STATUTORY RULES OF NORTHERN IRELAND

2008 No. 18

ENVIRONMENTAL PROTECTION

The Waste Management (Miscellaneous Provisions) Regulations (Northern Ireland) 2008

Made - - - -	*17th January 2008*
Coming into operation-	*13th February 2008*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Article 4(3) of the Waste and Contaminated Land (Northern Ireland) Order 1997(**1**) and, by Article 4(3) of the Clean Air (Northern Ireland) Order 1981(**2**).

The Department of the Environment has had regard in exercising its powers under Article 4(3) of the Waste and Contaminated Land (Northern Ireland) Order 1997 to the matters referred to in Article 4(4) of that Order.

Citation and commencement

1. These Regulations may be cited as the Waste Management (Miscellaneous Provisions) Regulations (Northern Ireland) 2008 and shall come into operation on 13 February 2008.

Amendment of Part I of Schedule 2 to the Waste Management Licensing Regulations (Northern Ireland) 2003

2. Part I of Schedule 2 (Activities exempt from waste management licensing) to the Waste Management Licensing Regulations (Northern Ireland) 2003(**3**) is amended as follows.

Plant Tissue

3.—(1) In paragraph 47B delete "and" at the end of sub paragraph (b).

(2) At the end of sub-paragraph (c) insert—

"; and

(d) the deposit is carried out in accordance with any requirements specified under a notice served under Article 32 of the Plant Health Order (Northern Ireland) 2006(**4**)."

(**1**) S.I.1997/.2778 (N.I.19)
(**2**) S.I.1981/.158 (N.I.4)
(**3**) S.R. 2003 No. 493 as amended by S.R.2006 No.280 and S.R.2006 No. 489
(**4**) S.R. 2006 No.82

New Exemptions

4. After paragraph 47B insert—

"**47C.**—(1) The disposal of agricultural waste consisting of non-hazardous pesticide solution or washings in a lined biobed at the place of production of that waste if—

(a) every part of the place upon which the disposal is carried out is surfaced with an impermeable pavement provided with a sealed drainage system so that all liquids are directed into the biobed;

(b) the biobed is located at a secure place at least—

(i) 10 metres from a waterway;

(ii) 50 metres from a spring, well or borehole; and

(iii) 250 metres from a borehole used for a public water supply;

(c) the lining of the biobed is impermeable;

(d) the biobed is suitable for treatment of the waste;

(e) the biobed is covered with turf;

(f) the total quantity of waste being treated does not exceed 15,000 litres in any period of 12 months;

(g) the input of rainfall is limited by a temporary impermeable cover during times when—

(i) the soil is waterlogged;

(ii) the land is flooded or likely to flood; or

(iii) heavy rain or snow is forecast within 48 hours; and

(h) the biobed is at least 1 metre in depth and at least 1 cubic metre of biobed material is used to treat 1000 litres of liquid.

(2) The secure storage within covered secondary containment of not more than 1500 litres of waste at the place where it is intended to be treated in a biobed in reliance on the exemption in sub-paragraph (1).

(3) The treatment of land used for agriculture with agricultural waste consisting of biobed material where such treatment results in benefit to agriculture or ecological improvement if —

(a) the biobed material is stored securely for 12 months before it is spread;

(b) the biobed material consists of a mixture of straw, compost and biologically active soil;

(c) the treatment shall be carried out in accordance with the Nitrates Action Programme Regulations (Northern Ireland) 2006(**5**); and

(d) the total quantity of waste used does not exceed 50 tonnes per hectare in any period of 12 months.

(4) The secure storage at the place of production of waste that is intended to be used in reliance of the exemption in sub-paragraph (3) if—

(a) no more than 50 cubic metres of waste is stored at any one time; and

(b) no waste is stored more than 3 years.

(**5**) S.R. 2006 No.489