

STATUTORY RULES OF NORTHERN IRELAND

**2011 No. 127**

The Waste Regulations (Northern Ireland) 2011

PART 4

Amendment of Subordinate Legislation

**Amendments to the Hazardous Waste Regulations (Northern Ireland) 2005**

62. For Schedule 3 substitute—

“SCHEDULE 3

Regulation 4

Annex III to the Waste Directive

**Properties of waste which render it hazardous**

H1	“Explosive”: substances and preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene.
H2	“Oxidizing”: substances and preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances.
H3-A	“Highly flammable”:  liquid substances and preparations having a flash point below 21°C (including extremely flammable liquids), or  substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or

**Notes**

1. Attribution of the hazardous properties “toxic” (and “very toxic”), “harmful”, “corrosive”, “irritant”, “carcinogenic”, “toxic to reproduction”, “mutagenic” and “ecotoxic” is made on the basis of the criteria laid down by Annex VI, to Council Directive [67/548/EEC](#) of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances.
2. Where relevant the limit values listed in Annex II and III to Directive [1999/45/EC](#) of the European Parliament and of the Council of 31 May 1999 concerning the approximation of laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations shall apply.

**Test methods**

The methods to be used are described in Annex V to Directive [67/548/EEC](#) and in other relevant CEN-notes.

	<p>solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or be consumed after removal of the source of ignition, or</p> <p>gaseous substances and preparations which are flammable in air at normal pressure, or</p> <p>substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities.</p>
H3-B	“Flammable”: liquid substances and preparations having a flash point equal to or greater than 21°C and less than or equal to 55°C.
H4	“Irritant”: non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membrane, can cause inflammation.
H5	“Harmful”: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may involve limited health risks.
H6	“Toxic”: substances and preparations (including very toxic substances and preparations) which, if they are inhaled or ingested or if they penetrate the skin, may involve serious, acute or chronic health risks and even death.
H7	“Carcinogenic”: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence.
H8	“Corrosive”: substances and preparations which may destroy living tissue on contact.
H9	“Infectious”: substances and preparations containing viable micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms.
H10	“Toxic for reproduction”: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence.
H11	“Mutagenic”: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence.
H12	Waste which releases toxic or very toxic gases in contact with water, air or an acid.

**Notes**

- Attribution of the hazardous properties “toxic” (and “very toxic”), “harmful”, “corrosive”, “irritant”, “carcinogenic”, “toxic to reproduction”, “mutagenic” and “ecotoxic” is made on the basis of the criteria laid down by Annex VI, to Council Directive [67/548/EEC](#) of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances.
- Where relevant the limit values listed in Annex II and III to Directive [1999/45/EC](#) of the European Parliament and of the Council of 31 May 1999 concerning the approximation of laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations shall apply.

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H13(*) (* As far as testing methods are available.	“Sensitizing”: substances and preparations which, if they are inhaled or if they penetrate the skin, are capable of eliciting a reaction of hypersensitization such that on further exposure to the substance or preparation, characteristic adverse effects are produced.
H14	“Ecotoxic”: waste which presents or may present immediate or delayed risks for one or more sectors of the environment.
H15	Waste capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics above.”

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