

SCHEDULE 2

EXEMPTIONS FROM WASTE MANAGEMENT LICENSING

PART I

ACTIVITIES EXEMPT FROM WASTE MANAGEMENT LICENSING

1.—(1) The use, under an authorisation granted under the Industrial Pollution Control Order, of waste glass as part of a process within Part B of section 3.5 (glass manufacture and production) of Schedule 1 to the 1998 Regulations if the total quantity of waste glass so used in that process does not exceed 600,000 tonnes in any period of twelve months.

(2) The storage, at the place where the process is carried on, of any such waste which is intended to be so used.

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.

3.—(1) The operation, under an authorisation granted under the Industrial Pollution Control Order, 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 a process within paragraphs (b), (e) or (f) of Part B or paragraphs (a), (b) or (d) of Part C of section 2.1 (iron and steel), or paragraphs (a), (b) or (c) of Part B or paragraphs (a) or (b) of Part C of section 2.2 (non-ferrous metals), of Schedule 1 to the 1998 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).

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, under an authorisation granted under the Industrial Pollution Control Order or a permit under the 2003 Regulations, of –

(i) straw, poultry litter or wood;

(ii) waste oil; or

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (iii) solid fuel which has been manufactured from waste by a process involving the application of heat,
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;
- (b) the secure storage on the premises where the waste is to be burnt of any wastes mentioned in sub-paragraph (a), other than waste oil, which are intended to be burned as mentioned in that sub-paragraph;
- (c) the secure storage of waste oil at the place where it is to be burnt for a period not exceeding twelve months if the waste oil is intended to be submitted to an operation covered by the exemption conferred by sub-paragraph (a);
- (d) burning as a fuel, under an authorisation granted under the Industrial Pollution Control Order or a permit under the 2003 Regulations, of tyres to the extent that it is or forms part of a process within Part C of Section 1.3 of Schedule 1 to the 1998 Regulations or an activity within Part C of Section 1.1 of Part I of Schedule 1 to the 2003 Regulations;
- (e) the shredding of tyres at the place where they are to be burnt if they are intended to be burned as mentioned in sub-paragraph (d);
- (f) the storage in a secure place on the premises where the waste is to be burnt of tyres where –
 - (i) the tyres are intended to be submitted to an operation covered by the exemption conferred by sub-paragraph (d);
 - (ii) the tyres are stored separately;
 - (iii) none of the tyres is stored on the premises for longer than twelve months; and
 - (iv) the number of the tyres stored on the premises at any one time does not exceed 1,000.

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 sub-paragraph (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.

8.—(1) Burning waste oil as a fuel in an engine of an aircraft, hovercraft, mechanically propelled vehicle, railway locomotive, ship or other vessel if the total amount burned of such waste does not exceed 2,500 litres an hour in any one engine.

(2) The storage, in a secure container, of waste oil intended to be so burned.

9.—(1) Subject to sub-paragraph (3) and any limitation set down in Column 3 of Table 3, the treatment of waste –

- (a) identified by EWC Code in Column 1 of Table 3 and referred to in Column 2 of that Table, on land used for agriculture where such treatment results in benefit to agriculture or ecological improvement; or
- (b) listed in Part I of Table 3 and identified by EWC Code in Column 1 of Table 3 and referred to in Column 2 of that Table for the treatment of –
 - (i) operational land of a railway, light railway, or any Government Department; or
 - (ii) land which is a forest, woodland, park, garden, verge, bank of an inland waterway, landscaped area, sports ground, recreation ground, churchyard or cemetery,
 where the land in question is not used for agriculture and such treatment results in ecological improvement.

(2) The storage, in a secure container, lagoon or place, at the place where it is to be treated, of not more than 1000 cubic metres of waste intended to be used in reliance upon the exemption conferred by sub-paragraph (1), provided that the waste is not stored at a distance less than –

- (a) 10 metres from any waterway;
- (b) 50 metres from any spring or well, or from any borehole not used for a public water supply; or
- (c) 250 metres from any borehole used for a public water supply.

(3) Sub-paragraphs (1) and (2) apply only if –

- (a) no more than 250 tonnes or, in the case of dredgings from inland waters, 5,000 tonnes of waste per hectare are spread on the land in any period of twelve months; and
- (b) in the case of blood and gut contents, the waste has been treated in accordance with the Community Regulation.

(4) In this paragraph and paragraph 10, “agriculture” has the same meaning as in section 43 of the Agriculture Act (Northern Ireland) 1949⁽¹⁾ and for the purposes of this paragraph, waste is subject to treatment only when it is spread on land or is injected or otherwise introduced into the surface of that land.

Table 3

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
PART I		
	<i>Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing</i> <i>(02 01)</i>	
02 01 03	plant-tissue waste	
	<i>Wastes from sugar processing</i> <i>(02 04)</i>	
02 04 01	soil from cleaning and washing beet	

⁽¹⁾ 1949 c. 2 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	<i>Wastes from wood processing and the production of panels and furniture (03 01)</i>	
03 01 01	waste bark and cork	
03 01 05	Sawdust, shavings, cuttings, wood, particle board or veneer other than those mentioned in 03 01 04	Except whole wood, particle board and plastic veneer
	<i>Wastes from pulp, paper and cardboard production and processing (03 03)</i>	
03 03 01	waste bark and wood	
	<i>Soil (including excavated soil from contaminated sites), stones and dredging spoil (17 05)</i>	
17 05 04	soil and stones other than those mentioned in 17 05 03	
	<i>Wastes from aerobic treatment of solid wastes (19 05)</i>	
19 05 03	off-specification compost	consisting only of biodegradable waste
	<i>Garden and park wastes (including cemetery waste) (20 02)</i>	
20 02 01	biodegradable waste	
20 02 02	soil and stones	
PART II		
	<i>Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing (02 01)</i>	
02 01 99	Waste not otherwise specified	Straw, wood or paper – based bedding waste, slurry or dirty water from stables, zoos, animal parks or livestock markets only
	<i>Wastes from the preparation and processing of meat, fish and other foods of animal origin (02 02)</i>	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
02 02 03	Materials unsuitable for consumption or processing	Blood and gut contents from abattoirs or poultry preparation plants only
	<i>Wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production; molasses preparation and fermentation (02 03)</i>	
02 03 01 to 02 03 05	All types within 02 03 01 to 02 03 05	
	<i>Wastes from sugar processing (02 04)</i>	
02 04 01 to 02 04 03	All types within 02 04 01 to 02 04 03	
	<i>Wastes from the dairy products industry (02 05)</i>	
02 05 01 to 02 05 02	All types within 02 05 01 to 02 05 02	
	<i>Wastes from the baking and confectionery industry (02 06)</i>	
02 06 01 to 02 06 03	All types within 02 06 01 to 02 06 03	
	<i>Wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa) (02 07)</i>	
02 07 01 to 02 07 05	All types within 02 07 01 to 02 07 05	
	<i>Wastes from pulp, paper and cardboard production and processing (03 03)</i>	
03 03 05	De-inking sludges from paper recycling	
03 03 09	lime mud waste	
03 03 99	Waste not elsewhere specified	De-inked paper pulp from paper recycling
	<i>Wastes from the leather and fur industry (04 01)</i>	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
04 01 07	sludges, in particular from on-site effluent treatment free of chromium	
	<i>Wastes from the textile industry (04 02)</i>	
04 02 10	organic matter from natural products (for example grease, wax)	
04 02 15	Wastes from finishing other than those mentioned in 04 02 14	
04 02 20	sludges from on-site effluent treatment other than those mentioned in 04 02 19	
04 02 21	Wastes from unprocessed textile fibres	
04 02 22	Wastes from processed textile fibres	
	<i>Wastes from manufacture of cement, lime and plaster and articles and products made from them (10 13)</i>	
10 13 04	Wastes from calcination and hydration of lime	
	<i>Soil (including excavated soil from contaminated sites), stones and dredging spoil (17 05)</i>	
17 05 06	dredging spoil other than those mentioned in 17 05 05	
	<i>Wastes from anaerobic treatment of waste (19 06)</i>	
19 06 03	liquor from anaerobic treatment of municipal waste	
19 06 04	digestate from anaerobic treatment of municipal waste	
19 06 05	liquor from anaerobic treatment of animal and vegetable waste	
19 06 06	digestate from anaerobic treatment of animal and vegetable waste	

<i>EWG Code</i>	<i>Types of waste</i>	<i>Limitation</i>
19 09 02	Sludges from water clarification	<i>Wastes from the preparation of water intended for human consumption or for industrial use (19 09)</i>

10.—(1) The spreading of sludge on land which is not agricultural land within the meaning of the 1990 Regulations⁽²⁾ if –

- (a) it results in ecological improvement or in the case of spreading on land used for non-food crops not grown in short term rotation with food crops, it results in benefit to agriculture; and
- (b) it does not cause the concentration in the soil of any of the elements listed in column 1 of the soil table set out in Schedule 2 to the 1990 Regulations to exceed the limit specified in column 2 of the table.

(2) Subject to sub-paragraph (3), the storage in a secure container or lagoon (or, in the case of dewatered sludge, in a secure place) on land –

- (a) of sludge which is to be used in accordance with the 1990 Regulations;
- (b) of sludge intended to be spread in reliance upon the exemption conferred by sub-paragraph (1).

(3) Sub-paragraph (2) applies only if the following conditions are satisfied –

- (a) the sludge is stored at the place where it is to be spread;
- (b) no sludge is stored at a distance less than –
 - (i) 10 metres from any waterway;
 - (ii) 50 metres from any spring or well, or from any borehole not used for a public water supply; or
 - (iii) 250 metres from any borehole used for a public water supply; and
- (c) no sludge shall be stored for a period of more than six months.

(4) In this paragraph –

“the 1990 Regulations” means the Sludge (Use in Agriculture) Regulations (Northern Ireland) 1990⁽³⁾;

“used”, in relation to sludge, has the meaning given by regulation 2(1) of the 1990 Regulations; and

“agriculture” has the same meaning as in the 1990 Regulations.

(5) In this paragraph, and in paragraph 11, “sludge” has the meaning given by regulation 2(1) of the 1990 Regulations and “spreading” shall include the injection of sludge into the surface of the land.

11.—(1) Subject to the following provisions of this paragraph and any limitation set down in Column 3 of Table 4, the spreading of any of the wastes –

- (a) identified by EWG Code in Column 1 of Part I of Table 4 and referred to in Column 2 of that Table on any land; or

⁽²⁾ See regulation 2(1) of the 1990 Regulations

⁽³⁾ S.R. 1990 No. 245

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) identified by EWC Code in Column 1 of Part II of Table 4 and referred to in Column 2 of that Table on any land where that activity results in benefit to agriculture or ecological improvement.
- (2) The secure storage, for a period not exceeding six months at the place where it is to be spread, of waste intended to be spread in reliance upon sub-paragraph (1)(a) or (b).
- (3) Sub-paragraphs (1) and (2) apply only where –
 - (a) the spreading is carried out for the purpose of reclamation, restoration or improvement of land which has been subject to industrial or other man made development and the use to which that land could be put would be improved by the spreading;
 - (b) the spreading is carried out in accordance with any planning permission where such a permission is required;
 - (c) the waste is spread to a depth not exceeding the lesser of 2 metres or the final cross sections shown on any plan required to be submitted in accordance with regulation 19 and Part II to this Schedule; and
 - (d) the waste spread does not exceed 20,000 cubic metres per hectare.

Table 4

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
PART I		
	<i>Wastes from physical and chemical processing of non-metalliferous minerals (01 04)</i>	
01 04 08	waste gravel and crushed rocks other than those mentioned in 01 04 07	
01 04 09	waste sand and clays	
	wastes from sugar processing (02 04)	
02 04 01	soil from cleaning and washing beet	
	<i>Wastes from power stations and other combustion plants (except 19) (10 01)</i>	
10 01 01	bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04)	Bottom ash and slag only
	<i>Wastes from manufacture of ceramic goods, bricks, tiles and construction products (10 12)</i>	
10 12 08	waste ceramics, bricks, tiles and construction products (after thermal processing)	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWG Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	<i>Wastes from manufacture of cement, lime and plaster and articles and products made from them (10 13)</i>	
10 13 14	waste concrete and concrete sludge	
	<i>Construction and demolition wastes (including excavated soil from contaminated sites) comprising concrete, bricks, tiles and ceramics (17 01)</i>	
17 01 01	Concrete	
17 01 02	Bricks	
17 01 03	tiles and ceramics	
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06	
	<i>Soil (including excavated soil from contaminated sites), stones and dredging spoil (17 05)</i>	
17 05 08	Track ballast other than that mentioned in 17 05 07	
	<i>Wastes from the mechanical treatment of waste (e.g. sorting, crushing, compacting, palletising) not otherwise specified (19 12)</i>	
19 12 09	minerals (for example sand, stones)	
	<i>Wastes from soil and groundwater remediation (19 13)</i>	
19 13 02	Solid wastes from soil remediation other than those mentioned in 19 13 01	
	<i>Garden and park wastes (including cemetery waste) (20 02)</i>	
20 02 02	soil and stones	
PART II		

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWG Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	<i>Wastes from pulp, paper and cardboard production and processing (03 03)</i>	
03 03 05	de-inking sludges from paper recycling	
03 03 07	Mechanically separated rejects from pulping of waste paper and cardboard	
03 03 09	lime mud waste	
03 03 99	Wastes not otherwise specified	De-inked paper pulp only
	<i>Soil (including excavated soil from contaminated sites), stones and dredging spoil (17 05)</i>	
17 05 04	soil and stones other than those mentioned in 17 05 03	
17 05 06	Dredging spoil other than that mentioned in 17 05 05	
	<i>Wastes from aerobic treatment of solid wastes (19 05)</i>	
19 05 03	Off-specification compost	biodegradable waste only
	<i>Wastes from waste water treatment plants not otherwise specified (19 08)</i>	
19 08 05	sludges from treatment of urban waste water	
	<i>Wastes from the preparation of water intended for human consumption or water for industrial use (19 09)</i>	
19 09 02	sludges from water clarification	
	<i>Wastes from soil and groundwater remediation (19 13)</i>	
19 13 04	Sludges from soil remediation other than those mentioned in 19 13 03	

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

<i>Kind of waste</i>	<i>Activities</i>	<i>Limit (tonnes per week)</i>
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

13.—(1) Subject to the following provisions of this paragraph and any limitation set down in Column 3 of Table 6 –

- (a) the composting of biodegradable waste identified by EWC Code in Column 1 of Table 6 and referred to in Column 2 of that Table;
- (b) the chipping, shredding, cutting or pulverising such waste for the purpose of composting at the place where the composting activity is or is to be carried out;
- (c) screening waste which has been composted; and
- (d) the secure storage of compost and biodegradable waste referred to in sub-paragraph (1)(a) at the place where the composting activity is or is to be carried out.

(2) The total quantity of waste treated or stored under sub-paragraph (1) at any one time shall not exceed 200 tonnes.

(3) The secure storage of biodegradable waste which is to be composted in reliance upon sub-paragraph (1) at a place other than the place where such composting is or is to be carried on where –

- (a) the waste is stored for a period not exceeding 48 hours and is to be taken directly from the storage site to that place;
- (b) such storage is part of a scheme for the collection of waste from groups of premises; and
- (c) the total quantity of waste so stored does not exceed 10 tonnes.

(4) For the purposes of this paragraph, “composting” means the autothermic and thermophilic biological decomposition and stabilisation of biodegradable waste under controlled conditions that are aerobic or anaerobic and results in a stable sanitised material that can be applied to land for the benefit of agriculture or ecological improvement.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Table 6

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	<i>Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing (02 01)</i>	
02 01 03	Plant-tissue waste	
02 01 06	Animal faeces, urine and manure (including spoiled straw), effluent, collected separately and treated off-site	
02 01 07	Waste from forestry	
02 01 99	Waste not otherwise specified	Animal faeces, urine spoiled straw or manure not referred to in 02 01 06
02 01 99	Waste not otherwise specified	Sludge from washing buildings or yards used for keeping livestock
02 01 99	Waste not otherwise specified	Straw, wood or paper-based bedding waste
02 01 99	Waste not otherwise specified	slurry or dirty water from stables or livestock markets
	<i>Wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation (02 03)</i>	
02 03 01	Sludges from washing, cleaning, peeling, centrifuging and separation	
02 03 05	Sludges from on-site effluent treatment	
	<i>Wastes from wood processing and the production of panels and furniture (03 01)</i>	
03 01 01	Waste bark and cork	
03 01 05	Shaving, cuttings, spoiled timber, particle board and veneer other than those mentioned in 03 01 04	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	<i>Wastes from pulp, paper and cardboard production and processing (03 03)</i>	
03 03 01	Waste bark and wood	
	<i>Wastes from the textile industry (04 02)</i>	
04 02 10	Organic matter from natural products (for example grease, wax)	
	<i>Packaging (including separately collected municipal packaging waste) (15 01)</i>	
15 01 01	Paper and cardboard packaging	
15 01 03	Wooden packaging	
15 01 09	Textile packaging	
	<i>Wood, glass and plastic (17 02)</i>	
17 02 01	Wood	
	<i>Soil (including excavated soil from contaminated sites), stones and dredging spoil (17 05)</i>	
17 05 04	Soil and stones other than those mentioned in 17 05 03	
17 05 06	Dredging spoil other than that mentioned in 17 05 05	
	<i>Wastes from aerobic treatment of solid wastes (19 05)</i>	
19 05 03	Off-specification compost	To consist only of biodegradable waste
	<i>Wastes from waste water treatment plants not otherwise specified (19 08)</i>	
19 08 12	Sludges from biological treatment of industrial waste water other than those mentioned in 19 08 11	
19 08 05	Sludges from other treatment of urban waste water	
19 08 14	Sludges from other treatment of industrial waste water other	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	than those mentioned in 19 08 13	
	<i>Wastes from the preparation of water intended for human consumption or water for industrial use (19 09)</i>	
19 09 01	Solid waste from primary filtration and screenings	
19 09 02	Sludges from water clarification	
	<i>Wastes from the mechanical treatment of waste (e.g. sorting, crushing, compacting, palletising) not otherwise specified (19 12)</i>	
19 12 01	Paper and cardboard <i>separately collected fractions of municipal waste(except 15 01 – packaging including separately collected municipal packaging waste) (20 01)</i>	
20 01 01	Paper and cardboard	
20 01 08	Biodegradable kitchen and canteen waste	
20 01 10	Clothes	Biodegradable materials only
20 01 11	Textiles	Biodegradable materials only
20 01 38	Wood other than that mentioned in 20 01 37 <i>Garden and park wastes (including cemetery waste) (20 02)</i>	
20 02 01	Biodegradable waste <i>other municipal wastes (20 03)</i>	
20 03 02	Waste from markets	
20 03 03	Street-cleaning residues	
20 03 99	Municipal wastes not otherwise specified	slurry or dirty water from stables, zoos or animal parks

14.—(1) The manufacture from –

- (a) waste which arises from demolition or construction work or tunnelling or other excavations; or
- (b) waste which consists of ash, slag, clinker, rock, wood, bark, paper, straw, gypsum,

of timber products, straw board, plasterboard, bricks, blocks, roadstone or aggregate.

(2) The manufacture of soil or soil substitutes from any of the wastes listed in sub-paragraph (1) if –

- (a) the manufacture is carried out at the place where either the waste is produced or the manufactured product is to be applied to land; and
- (b) the total amount manufactured at that place on any day does not exceed 500 tonnes.

(3) The treatment of waste soil or rock which, when treated, is to be spread on land under paragraph 9 or 11, if –

- (a) it is carried out at the place where the waste is produced or the treated product is to be spread; and
- (b) the total amount treated at that place in any day does not exceed 100 tonnes.

(4) The storage of waste which is to be submitted to any of the activities mentioned in sub-paragraphs (1) to (3) if –

- (a) the waste is stored at the place where the activity is to be carried on; and
- (b) the total quantity of waste stored at that place does not exceed 20,000 tonnes.

15.—(1) The manufacture of finished goods from any of the following kinds of waste, namely, waste metal, plastic, glass, ceramics, rubber, textiles, wood, paper or cardboard.

(2) The storage of any such waste intended to be used in reliance upon the exemption conferred by sub-paragraph (1) if

- (a) the waste is stored at the place of manufacture; and
- (b) the total amount of any particular kind of waste stored at that place at any time does not exceed 15,000 tonnes.

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 sub-paragraph (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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Table 7

<i>Kind of waste</i>	<i>Maximum total quantity</i>
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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (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.

19.—(1) Subject to the following provisions of this paragraph and any limitations set down in Table 8, the use of any of the wastes identified by EWC Code in Column 1 of Table 8 and referred to in Column 2 of that Table for the purposes of relevant work if –

- (a) the waste is suitable for use for those purposes;
- (b) the waste is so used in accordance with any planning permission where such a permission is required; and
- (c) the waste used does not exceed the dimensions of the final cross sections shown on any plan required to be submitted under regulation 19.

(2) Subject to the following provisions of this paragraph and any limitations set down in Table 8, the storage on a site where relevant work is taking place or is to take place, of any of the wastes listed in Table 8, if –

- (a) the waste in question is identified by EWC Code in Column 1 of Table 8 and referred to in Column 2 of that Table and is suitable for use for the purposes of relevant work which will be carried on at the site; and
- (b) in the case of waste which is not produced on the site, it is not stored there for longer than three months.

(3) The storage of waste consisting of road planings and roadbase which are to be used for the purposes of relevant work carried on elsewhere if –

- (a) no more than 20,000 tonnes of such waste are stored at the site; and
- (b) the waste is stored there for no longer than 3 months.

(4) In this paragraph, “relevant work” means work for the purposes of the construction, maintenance or improvement of –

- (a) a building, road, railway, airport, dock or other transport facility;
- (b) recreational facilities;
- (c) drainage; or
- (d) a waterway;

but does not include any work involving land reclamation.

Table 8

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	<i>Wastes from physical and chemical processing of non-metalliferous minerals (01 04)</i>	
01 04 08	waste gravel and crushed rocks other than those mentioned in 01 04 07	
01 04 09	waste sand and clays	
	<i>wastes from sugar processing (02 04)</i>	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
02 04 01	soil from cleaning and washing beet <i>wastes from power stations and other combustion plants (except wastes from waste management facilities, off- site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use) (10 01)</i>	
10 01 01	bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04) <i>wastes from the iron and steel industry (10 02)</i>	Not oil fly ash
10 02 02	unprocessed slag <i>wastes from casting of ferrous pieces (10 09)</i>	
10 09 03	furnace slag <i>wastes from casting of non- ferrous pieces (10 10)</i>	
10 10 03	furnace slag <i>Wastes from manufacture of ceramic goods, bricks, tiles and construction products (10 12)</i>	
10 12 08	Waste ceramics, bricks, tiles and construction products (after thermal processing) <i>Wastes from manufacture of cement, lime and plaster and articles and products made from them (10 13)</i>	
10 13 14	waste concrete and concrete sludge <i>Construction and demolition wastes (including excavated soil from contaminated sites) comprising concrete, bricks, tiles and ceramics (17 01)</i>	
17 01 01	Concrete	
17 01 02	Bricks	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
17 01 03	tiles and ceramics	
17 01 07	Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06 <i>Bituminous mixtures, coal tar and tarred products (17 03)</i>	
17 03 02	Bituminous mixtures other than those mentioned in 17 03 01 <i>Soil (including excavated soil from contaminated sites), stones and dredging spoil (17 05)</i>	Road base and road planings only
17 05 04	soil and stones	
17 05 08	Track ballast other than that mentioned in 17 05 07 <i>wastes from incineration or pyrolysis of waste (19 01)</i>	
19 01 12	bottom ash and slag other than those mentioned in 19 01 11 <i>Wastes from the mechanical treatment of waste (e.g. sorting, crushing, compacting, palletising) not otherwise specified (19 12)</i>	
19 12 09	Minerals (for example sand, stones) <i>Waste from soil and groundwater remediation (19 13)</i>	
19 13 02	solid wastes from soil remediation other than those mentioned in 19 13 01 <i>garden and park wastes (including cemetery waste) (20 02)</i>	
20 02 02	soil and stones	

- 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 –

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (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) Subject to sub-paragraph (2), the keeping or treatment of animal by-products in accordance with the Community Regulation.

(2) Sub-paragraph (1) shall not apply to the keeping or treatment of animal by-products –

- (a) for the purposes of their deposit in or on land by spreading;
- (b) for the purposes of incineration or co-incineration;
- (c) which are dead domestic pets;
- (d) which comprise or contain either catering waste or waste which is former foodstuffs unless such waste is to be fed to animals in accordance with Article 23(2) of the Community Regulation; or
- (e) which are composed of waste mammalian protein or waste mammalian tallow.

(3) For the purposes of this paragraph, the reference to feeding waste to animals shall be taken to include a reference to feeding such waste to maggots; “catering waste”, “incineration” and “co-incineration” shall have the meaning set down in Annex I to the Community Regulation; “former foodstuffs” are those animal by-products referred to in Article 6(1)(f) of the Community Regulation and “mammalian protein” and “mammalian tallow” have the same meaning as in paragraph 17(3).

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.

27.—(1) Baling, compacting, crushing, shredding or pulverising waste at the place where it is produced.

(2) The temporary storage, at the place where it is produced, of waste which is to be submitted to any of those operations.

28. The storage of returned goods that are waste, pending recovery or disposal, for a period not exceeding one month, by their manufacturer, distributor or retailer.

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 or an exempt incineration plant for the purposes of section 5.1 of Part I of Schedule 1 to the 2003 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 wood, bark or other plant matter not being waste falling within paragraph 46;
- (b) 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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(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).

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.

32. The burial on premises of waste arising from the use on those premises of a sanitary convenience which is equipped with a removable receptacle if the total amount buried in any period of twelve months does not exceed 5 cubic metres.

33.—(1) The keeping or deposit of waste consisting of excavated materials arising from peatworking at the place where that activity takes place.

(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.

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.

35.—(1) The deposit of waste consisting of excavated material from a borehole or other excavation made for the purpose of mineral exploration if –

- (a) it is deposited in or on land at the place where it is excavated; and
- (b) the total quantity of waste so deposited over any period of 24 months does not exceed 45,000 cubic metres per hectare.

(2) Sub-paragraph (1) only applies if –

- (a) the drilling of the borehole or the making of any other excavation is development for which planning permission is granted by Article 3 of, and Schedule 1 Part 16 to, the Planning (General Development) Order (Northern Ireland) 1993⁽⁴⁾; and
- (b) the conditions subject to which the development is permitted are observed.

(3) Expressions used in this paragraph which are also used in the Planning (General Development) Order (Northern Ireland) 1993 shall have the same meaning as in that Order.

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⁽⁵⁾, 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 –

(4) S.R. 1993 No. 278

(5) S.I.2003/1809

- (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(6);
 - “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.

37.—(1) Subject to sub-paragraph (2), the burial of a dead domestic pet in the garden of domestic property where the pet lived.

- (2) Sub-paragraph (1) does not apply if –
- (a) the dead domestic pet may prove hazardous to anyone who may come into contact with it; or
 - (b) the burial is carried out by an establishment or undertaking.

38. The deposit or storage of samples of waste which are being or are to be subjected to testing and analysis if the samples are taken –

- (a) in the exercise of any power under the Radioactive Substances Act 1993(7), the 1978 Order, the 1997 Order, the Water Order, the Industrial Pollution Control Order or the Environment (Northern Ireland) Order 2002(8);
- (b) by or on behalf of the holder of a waste management licence, a disposal licence or a resolution in pursuance of the conditions of that licence or resolution;
- (c) by or on behalf of a person carrying on in relation to the waste, an activity described in Part I of this Schedule or in regulation 16(1);
- (d) by or on behalf of the owner or occupier of the land from which the samples are taken;
- (e) by or on behalf of any person to whom –
 - (i) Article 5 of the 1997 Order applies in connection with his duties under that Article; or
 - (ii) the Special Waste Regulations (Northern Ireland) 1998(9) applies; or
- (f) for the purposes of research.

39.—(1) The secure storage at a pharmacy, pending their disposal there or elsewhere, of waste medicines which have been returned to the pharmacy from households or by individuals if –

- (a) the total quantity of such returned waste medicines at the pharmacy does not exceed 5 cubic metres at any time; and
- (b) any waste medicine so returned to the pharmacy is not stored there for longer than six months.

(2) The secure storage at the premises of a medical, nursing or veterinary practice of waste produced in carrying on that practice if –

(6) S.R. 2002 No. 248; to which there is an amendment not relevant to these Regulations
(7) 1993 c. 12
(8) S.I. 2002/3153 (N.I. 7)
(9) S.R. 1998 No. 289

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) the total quantity of that waste at the premises does not at any time exceed 5 cubic metres; and
- (b) no such waste is stored at those premises for longer than three months.

40.—(1) The storage, pending its collection or transport, of non-liquid waste at any site other than the premises where it is produced 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.

41.—(1) The temporary storage, pending its collection, of waste on the site where it is produced.

(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) Sub-paragraph (1) shall apply to special waste if –

- (a) it is stored on the site for no more than twelve months;
- (b) in the case of liquid waste, it is stored in a secure container and the total volume of that waste does not at any time exceed 23,000 litres; and
- (c) in any other case –
 - (i) it is stored in a secure container and the total volume of that waste does not at any time exceed 80 cubic metres; or
 - (ii) it is stored in a secure place and the total volume of that waste does not at any time exceed 50 cubic metres.

42.—(1) The treatment, keeping or disposal by any person at any premises of waste consisting of scrap metal or waste motor vehicles which are to be dismantled if –

- (a) he was carrying on the activity in question at those premises before 19th December 2003; and
- (b) he has applied, before that date, for a disposal licence under Part II of the 1978 Order authorising that activity and that application is pending on that date.

(2) The exemption conferred by sub-paragraph (1), in relation to the carrying on of an activity at any premises, shall cease to have effect in relation to the carrying on of that activity at those premises on the date on which the licence applied for is granted or, if the application is (or is deemed to be) rejected, on the date on which –

- (a) the period for appealing expires without an appeal being made; or
- (b) any appeal is withdrawn or finally determined.

43.—(1) The treatment, keeping or disposal by any person at any premises of waste if –

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) he was carrying on the activity in question at those premises before 19th December 2003; and
- (b) before that date no disposal licence was required under Part II of the 1978 Order for that activity.

(2) Subject to sub-paragraph (3), the exemption conferred by sub-paragraph (1), in relation to an activity carried on by a person at any premises, shall after 19th December 2004 cease to have effect in relation to the carrying on of that activity at those premises unless on or before that date he applies for a waste management licence in relation to the activity in question.

(3) Where a person makes such an application as is mentioned in sub-paragraph (2), the exemption conferred by sub-paragraph (1) shall continue to have effect in relation to the activity in question until the date on which the licence applied for is granted or, if the application is (or is deemed to be) rejected, until the date on which –

- (a) the period for appealing expires without an appeal being made; or
- (b) any appeal is withdrawn or finally determined.

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 non-metallic 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.

45.—(1) Subject to sub-paragraph (3), the carrying on, at any secure place used for the recovery of scrap metal or the dismantling of depolluted end of life vehicles, in respect of a kind of waste described in Table 9, of any of the activities specified in that Table in relation to that kind of waste if –

- (a) the activity does not include the storage or treatment of end of life vehicles prior to the depollution of such vehicles in accordance with the End of Life Vehicles Directive;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) the total quantity of any particular kind of waste so 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;
- (c) the activity is carried on with a view to the recovery of the waste (whether or not by the person carrying on the activity listed in that Table);
- (d) every part of that place upon which the activity is carried out is surfaced with an impermeable pavement; and
- (e) the plant or equipment used in carrying on the activity is maintained in reasonable working order.

Table 9

<i>Kind of waste</i>	<i>Activities</i>	<i>7 day limit</i>
Ferrous metals or ferrous alloys in metallic non-dispersible form (but not turnings, shavings or chippings of those metals or alloys)	Sorting; grading; baling; shearing by manual feed; compacting; crushing; cutting by hand-held equipment	8,000 tonnes
The following non-ferrous metals, namely copper, aluminium, nickel, lead, tin, tungsten, cobalt, molybdenum, vanadium, chromium, titanium, zirconium, manganese or zinc, or non-ferrous alloys, in metallic non-dispersible form, of any of those metals (but not turnings, shavings or chippings of those metals or alloys)	Sorting; grading; baling; shearing by manual feed; compacting; crushing; cutting by hand-held equipment	400 tonnes
Turnings, shavings or chippings of any of the metals or alloys listed in either of the above categories	Sorting; grading; baling; shearing by manual feed; compacting; crushing; cutting by hand-held equipment	300 tonnes
Depolluted end of life vehicles and their components	Dismantling and selling depolluted components	7 day limit not applicable – see Table 10 for maximum storage value

(2) Subject to sub-paragraph (3), the storage, at any secure place used for the recovery of scrap metal or the dismantling of depolluted end of life vehicles, of waste of a kind listed in Table 10 if –

- (a) the activity does not include storage or treatment of end of life vehicles prior to the depollution of such vehicles in accordance with the End of Life Vehicles Directive;
- (b) the waste is to be submitted to any of the activities specified in Table 9 in relation to that kind of waste, or to a recycling or reclamation operation authorised by a waste management licence or an authorisation under the Industrial Pollution Control Order or a permit under the 2003 Regulations;
- (c) the total quantity of waste of that kind stored at that place does not exceed the maximum total quantity specified in Table 10 in relation to that kind of waste;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) no waste is stored at that place for a period exceeding 12 months;
- (e) each kind of waste is either stored separately or is kept in separate containers, but in a case where a consignment consisting of more than one kind of waste is delivered to that place it may be stored unseparated at that place pending sorting for a period not exceeding 2 months;
- (f) in the case of waste which is liquid, it is stored in a secure container;
- (g) in the case of depolluted end of life vehicles, they are, unless stored on a hardstanding, stored on an impermeable pavement;
- (h) subject to paragraph (f), the waste or, as the case may be, any container in which it is stored, is stored on an impermeable pavement; and
- (i) the height of any pile or stack of waste does not exceed 5 metres.

Table 10

<i>Kind of waste</i>	<i>Maximum total quantity</i>
Ferrous metals or ferrous alloys in metallic non-dispersible form (but not turnings, shavings or chippings of those metals or alloys)	50,000 tonnes
The following non-ferrous metals, namely copper, aluminium, nickel, lead, tin, tungsten, cobalt, molybdenum, vanadium, chromium, titanium, zirconium, manganese or zinc, or non-ferrous alloys, in metallic non-dispersible form, of any of those metals (but not turnings, shavings or chippings of those metals or alloys)	1,500 tonnes
Turnings, shavings or chippings of any of the metals or alloys listed in either of the above categories	1,000 tonnes
Depolluted end of life vehicles	40 vehicles

(3) Sub-paragraph (1) or (2) only applies to the carrying on of an activity at a place if the person responsible for the management of that place –

- (a) has established administrative arrangements to ensure that –
 - (i) waste accepted at that place is of a kind listed in Table 9 or, as the case may be, Table 10; and
 - (ii) no waste is accepted at that place in such a quantity as would cause there to be a breach of any of the terms and conditions of the exemption; and
- (b) carries out a monthly audit to confirm compliance with the terms and conditions of the exemption;

(4) The temporary storage of waste (in this sub-paragraph referred to as “the non-scrap waste”), pending its collection, at a secure place used for the recovery of scrap metal or the dismantling of waste motor vehicles if –

- (a) the non-scrap waste is not of a kind described in Table 10;
- (b) the non-scrap waste was delivered to that place as part of a consignment of waste of which

–

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) at least 70 per cent by weight was waste consisting of waste motor vehicles; or
 - (ii) at least 95 per cent by weight was waste of any kind described in Table 10 other than waste motor vehicles, and is capable of being separated from that waste by sorting or hand dismantling;
 - (c) the non-scrap waste is stored at that place for no more than 3 months;
 - (d) in a case where the non-scrap waste is liquid, it is stored in a secure container; and
 - (e) the non-scrap waste or, as the case may be, the container in which the non-scrap waste is stored, is stored on an impermeable pavement.
- (5) In Table 9, “shearing” means the cold cutting of metal by purpose-made shears.

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

<i>EWC Code</i>	<i>Types of waste</i>	<i>Limitation</i>
PART I		
	<i>Wastes from the preparation of water intended for human consumption or water for industrial use (19 09)</i>	
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		

<i>EWG Code</i>	<i>Types of waste</i>	<i>Limitation</i>
	<i>Wastes from waste water treatment plants not otherwise specified (19 08)</i>	
19 08 05	sludges from treatment of urban waste water	
	<i>Other municipal wastes (20 03)</i>	
20 03 04	Septic tank sludge	
20 03 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⁽¹⁰⁾;
- (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⁽¹¹⁾.

(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.

48. For the purposes of this Schedule –

a container, lagoon or place is “secure” in relation to waste kept in it if all reasonable precautions are taken to ensure that the waste cannot escape from it and members of the public are unable to gain access to the waste, and any reference to secure storage means storage in a secure container, lagoon or place;

“inland waters” means the whole or any part of –

- (a) any river, stream or other watercourse (within the meaning of the Water Order), whether natural or artificial and whether tidal or not;
- (b) any lake or pond, whether natural or artificial, or any reservoir or dock, in so far as the lake, pond, reservoir or dock does not fall within paragraph (a) of this definition; and
- (c) so much of any channel, creek, bay, estuary or arm of the sea as does not fall within paragraph (a) or (b) of this definition.

⁽¹⁰⁾ S.R. 1993 No. 256

⁽¹¹⁾ S.R. 1993 No. 460