

SCHEDULES

SCHEDULE 11 **N.I.**

Regulation 7

WASTE INCINERATION

Application **N.I.**

1. This Schedule applies in relation to any waste incineration plant or waste co-incineration plant to which Chapter IV of the IED applies, which incinerates or co-incinerates solid or liquid waste.

Commencement Information

I1 Sch. 11 para. 1 in operation at 20.6.2013, see [reg. 1](#)

Interpretation **N.I.**

2. When interpreting Chapter IV and Annex VI of the IED for the purposes of this Schedule—
- “residue” shall mean any liquid or solid waste which is generated by a waste incineration plant or waste co-incineration plant;
 - the chief inspector is the competent authority; and
 - sub-paragraph (c) of paragraph 2.1 of Part 6 of Annex VI shall be read as if the words “dioxin-like polychlorinated biphenyls and poly-cyclic aromatic hydrocarbons” appeared after the word “furans”.

Commencement Information

I2 Sch. 11 para. 2 in operation at 20.6.2013, see [reg. 1](#)

Exercise of relevant functions **N.I.**

3.—(1) The chief inspector must exercise his functions under regulation 7 so as to ensure compliance with the following provisions of Chapter IV of the IED—

- Article 42 (scope);
- Article 45(1) to (2) and (4) (permit conditions);
- Article 46 (control of emissions);
- Article 47 (breakdown);
- Article 48(1) to (4) (monitoring of emissions), which shall be read as if the words “Member States” were replaced by “the chief inspector”;
- Article 49 (compliance with emission limit values);
- Article 50 (operating conditions);
- Article 51(1) to (3) (authorisation to change operating conditions) but ignore the words “Member States may lay down rules governing these authorisations” in Article 51(1);

Changes to legislation: There are currently no known outstanding effects for the The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013, SCHEDULE 11. (See end of Document for details)

- (i) Article 52 (delivery and reception of waste);
- (j) Article 53 (residues);
- (k) Article 54 (substantial change);
- (l) Article 55 (reporting and public information on waste incineration plants and waste co-incineration plants); and
- (m) Article 82(5) and (6) (transitional provisions).

(2) The chief inspector shall ensure that a permit which authorises the incineration or co-incineration of waste with energy recovery shall contain conditions ensuring that the recovery of energy shall take place with a high level of energy efficiency.

(3) The chief inspector shall ensure that a permit which authorises the operation of a waste incineration installation shall contain such conditions as the chief inspector considers necessary to give effect to Article 14 of Directive 2006/66/EC(1) of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators [^{F1}as last amended by Directive 2018/849] .

Textual Amendments

F1 Words in Sch. 11 para. 3(3) inserted (18.12.2020) by The Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020 (S.R. 2020/285), regs. 1(1), **11(5)(a)**

Commencement Information

I3 Sch. 11 para. 3 in operation at 20.6.2013, see **reg. 1**

[^{F2}Waste separately collected for preparing for re-use and recycling not to be incinerated **N.I.**

4.—(1) Every environmental permit which authorises a waste co-incineration plant or a waste incineration plant is deemed to contain the following condition, unless such a condition in the same terms as that condition is included in the permit.

(2) The condition is that the operator must not accept—

- (a) any waste paper, metal, plastic or glass for incineration if that waste has been separately collected for the purpose of preparing for re-use or recycling; and
- (b) subject to sub-paragraph (3), any waste for incineration that results from the treatment of waste referred to in paragraph (a), unless incineration of that waste delivers the best environmental outcome in accordance with regulation 17 of the Waste Regulations (Northern Ireland) 2011.

(3) The treatment referred to in sub-paragraph (2)(b) must not be treatment that contravenes sub-paragraph (2)(a) or regulation 9A(2)(a) of the Landfill Regulations (Northern Ireland) 2003.]

Textual Amendments

F2 Sch. 11 para. 4 inserted (18.12.2020) by The Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020 (S.R. 2020/285), regs. 1(1), **11(5)(b)**

(1) O.J. No. L266, 26.9.2006, p.1

Changes to legislation:

There are currently no known outstanding effects for the The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013, SCHEDULE 11.