

EXPLANATORY MEMORANDUM TO

The Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2011

SR 2011 No. 403

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 4(3) of the Waste and Contaminated Land (Northern Ireland) Order 1997 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Statutory Rule will amend the Waste Management Licensing Regulations (Northern Ireland) 2003 to allow for an exemption for sludges from on-site effluent treatment plants, following site specific assessment and ‘conventional’ or ‘enhanced’ treatment.

3. Background

- 3.1. Under current Northern Ireland legislation the landspreading of waste which is classified in the EWC as 02 02 04 (sludges from on-site effluent treatment of wastes from the preparation and processing of meat, fish and other foods of animal origin) required a full waste management licence. However, following representations from the agri-food industry, the Department undertook to commission a research project into the potential impact that the activities listed in EWC 02 02 could have on the Northern Ireland environment as well as animal and public health.

4. Consultation

- 4.1. The agri-food industry were consulted on the proposed amending legislation and all of the responses that were received supported the view that the Department should amend existing legislation to provide for this activity to be carried out under exemption from waste management licensing regulations, subject to certain conditions, which are necessary to ensure the protection of the environment, animal and human health.

5. Equality Impact

- 5.1. It was determined at the time of consultation that changes made by this Rule would have no impact in terms of section 75 of the Northern Ireland Act 1998.

6. Regulatory Impact

- 6.1. A Regulatory Impact Assessment was not necessary, because the Waste Management Licensing (Amendment) Regulations will provide an exemption from the requirement for a full Waste Management Licence, which will incur lesser costs for the agri-food industry.

7. Financial Implications

7.1. Not applicable.

8. Section 24 of the Northern Ireland Act 1998

8.1. These Regulations are deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable

11. Additional Information

11.1. Not applicable.