

2009 No. 76

ENVIRONMENTAL PROTECTION

**The Waste Management Licensing (Amendment) Regulations
(Northern Ireland) 2009**

Made - - - - - *3rd March 2009*

Coming into operation- - - - - *31st March 2009*

The Department of the Environment, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to measures relating to the prevention, reduction and elimination of pollution of water, the prevention, reduction and elimination of pollution caused by waste, and the regulation and control of the transit, import and export of waste (including recyclable materials), in exercise of the powers conferred on it by section 2(2) of that Act and Articles 2(2), 2(3) and 4(3) of the Waste and Contaminated Land (Northern Ireland) Order 1997(c) (having in particular had regard in exercising its power under Article 4(3) of that Order to the matters specified in Article 4(4) of that Order), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 31st March 2009.

(2) In these Regulations, “the WML Regulations” means the Waste Management Licensing Regulations (Northern Ireland) 2003(d)

Amendment of the Waste Management Licensing Regulations (Northern Ireland) 2003

2. The WML Regulations are amended in accordance with Regulations 3 to 7.

3. After regulation 1(4) insert—

“ (5) Any six digit code used to refer to a waste in these Regulations is a reference to that waste as specified by the six-digit code in the List of Wastes Regulations (Northern Ireland) 2005(e).”.

4. In regulation 18—

(a) in paragraph (4) for “activities set out in paragraphs 8 and 31” substitute “activity set out in paragraph 31”;

(b) in paragraph (5) for “paragraph 8, 9” substitute “paragraph 9”; and

(c) in paragraph(12)(a) for “1-8” substitute “1-7”.

(a) S.I. 1989/2393, S.I. 1992/2870 and S.I. 1993/2661
(b) 1972 c.68
(c) S.I. 1997/2778 (N.I. 19)
(d) S.R. 2003 No. 493 as amended by S.R. 2003 No. 496
(e) S.R. 2005 No. 301

5. For paragraph 5 of Part I of Schedule 2 substitute—

“5. The carrying on of any of the following operations—

(a) burning as a fuel at a rate of less than one tonne per hour, under an authorisation granted under the Industrial Pollution Control Order or a permit under the 2003 Regulations, of—

(i) straw (02 01 03), poultry litter (02 01 06) or wood (02 01 07); or

(ii) solid fuel which has been manufactured from waste by a process involving the application of heat (19 12 10),

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 1 of Schedule 1 to the 2003 Regulations and the feeding of such waste into an appliance in which it is to be so burned;

(b) the secure storage on any premises of any waste mentioned in sub-paragraph (a) which is intended to be burned as mentioned in that sub-paragraph if—

(i) no more than 25 tonnes is stored at any one time; and

(ii) no waste is stored there for longer than 1 year.”.

6. Delete paragraph 8 of Part I of Schedule 2.

7. Delete paragraph 28 of Part I of Schedule 2.

Sealed with the Official Seal of the Department of the Environment on 3rd March 2009.



Wesley Shannon

A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended).

They provide for exemptions for permitting for the reuse, disposal, storage and recovery of types of waste referred to in the European Waste Catalogue together with exemptions from the permitting requirements of the Waste Framework Directive (75/442/EEC) and Hazardous Waste Directive (91/689/EC).

These Regulations transpose the requirements of Articles 4 and 11 of the Waste Framework Directive and Article 3 (1) and (2) of the Hazardous Waste Directive.

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