

WMX 49 – Guidance notes



**Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended),
Schedule 2, Part I, Paragraph 49.**

**Guidance for registering an exempt activity: The Repair, Refurbishment, and Storage
of Waste Electrical and Electronic Equipment (WEEE).**

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Interpretation

Impermeable pavement means a pavement in the area where a waste recovery or storage operation takes place 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.

This guidance relates to the exemption for the repair and refurbishment of WEEE of waste under **Paragraph 49**, Schedule 2, Part I of The Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended). See tables 11A and 11B in Appendix 1 for a list of specified waste.

For certain exemptions, including Paragraph 49, you must register the exemption with the Land and Resource Management Unit of the Northern Ireland Environment Agency (NIEA) acting on behalf of the Department of the Environment. The exemption lasts for 12 months from the start date of the registration. You will then have to renew it if you want to continue the activity. **It is an offence to carry out a Paragraph 49 exempt activity without being registered.**

When to use this application form

Use the application form WMX 49 to:

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

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 area covered by your application;
- identify public rights of way, houses, schools, workplaces and recreation facilities;
- indicate road/street names; and
- use colour or hatching to highlight specific areas.

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
1st Floor Klondyke Building
Cromac Avenue
Gasworks Business Park
Lower Ormeau Road
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

An initial inspection may be carried out by NIEA within one month of the exemption being granted. Thereafter periodic inspections shall be carried out at intervals not exceeding 12 months.

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 keep the following information:

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

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 WMX 49.

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

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 waste

General Technical Requirements

Sites for storage (including temporary storage) of WEEE must have:

- an impermeable pavement with the provision of spillage collection facilities and, where appropriate, decanters and cleanser-degreasers;
- weatherproof covering.

Sites for the treatment of WEEE must have:

- balances to measure the weight of the treated waste;
- an impermeable pavement and waterproof covering for appropriate areas with the provision of spillage collection facilities and, where appropriate, decanters and cleanser-degreasers;
- appropriate storage for disassembled spare parts;
- appropriate containers for storage of batteries, PCBs/PCTs containing capacitors and other hazardous waste such as radioactive waste;
- equipment for the treatment of water in compliance with health and environmental regulations.

3.1 Details of the waste(s) you propose to store and treat.

Complete as appropriate.

Only waste described in Tables 11A and 11B may be treated or stored. (See Appendix 1) Waste descriptions can be found at:

<http://www.opsi.gov.uk/sr/sr2005/20050301.htm>

The total quantity of waste to be stored and treated must not exceed the limits given in tables 11A and 11B.

No waste may be stored for more than 12 months.

3.2 Details of the storage and treatment

Complete as appropriate

Treatment must be carried on with a view to the reuse of the WEEE for its original purpose.

All wastes must be stored at the place where the activity is to be carried out.

The WEEE must be stored in such a way that its environmentally sound reuse or recycling is not hindered.

The waste must be stored and treated in a manner that will prevent the release of CFCs, HCFCs and HFCs.

Best available treatment, recovery and recycling techniques must be used when carrying out the activity.

Degassing and capture of ozone depleting substances must not be carried out.

4. About the site

4.1 Where will the activity be carried out?

Give the address and the Ordnance Survey Irish grid reference of the location where the treatment and storage is to be carried out.

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 3.

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: <http://www.ni-environment.gov.uk/pollution/ippc.htm> or by contacting NIEA.

4.3 Pollution Risk Assessment

Provide an appropriate risk assessment with your application.

The application must be supported by a risk assessment that identifies:

- the source of any hazards associated with the activity e.g. *battery acid*
- the receptors likely to be affected e.g. *humans*
- the pathway between the two e.g. *surface water*
- the magnitude of the risk; and
- the steps that will be taken to minimise or mitigate the risks e.g. *Provide secure containment and spillage collection facilities.*

A risk assessment template, along with notes on completing it, is included in Appendix 2 of these guidance notes. If this is correctly filled out, it will provide sufficient information to assess whether or not your proposed

activity is likely to endanger human health or use processes or methods which could harm the environment. You may need to make additional copies of the template to address all issues. A guide to risk assessment is available at Defra's website at: <http://www.defra.gov.uk/environment/risk/eramguide/index.htm>

Any receptor identified in the risk assessment must be marked on the map or plan (see question 4.2).

5. Occupancy of the land

NIEA can only register an exemption if either:

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

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 land where the treatment or storage activity is to be carried out?

Complete as appropriate

5.2 Do you have the occupant's consent to carry out the activity?

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 the entire section 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](#)

www.ni-environment.gov.uk

[Directive 2002/96/EC of 27 January 2003 on waste electrical and electronic equipment \(WEEE\)](#)

Legislation

Waste Electrical and Electronic Equipment (Waste Management Licensing) Regulations (Northern Ireland) 2006

The Hazardous Waste Regulations (Northern Ireland) 2005

The Waste Management Licensing Regulations (Northern Ireland) 2003

The Waste Management Licensing Regulations (Northern Ireland) 2006

Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002

Environment (Northern Ireland) Order 2002

Appendix 1

Table 11A

Kind of waste	Storage limits	Treatment limits
16 02 14 (WEEE other than those mentioned in 16 02 09 to 16 02 13)	80 cubic metres	5 tonnes per day
20 01 36 (WEEE other than those mentioned in 20 01 21, 20 01 23 and 20 01 35)	80 cubic metres	5 tonnes per day

Table 11B

Kind of waste	Storage limits	Treatment limits	Other Requirements
16 02 11* (WEEE containing chlorofluorocarbons, HCFC, HFC) and 20 01 23* (WEEE containing chlorofluorocarbons)	80 cubic metres	5 tonnes per day	Stored and treated in a manner that will prevent the release of the CFCs, HCFCs or HFCs
Television and computer monitors containing cathode ray tubes falling within 16 02 13* (WEEE containing hazardous components other than those mentioned in 16 02 09 to 16 02 12) and 20 01 35* (WEEE other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components)	80 cubic metres	5 tonnes per day	

*An asterisk against an EWC code indicates that these wastes are hazardous. If you handle hazardous waste under this exemption you may have additional obligations under [The Hazardous Waste Regulations \(Northern Ireland\) 2005](#).

Appendix 2

Guidance on completing the risk assessment template

Examples are given of some of the common receptors, sources etc. that you may need to consider. These are not exclusive lists and you may need to consider others that are relevant to your particular circumstances.

Receptors to consider should include: surface waters, groundwater, wells and boreholes, soil, humans, wildlife and their habitats. A single receptor may be at risk from several different sources and all must be addressed.

The source of hazard will be the material proposed to be used because its characteristics could, in certain circumstances, cause harm, e.g. potentially toxic elements or compounds, pathogens, excessive acidity or alkalinity, or malodorous substances.

Harm could include: human health effects, noise nuisance, dust nuisance, odour nuisance, plant disease or toxic effects, deterioration of water quality, or fish deaths.

Pathways to consider include: direct run-off or infiltration of liquids or soluble components, transport via land-drains or water (e.g. surface water or groundwater that is a receptor may also be a pathway to a different receptor such as an environmentally sensitive site or water supply borehole), airborne transport of fine or volatile materials, ingestion and direct contact.

Probability of exposure is the likelihood of the receptors being exposed to the hazard. Example definitions:

- High - exposure is probable: direct exposure likely with no/few barriers between hazard source and receptor;
- Medium - exposure is fairly probable: barriers to exposure less controllable;
- Low - exposure is unlikely: several barriers exist between hazard source and receptors to mitigate against exposure; and
- Very low - exposure is very unlikely: effective, multiple barriers in place to mitigate against exposure.

The consequences of a hazard being realised may be actual or potential harm. Example definitions:

- High – the consequences are severe: sufficient evidence that short or long-term exposure may result in serious damage;
- Medium – consequences are significant: sufficient evidence that exposure to hazard may result in damage that is not severe in nature and reversible once exposure ceases (e.g. irritant);
- Low – consequences are minor: damage not apparent though reversible adverse changes may occur; and
- Very low – consequences are negligible: no evidence of adverse changes following exposure.

Magnitude of the risk is determined by combining the probability with the magnitude of the potential consequences. Use the matrix below to categorise as high, medium, low or very low.

High risks require additional assessment and active management; medium risks require additional assessment and may require active management/monitoring; low and very low risks require periodic review.

Risk management techniques to consider may include: only carrying out the activity under certain weather conditions or at certain times, avoiding using the waste close to sensitive receptors, and appropriate choice of storage method.

		Consequences			
		Very Low	Low	Medium	High
Probability	High	Low	Medium	High	High
	Medium	Low	Medium	Medium	High
	Low	Low	Low	Medium	Medium
	Very Low	Very Low	Low	Low	Low

Appendix 2 (continued)

Risk assessment template

Risk assessment for proposed activity at.....

Risk assessment carried out by..... Date.....

Data			Judgement				Action		
Receptor What is at risk? What do I wish to protect?	Source The agent or process with potential to cause harm	Harm The harmful consequences if things go wrong	Pathway How the receptor might come into contact with the source	Probability of Exposure How likely is this contact?	Consequence of the consequences if this occurs	Magnitude of risk The overall magnitude of the risk	Justification for Magnitude Basis of my judgement	Risk management How I can best manage the risk to reduce the magnitude	Residual risk Magnitude of the risk after the management
EXAMPLE Human health	PCBs in transformers or capacitors	Chloracne	Leakage from equipment	Medium	Medium	Medium	Nature of the process	Provide secure containment and spillage collection facilities	Low

Notes

Northern Ireland Environment Agency
Klondyke Building
Cromac Avenue
Gasworks Business Park
Belfast BT7 2JA
T. 0845 302 0008

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