which have in aggregate a net rated thermal input of less than 0.2 megawatts, for the purpose of removing grease, oil or any other nonmetallic contaminant.
- (2) Sub-paragraph (1) does not apply to the removal by heat of plastic or rubber covering from scrap cable or of any asbestos contaminant.
- (3) In the case of a process involving the heating of iron, steel or any ferrous-alloy, sub-paragraph (1) does not apply if that process is related to a process described in any of paragraphs (a) to (h), or (j) to (l), of Part A or paragraphs (a), (b), (e) or (f) of Part B or paragraphs (a), (b) or (c) of Part C of section 2.1 of Schedule 1 to the 1998 Regulations or an activity described in section 2.1 (other than in paragraph (d) of Part C) of Part I of Schedule 1 to the 2003 Regulations.
- (4) In the case of a process involving the heating of any non-ferrous metal or non-ferrous metal alloy, sub-paragraph (1) does not apply if that process is related to a process described in any of paragraphs (a) to (g), or (j) or (k), of Part A of section 2.2 of Schedule 1 to the 1998 Regulations or an activity described in Part A of section 2.2 of Part I of Schedule 1 to the 2003 Regulations.

(5) The secure storage at the premises where the heating is to take place of waste intended to be submitted to heating to which sub-paragraph (1) applies if the waste or, as the case may be, any container in which the waste is stored, is stored on an impermeable pavement.

(6) In this paragraph, “net rated thermal input” means the rate at which fuel can be burned at the maximum continuous rating of the appliance multiplied by the net calorific value of the fuel and expressed as megawatts thermal.

(7) In this paragraph, “ferrous alloy” means an alloy of which iron is the largest constituent, or equal to the largest constituent, by weight, whether or not that alloy also has a non-ferrous metal content greater than any percentage specified in section 2.2 of Schedule 1 to the 1998 Regulations, or as the case may be, section 2.2 of Schedule 1 to the 2003 Regulation and “non-ferrous metal alloy” shall be construed accordingly.

46. (1) Subject to the following provisions of this paragraph and any limitation set down in Column 3 of Table 11

- (a) the recovery within the curtilage of a water treatment works of waste from water treatment if the total quantity of waste which is accepted in any period of twelve months does not exceed 10,000 cubic metres;
- (b) the secure storage within the curtilage of a water treatment works of waste intended to be submitted to the activities mentioned in sub-paragraph (a);
- (c) the recovery of waste within the curtilage of a sewage treatment works where the total quantity of waste accepted at a sewage treatment works in any period of 12 months does not exceed 100,000 cubic metres; and
- (d) the secure storage within the curtilage of a sewage treatment works of waste intended to be submitted to the activities mentioned in sub-paragraph (c).

(2) Sub-paragraphs (1)(a) and (b) apply to only those wastes identified by EWC Code in Column 1 of Part 1 of Table 11 and referred to in Column 2 of that Table and sub-paragraphs (1)(c) and (d) apply to any of those wastes listed by EWC Code in Column 1 of Table 11 and referred to in Column 2 of that Table.

(3) The recovery and storage operation takes place on an impermeable pavement.

Table 11

EWC Code	Types of waste	Limitation
PART I - Wastes from the preparation of water intended for human consumption or water for industrial use (19 09)		
19 09 01	solid waste from primary filtration and screenings	Screenings only
19 09 02	sludges from water clarification	
19 09 03	sludges from decarbonation	
19 09 06	solutions and sludges from regeneration of ion exchangers	
PART II - Wastes from waste water treatment plants not otherwise specified (19 08)		
19 09 05	sludges from treatment of urban waste water Other municipal wastes (20 03)	
19 09 04	Septic tank sludge	
19 09 99	Municipal waste not otherwise specified	cesspool waste and other sewage sludge not described elsewhere in this table only

47. (1) Subject to sub-paragraphs (2) to (4), the burning at a dock of waste consisting of –

- (a) plant tissue waste, in pursuance of a notice given under Article 22 of the Plant Health Order (Northern Ireland) 1993(a);
- (b) wood of any kind used to wedge or support parts of cargo, including packing material, spacers and pallets, in pursuance of a notice given under Article 20 of the Plant Health (Wood and Bark) Order (Northern Ireland) 1993(a).

- (2) The storage at the dock where it was unloaded of waste intended to be burned under sub-paragraph(1).
- (3) The total quantity of waste stored, or burned in any period of 24 hours, shall not exceed 15 tonnes.
- (4) The waste shall be burnt on a hardstanding within a secure location at the dock where it was unloaded.

Notes

Notes

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