

**2007 No. 179**

**ENVIRONMENTAL PROTECTION**

**The Landfill (Amendment) Regulations (Northern Ireland) 2007**

*Made* - - - - *20th March 2007*

*Coming into operation* - *1st May 2007*

To be laid before Parliament under paragraph 7(3) of the Schedule to the Northern Ireland Act 2000.

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Article 4 of the Environment (Northern Ireland) Order 2002<sup>(a)</sup> and in accordance with Article 4(4) of that Order the Department has consulted with district councils and such bodies or persons appearing to it to be representative of the interests of district councils as it considers appropriate, such bodies or persons appearing to it to be representative of the interests of industry, agriculture and business as it considers appropriate and such other bodies or persons as it considers appropriate.

**Citation and commencement**

1. These Regulations may be cited as the Landfill (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 1st May 2007.

**Amendment of the Landfill Regulations (Northern Ireland) 2003**

2.—(1) The Landfill Regulations (Northern Ireland) 2003<sup>(b)</sup> are amended as follows.

(2) For regulation 17(1) (Offences) substitute—

“17.—(1) It shall be an offence for an operator of a landfill to contravene—

- (a) regulation 9 as applied by paragraph 1(14) or 6(2) of Schedule 4;
- (b) regulation 12 as applied by paragraph 3(3)(a) or 6(2) of Schedule 4;
- (c) regulation 10 as applied by paragraph 3(3)(b) or 6(2) of Schedule 4;
- (d) paragraph 3(5), 5(6) or 5(10)(b) of Schedule 4; or
- (e) from 1st May 2007, paragraph 5(3) of Schedule 4.”

Sealed with the Official Seal of the Department of the Environment on 20th March 2007



*Wesley Shannon*  
A Senior Officer of the Department of the Environment

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(a) S.I. 2002 No. 3153 (N.I. 7)

(b) S.R. 2003 No. 496 to which there are amendments not relevant to these Regulations.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement (in part), Council Directive 75/442 EEC on Waste (“the Waste Framework Directive”) and Council Directive 1999/31/EC on the landfill of waste (“the Landfill Directive”).

Regulation 2 amends the Landfill Regulations to create an offence if the operator of a landfill continuing to take agricultural waste and/or mines or quarries waste after 31 July 2006 contravenes the requirements to submit a conditioning plan for that site to the Department by 1 June 2007, to submit such reports in connection with the closure of the landfill as may be required by notice in writing, fails to comply with and observe such conditions as are specified in a notice served in relation to the closure of a landfill or does not comply with the obligations imposed on the operator of any landfill which is for the time being classified as a landfill for hazardous waste pending determination of an application made pursuant to Schedule 4 of those Regulations.

The Regulatory Impact Assessment of these Regulations was included in that of the Waste Management Regulations (Northern Ireland) 2006, a copy of which has been placed in the library of the Northern Ireland Assembly and copies can be obtained from Environmental Policy Division, 20-24 Donegall Street, Belfast, BT1 2GP.

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