

REGULATORY POSITION STATEMENT

LOW RISK ACTIVITIES - July 2017

Introduction

This guidance sets out NIEA's regulatory position on the low risk activities described in Appendix A to this document. The guidance applies only to activities carried on in Northern Ireland. This guidance must be read alongside the NIEA's Enforcement Policy January 2011.

Background

A growing number of materials are subject to licensing, which in some cases can be potentially disproportionate to the risk posed. In some cases putting licensing and compliance effort into low-risk non-exempt waste operations, is incompatible with modern regulation. The Agency has finite resources and these must be prioritised to operations that, pose the greatest threat to the environment and human health.

Summary

Having considered the potential risks posed by the activities set out in Appendix A to this document, we do not believe it is in the public interest to expect the operators of those activities, to obtain a waste management authorisation. It should be noted however that, if any operation is carried out in a way likely to pollute the environment or harm human health, we would consider enforcement action.

Further Information

IMPORTANT

This guidance will be subject to regular review and revisions will be made available on the DAERA web site.

Waste activities must not be carried out in a manner that causes, or is likely to cause pollution or harm to human health. If we consider that an activity is, or is likely to pollute or cause harm we will consider legal action, irrespective of whether the activity is listed in Appendix A.

Please note that where no quantity is specified in Appendix A, this will normally be read as a maximum limit of 1000 tonnes. This guidance and the approach it sets out, apply only to matters concerning Waste Management Licensing and the Duty of Care. Low risk positions do not remove your obligation to comply with other legislation. For example, the requirement for consent to discharge to controlled water, planning permission where appropriate, provisions of the TFS Regulations, Clean Air Act etc.

Where associated activities are not detailed in the low risk position, e.g. storage, and these are covered by existing exemptions, the restrictions of those exemptions (including quantities and timescales) apply. If the associated activities aren't detailed in the low risk position and are not covered by existing exemptions, then separate permission is required. If you have any doubts you should contact NIEA on Tel No 02890 569359.

This guidance does not apply to activities carried on outside Northern Ireland.

Appendix A – Low Risk Waste Activities

Definition of secure: For the purpose of Appendix A a container, building or place is secure in relation to waste kept in it if, all reasonable precautions are taken to ensure that the waste cannot escape from it and members of the public are unable to gain access to the waste.

- **CLOTHING**
- **CONSTRUCTION AND DEMOLITION WASTE/DREGGING WASTE/AGGREGATES/SOILS (INCLUDING CONSTRUCTION AND MANUFACTURING ACTIVITIES INVOLVING THESE WASTE TYPES)**
- **ELECTRICAL EQUIPMENT (INCLUDING CONSTITUENT PARTS AND ACCESSORIES)**
- **FURNITURE AND HOUSEHOLD ITEMS**
- **MISCELLANEOUS**
- **OIL (VEGETABLE)**
- **PAINT**

APPENDIX A

<i>Ref. No.</i>	<i>Activity Description</i>
CLOTHING	
LRMLR 001	The secure storage and manual sorting of up to a maximum of 10 m3 and manual sorting of waste footwear and textiles destined for recovery.
LRMLR 002	The secure storage of waste coat hangers or their constituent parts destined for recovery. The sorting and segregation of waste coat hangers into their constituent parts. (Maximum Storage 50 m3)
CONSTRUCTION AND DEMOLITION WASTE/DREGDING WASTE/AGGREGATES/SOILS (INCLUDING CONSTRUCTION AND MANUFACTURING ACTIVITES INVOLVING THESE WASTE TYPES)	
LRMLR 003	The storage of up to a maximum of 50m3 waste bricks to be subjected to manual cleaning destined for re-use. The manual cleaning of waste bricks destined for re-use.
LRMLR 004	The sorting and deconstruction of waste Pvc windows and doors for the purposes of recovery. (Maximum Storage 50 m3)
LRMLR 005	Storage of up to a maximum of 200m3 waste road chippings (not planings) pending their recovery at a place that is neither the place of production nor the place of recovery.
LRMLR 006	The secure storage of up to a maximum of 30m3 of soils derived from cleaning fruits and vegetables pending reuse of that soil.
LRMLR 007	The secure storage of up to a maximum of 500 m3; not at the site of production, of road planings containing coal tars pending recovery at a suitably authorised facility.
LRMLR 008	The use of clean river gravel for maintenance of existing tracks and footpaths.
ELECTRICAL EQUIPMENT (INCLUDING CONSTITUENT PARTS AND ACCESSORIES)	
LRMLR 009	The secure storage of up to a maximum of 5 kg of dry cell batteries (e.g. mobile phone batteries, torch batteries but not car batteries) destined for recovery.
LRMLR 010	The secure storage and manual sorting of waste toner (printer and ink) cartridges destined for recovery. The dismantling, cleaning and refilling of waste toner (printer and ink) cartridges in a secure building. (Maximum Storage 5m3)
FURNITURE AND HOUSEHOLD ITEMS	
LRMLR 011	The secure storage, sorting and repair of non-mechanical garden tools. (Maximum Storage 100 items)
LRMLR 012	The storage, repair, and manual sorting and segregation into their constituent parts, of waste furniture. (Maximum Storage 100 items)
MISCELLANEOUS	
LRMLR 013	Use at secure Fire Service premises of clean pallets, paper and cardboard by the Fire Service for training purposes. (Maximum Storage 5m3) Use at secure Fire Service premises of depolluted end-of-life vehicles (ELV's) by the Fire Service for training purposes. Please note the ELV's must never be set on fire. (Maximum Storage 2 ELV's)
LRMLR 014	The secure storage of waste pallets which are to be re-used for their original purpose. The pallets must be capable of being so used in their existing state, other than being subjected to minor repairs. (Maximum storage 1,000 pallets)
OIL (VEGETABLE)	

LRMLR 015	The recovery of waste derived biodiesel as a fuel in motor vehicles; Production of up to 100 litres of biodiesel per batch (small scale production and personal use. (Maximum Storage 1000 litres)
PAINT	
LRMLR 016	Storage of aqueous paint related waste, generated from the cleaning of spray guns, pending recovery elsewhere. (Maximum storage 1000 litres)
LRMLR 017	The secure storage, sorting and repair of bicycles. (Maximum Storage 100 bicycles)