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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 61**

**PLANNING**

**The Planning (Hazardous Substances)  
Regulations (Northern Ireland) 2015 (revoked)<sup>F1</sup>**

*Made - - - - 16th February 2015*

*Coming into operation 1st April 2015*

**THE PLANNING (HAZARDOUS SUBSTANCES)  
REGULATIONS (NORTHERN IRELAND) 2015 (REVOKED)**

PART 1

General

1. Citation and commencement
2. Interpretation

PART 2

Hazardous Substances, Controlled Quantities and Exemptions

3. Hazardous substances and controlled quantities
4. Exemptions

PART 3

Consent

5. Application for hazardous substances consent
6. Advertisement of notices of applications
7. Certificates to accompany applications
8. Council to take account of representations from certain persons
9. Persons to be treated as in actual possession of land
10. Consultations before determining applications for hazardous substances consent
11. Determination of applications for hazardous substances consent
12. Notification of decision
13. Applications to the Department for consent to execute works without compliance with conditions previously attached

**Changes to legislation:** There are currently no known outstanding effects for the The Planning (Hazardous Substances) Regulations (Northern Ireland) 2015 (revoked). (See end of Document for details)

14. Call in of certain applications for hazardous substances consent to the Department
15. Application of the 2011 Act to councils

PART 4

Enforcement

16. Hazardous substances contravention notices
17. Appeals against hazardous substances contravention notices
18. Effect of hazardous substances contravention notices, etc.

PART 5

Electronic Communications

19. Use of electronic communications

PART 6

Revocations and Transitional Provisions

20. Revocations  
Signature

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SCHEDULE 1 PRESCRIBED FORMS

SCHEDULE 2 HAZARDOUS SUBSTANCES AND CONTROLLED QUANTITIES

PART A — NAMED SUBSTANCES

NOTES TO PART A

1. Ammonium nitrate: fertilisers capable of self-sustaining decomposition This applies to...
2. Ammonium nitrate: fertiliser grade This applies to straight ammonium nitrate-based...
3. Ammonium nitrate: technical grade This applies to
4. Ammonium nitrate: “off-specs” material and fertilisers not fulfilling the detonation...
5. Potassium nitrate: composite potassium-nitrate based fertilisers composed of potassium nitrate...
6. Potassium nitrate: composite potassium-nitrate based fertilisers composed of potassium nitrate...
7. Polychlorodibenzofurans and polychlorodibenzodioxins. The quantities of polychlorodibenzofurans and polychlorodibenzodioxins are...
8. Entry number 67 The controlled quantity of 25 tonnes in...

PART B — CATEGORIES OF SUBSTANCES AND PREPARATIONS NOT SPECIFICALLY NAMED IN PART A

NOTES TO PART B

1. Substances and preparations shall be classified for the purposes of...
2. An “explosive” means: (a) a substance or preparation which creates...
3. In categories 6, 7, 8 and 9 “flammable”, “highly flammable”...

NOTES TO PARTS A  
AND B

1. Mixtures and preparations shall be treated in the same way...
2. In the case of substances and preparations with properties giving...
3. Where a substance or group of substances listed in Part...
4. In the case of an establishment where no individual substance...
5. The addition rule in paragraph 4 will apply for the...

PART C — SUBSTANCES USED IN AN INDUSTRIAL CHEMICAL  
PROCESS

NOTES TO PART C

1. The expression “which it is believed may be generated during...
2. Where a substance falling within Part A or B also...

SCHEDULE ENFORCEMENT – MODIFICATIONS OF THE 2011 ACT

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PART 1 — APPEALS AGAINST HAZARDOUS SUBSTANCES  
CONTRAVENTION NOTICES

PART 2 — EFFECT OF HAZARDOUS SUBSTANCES CONTRAVENTION  
NOTICES ETC.

PART 3 — SECTIONS OF THE 2011 ACT AS MODIFIED

143. Appeal against hazardous substances contravention notice
  144. Appeal against hazardous substances contravention notice – general supplementary provisions
  145. Appeal against hazardous substances contravention notice – supplementary provisions relating to hazardous substances consent
  146. Execution and cost of works required by hazardous substances contravention notice
  147. Offence where hazardous substances contravention notice not complied with
  148. Effect of hazardous substances consent on hazardous substances contravention notice
  149. Hazardous substances contravention notice to have effect against subsequent development
- Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Planning (Hazardous Substances) Regulations (Northern Ireland) 2015 (revoked).