

## Short Guidance

### Paragraph 30 Burning Waste on Land in the Open.

A guide to the legislation is given below. Read through this to help you decide if this exemption covers the type of activity that you wish to undertake.

#### Exempted activity

Paragraph 30 allows the burning of Plant Tissue<sup>1</sup> waste on land in the open and the storage of this waste on land where it is to be burned pending it's burning.

#### Waste Stream(s) Permitted

Plant tissue

#### Quantity

The total quantity of waste burned in any period of 24 hours must not exceed 10 tonnes.

#### Storage and location

Storage must be on the land where the waste is intended to be burned.

#### Additional Conditions

- Waste must be burned on the land where it is produced.
- The waste must be produced on land which is operational land<sup>2</sup> 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 an inland waterway, churchyard or cemetery or on other land as a result of demolition work.
- Waste must only be burned by an establishment or undertaking where it is the establishment or undertaking's own waste

#### Interpretation

<sup>1</sup> "Plant tissue" means tissue from a plant and includes any linseed residues, oil-seed rape residues, field beans harvested dry residues, peas harvested dry residues, cereal straw or cereal stubble.

"Plant" has the same meaning as in Article 2 of the Plant Health Order (Northern Ireland) 2006 and means a living plant (including a fungus, tree or shrub), or a living part of a plant (including a living part of a fungus, tree or shrub), at any stage of growth; and living parts of a plant shall include: fruit or seed, vegetables, other than those preserved by deep freezing, tubers, corms, bulbs or rhizomes, cut flowers, branches with or without foliage, a plant, tree or shrub that has been cut and which retains any foliage, leaves or foliage, a plant, tree or shrub in tissue culture, live pollen, and bud wood, cuttings or scions. [www.opsi.gov.uk/sr/sr2006/nisr\\_20060082\\_en.pdf](http://www.opsi.gov.uk/sr/sr2006/nisr_20060082_en.pdf)

<sup>2</sup> "Operational Land" has the meaning given by Article 2 of the Planning (General Development) Order (Northern Ireland) 1993.

### What the legislation says

The full wording of the paragraph 30 exemption can be found in Schedule 2 of the Waste Management Licensing Regulations (Northern Ireland) 2003. These Regulations have been amended a number of times. A document containing subsequent legislative updates can be found on the [NIEA website](#).

**Relevant Objectives** in relation to the disposal or recovery of waste are given in paragraph 4 of Schedule 3 to the Regulations.

If you think that you can meet the requirements of the paragraph 30 exemption and wish to proceed with the registration please contact:-

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