

## THE ENVIRONMENTAL REGULATION OF WOOD

This Position Statement advises when wood is considered to be a waste and what regulatory controls should be followed. Virgin timbers and non-virgin timbers are addressed.

### The NIEA Position

#### Virgin Timber

- Timber from whole trees and the woody parts of trees including branches and bark derived from forestry works, woodland management, tree surgery and other similar operations (it does not include clippings or trimmings that consist primarily of foliage); or
- virgin wood processing (e.g. wood offcuts, shavings or sawdust from sawmills) or timber product manufacture dealing in virgin timber.

Virgin timbers are **not** waste and are not subject to waste regulatory controls, provided they are certain to be used for common virgin wood purposes. These include use as:

- woodchip in gardens or on pathways;
- a raw material for composting;
- animal bedding;
- fuel in an appliance;
- a raw material for the production of wood-based products or in paper production.

**N.B.** If virgin timber is mixed with waste timber or any other waste, the mixed load is classed as waste.

#### Non-Virgin Timber (treated or un-treated)

- Un-treated non-virgin timber is any timber or timber product that has not been treated, or been made into panel board of any type.
- Treated non virgin timber is any timber or timber product that has been treated (e.g. to enhance or alter the performance of the original wood), or been made into panel board of any type (examples, but not an exhaustive list of treatments, include paint, varnish, woodstain, sapstain or fungicides, penetrating oils, tar oil preservatives, waterborne preservatives, organic-based preservatives, boron and organometallic based preservatives, boron and halogenated flame retardants and surface treatments).

Non-virgin timber offcuts, shavings, chippings and sawdust from the processing of non-virgin timbers (whether clean or treated) are waste. They remain waste unless processed into a product that has achieved End of Waste status. For example, waste sawdust that has been processed, at an appropriately authorised facility, into compost that complies with the requirements of the Compost Quality Protocol.

**N.B.** The references to types of waste wood or their uses in this position statement are not intended to be exhaustive. Please contact the NIEA, if further guidance on any waste type or use not mentioned, is required.

## Regulatory Controls

The regulatory controls covering the use of processed waste wood depend on the intended use. Some examples are provided below.

### Waste wood as a fuel

Waste wood must be stored and processed into a fuel, as specified under a PPC permit, a waste management licence or a Paragraph 15 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. The processed waste wood remains waste, unless it has achieved End of Waste status as a fuel. The burning of waste wood will normally be regulated by an environmental permit under The Waste Incineration Regulations (NI) 2003. In addition, burning of waste wood is normally subject to the requirements of the Waste Incineration Directive (WID). Plants that only burn wood not contaminated with halogenated organic compounds or heavy metals (resulting from treatment with wood preservatives or coating), are excluded from the WID requirements. However, storing and burning these waste wood materials may be regulated with an exemption under Paragraph 5 or Paragraph 7 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003.

<https://www.doeni.gov.uk/articles/ipcc-guidance-and-application-forms>

<https://www.doeni.gov.uk/publications/general-guidance-applying-waste-management-licence>

<https://www.doeni.gov.uk/articles/end-waste-regulations>

<https://www.doeni.gov.uk/articles/burning-waste-fuel-paragraph-5-exemption>

<https://www.doeni.gov.uk/articles/burning-waste-fuel-appliance-net-rated-thermal-input-less-04-megawatts-paragraph-7>

### Waste wood-based panel manufacture

Waste wood must be stored and processed into panelboard, as specified under either a PPC permit, a waste management licence or an exemption under Paragraph 15 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. The processed waste wood remains waste, until it is made into panelboard which has achieved End of Waste status.

<https://www.doeni.gov.uk/articles/ipcc-guidance-and-application-forms>

<https://www.doeni.gov.uk/publications/general-guidance-applying-waste-management-licence>

<https://www.doeni.gov.uk/articles/manufacture-finished-goods-waste-metal-plastic-glass-ceramics-rubber-textiles-wood-paper-or>

<https://www.doeni.gov.uk/articles/end-waste-regulations>

**Untreated waste wood and landscape applications** (e.g. weed suppressant, decorative woodchip, pathways and arena chip).

Untreated waste wood must be stored and processed into a weed suppressant, decorative woodchip or pathway and arena chip, as specified under a waste management licence or Paragraph 15 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. The untreated waste wood which has been processed to produce a weed suppressant, decorative woodchip or pathway and arena chip must be applied to land under a waste management licence, unless it has achieved End of Waste status. Please note that treated timber is not acceptable for use in landscape applications.

<https://www.doeni.gov.uk/publications/general-guidance-applying-waste-management-licence>

<https://www.doeni.gov.uk/articles/manufacture-finished-goods-waste-metal-plastic-glass-ceramics-rubber-textiles-wood-paper-or>

<https://www.doeni.gov.uk/articles/end-waste-regulations>

### **Untreated waste wood used in animal bedding (e.g. cattle, horse, poultry and pet bedding)**

Untreated waste wood must be stored and processed into cattle, horse or pet bedding, as specified either under a waste management licence or a Paragraph 15 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. Untreated waste wood processed into cattle, horse or pet bedding must be stored and used as specified in a waste management licence, unless it has achieved End of Waste status. Please note that treated timber is not acceptable for use in the production of animal bedding.

<https://www.doeni.gov.uk/publications/general-guidance-applying-waste-management-licence>

<https://www.doeni.gov.uk/articles/manufacture-finished-goods-waste-metal-plastic-glass-ceramics-rubber-textiles-wood-paper-or>

<https://www.doeni.gov.uk/articles/end-waste-regulations>

### **Untreated waste wood used to make compost**

Untreated waste wood must be stored and composted as specified either under a PPC Permit, a waste management licence or an exemption under Paragraph 13 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. The compost produced from waste wood, must be applied to land under an appropriate waste authorisation, unless it has achieved End of Waste status. NIEA considers compost which meets the Compost Quality Protocol to have achieved End of Waste status. Compost which has not achieved End of Waste status, remains a waste and must be stored and applied to land as specified either in a waste management license or, an exemption under Paragraph 9 of Schedule 2 of The Waste Management Licensing Regulations (Northern Ireland) 2003. Please note that treated timber is not acceptable for use in the production of compost.

<https://www.doeni.gov.uk/articles/ippc-guidance-and-application-forms>

<https://www.doeni.gov.uk/publications/general-guidance-applying-waste-management-licence>

<https://www.doeni.gov.uk/articles/composting-and-storage-biodegradable-waste-paragraph-13-exemption>

<https://www.doeni.gov.uk/articles/land-treatment-agricultural-benefit-or-ecological-improvement-paragraph-9-exemption>

**N.B.** Please note that all operators with a waste management authorisation in place at their site, which permits the storage, processing or use of waste wood, must fully comply with its conditions.

### **Recommendation to Industry**

Please note that all waste wood remains a waste, unless it has achieved End of Waste status. Therefore, all holders of waste wood must comply with Duty of Care and all waste wood must be described and EWC Coded correctly. Waste transfer notes must be retained for two years. Waste wood must only be transferred to a site, which holds an appropriate waste management authorisation.

## **Additional Information**

### **Railway Sleepers and Telegraph Poles**

If railway sleepers and telegraph poles are collected from the rail network, electricity or telephone supply network, and stored for use after being declared suitable for direct resale, and where contracts exist with dealers to have access to these sleepers or poles for direct resale on to retail and other outlets, and where these are stored, supplied or used for such valid legitimate and legal purposes, they will be treated as **NON WASTE**.

**N.B.** This position may not be one adopted by other countries outside Northern Ireland. If you are importing or exporting railway sleepers or telegraph poles outside the UK, please consult the relevant competent authorities in the countries concerned. If they view railway sleepers or telegraph poles as waste, the EU Waste Shipment Regulations 1013/2006 will apply. Further information can be found at:

<https://www.doeni.gov.uk/articles/transfrontier-shipment-waste>

### **Enforcement Policy**

As a producer of waste wood, you will be committing an offence if you give waste wood to an unregistered waste carrier and you do not have complete valid waste transfer notes.

As a carrier of waste wood, you will be committing an offence if you transport waste wood, if you are not registered with the NIEA to do so.

As a carrier of waste wood, you will be committing an offence if you transport waste wood and you do not have a complete valid waste transfer note with you.

You will be committing an offence if you treat, keep or dispose of waste wood without the relevant waste authorisation.