

SCHEDULES

SCHEDULE 1

Regulation 2

ACTIVITIES, INSTALLATIONS AND MOBILE PLANT

PART 1

ACTIVITIES

CHAPTER 1

ENERGY INDUSTRIES

SECTION 1.1

COMBUSTION ACTIVITIES

Part A

- (a) Burning any fuel in an appliance with a rated thermal input of 50 megawatts or more.

Interpretation of Part A

1. Where two or more appliances with an aggregate rated thermal input of 50 megawatts or more are operated on the same site by the same operator those appliances shall be treated as a single appliance with a rated thermal input of 50 megawatts or more.

Part B

Nil.

Part C

- (a) Unless falling within Part A of this section, burning any fuel, in a boiler or furnace or a gas turbine or compression ignition engine with, in the case of any of these appliances, a net rated thermal input of 20 megawatts or more but less than a rated thermal input of 50 megawatts.

Interpretation of Part C

1. Nothing in this Part applies to any activity falling within Part A of section 5.1.

SECTION 1.2

GASIFICATION, LIQUEFACTION AND REFINING ACTIVITIES

Part A

- (a) Refining gas.
- (b) Operating coke ovens.
- (c) Gasification or liquefaction of—
 - (i) coal; or
 - (ii) other fuels in installations with a total rated thermal input of 20 megawatts or more.

Status: This is the original version (as it was originally made).

- (d) Refining mineral oils.
- (e) The loading, unloading or other handling of, the storage of, or the physical, chemical or thermal treatment of—
 - (i) crude oil; or
 - (ii) stabilised crude petroleum;
- (f) Activities involving the pyrolysis, carbonisation, distillation, liquefaction, gasification, partial oxidation or other heat treatment of coal (other than the drying of coal), lignite, oil, other carbonaceous material or mixtures thereof otherwise than with a view to making charcoal.

Interpretation of Part A

1. Head (f) does not include—
 - (a) the incineration or pyrolysis of any substance as a waste;
 - (b) any activity for the treatment of sewage or sewage sludge;
 - (c) the anaerobic digestion of biodegradable material, none of which is waste; or
 - (d) the anaerobic digestion of biodegradable waste in an installation with a waste treatment capacity not exceeding 100 tonnes per day.
2. In head (f), the heat treatment of oil, other than distillation, does not include the heat treatment of waste oil or waste emulsions containing oil in order to recover the oil from aqueous emulsions.

Part B

- (a) Blending odorant for use with natural gas or liquefied petroleum gas.
- (b) The storage of petrol in stationary storage tanks at a terminal, or the loading or unloading of petrol into or from road tankers, rail tankers or inland waterway vessels at a terminal, where the total quantity of petrol loaded from the stationary storage tanks into road tankers, rail tankers or inland waterway vessels in any 12 month period is likely to be equal to or greater than 10,000 tonnes.

Part C

- (a) The storage of petrol in stationary storage tanks at a terminal, or the loading or unloading of petrol into or from road tankers, rail tankers or inland waterway vessels at a terminal where the total quantity of petrol loaded from the stationary storage tanks into road tankers, rail tankers or inland waterway vessels in any 12 month period is likely to be less than 10,000 tonnes.
- (b) The unloading of petrol into stationary storage tanks at a service station, if the total quantity of petrol unloaded into such tanks at the service station in any period of 12 months is likely to be 500m³ or more.
- (c) Motor vehicle refuelling activities at an existing service station after the listed date.
- (d) Motor vehicle refuelling activities at a new service station, if the petrol refuelling throughput at that service station in any 12 month period is, or is intended to be, greater than 500 m³.
- (e) Motor vehicle refuelling activities at a new service station if the petrol refuelling throughput at that service station in any 12 month period is, or is likely to be, greater than 100 m³ and it is situated under permanent living quarters or working areas.
- (f) Any existing service station which undergoes a major refurbishment must be treated as a new service station.

Interpretation of Part C

1. In this Part—

“existing service station” means a service station—

- (a) which is put into operation; or
- (b) for which planning permission under the Planning (Northern Ireland) Order 1991 was granted,

before 31st December 2009;

“inland waterway vessel” means a vessel, other than a sea-going vessel, having a total dead weight of 15 tonnes or more;

“new service station” means, in relation to service stations mentioned in paragraph (c), those which are put into operation on or after 1st January 2010 and, in relation to service stations mentioned in paragraph (e), those which are put into operation on or after 1st January 2012;

“petrol” means any petroleum derivative (other than liquefied petroleum gas), with or without additives, having a Reid vapour pressure of 27.6 kilopascals or more which is intended for use as a fuel for motor vehicles;

“listed date” means 1st January 2012 if the throughput is greater than 3500m³ and 31st December 2018 if the throughput is greater than 3000m³

“service station” means any premises where petrol is dispensed to motor vehicle fuel tanks from stationary storage tanks but shall not include any service station exclusively used in association with the construction and delivery of new motor vehicles;

“terminal” means any premises which are used for the storage and loading of petrol into road tankers, rail tankers or inland waterway vessels.

2. Any other expressions used in this Part which are also used in Directive 94/63/EC(1) of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations have the same meaning as in that Directive.

CHAPTER 2

PRODUCTION AND PROCESSING OF METALS

SECTION 2.1

FERROUS METALS

Part A

- (a) Roasting or sintering metal ore, including sulphide ore, or any mixture of iron ore with or without other materials.
- (b) Producing, melting or refining iron or steel or any ferrous alloy, including continuous casting, except where the only furnaces used are—
 - (i) electric arc furnaces with a designed holding capacity of less than 7 tonnes; or
 - (ii) cupola, crucible, reverbatory, rotary, induction, vacuum, electro-slag or resistance furnaces.
- (c) Processing ferrous metals and their alloys by using hot-rolling mills with a production capacity of more than 20 tonnes of crude steel per hour.

(1) OJNo. L 365, 31.12.1994, p.24

Status: This is the original version (as it was originally made).

- (d) Loading, unloading or otherwise handling or storing more than 500,000 tonnes in total, in any period of 12 months of iron ore, except in the course of mining operations, or burnt pyrites.
- (e) Producing pig iron or steel, including continuous casting, in a plant with a production capacity of more than 2.5 tonnes per hour unless falling within paragraph (b).
- (f) Operating hammers in a forge, the energy of which is more than 50 kilojoules per hammer, where the calorific power used is more than 20 megawatts.
- (g) Applying protective fused metal coatings with an input of more than 2 tonnes of crude steel per hour.
- (h) Casting ferrous metal at a foundry with a production capacity of more than 20 tonnes per day.

Part B

- (a) Casting iron, steel or any ferrous alloy from deliveries of 50 tonnes or more of molten metal, unless falling within Part A of this section.

Part C

- (a) Producing pig iron or steel, including continuous casting, in a plant with a production capacity of 2.5 tonnes or less per hour, unless falling within paragraph (b) of Part A of this section.
- (b) Producing, melting or refining iron or steel or any ferrous alloy (other than producing pig iron or steel, including continuous casting) using—
 - (i) one or more electric arc furnaces, none of which has a designed holding capacity of 7 tonnes or more; or
 - (ii) a cupola, crucible, reverberatory, rotary, induction, electro-slag or resistance furnace, unless falling within paragraph (e) or (h) of Part A of this section.
- (c) Desulphurising iron, steel or any ferrous alloy.
- (d) Heating iron, steel or any ferrous alloy (whether in a furnace or other appliance) to remove grease, oil or any other non-metallic contaminant (including such operations as the removal by heat of plastic or rubber covering from scrap cable) unless—
 - (i) it is carried out in one or more furnaces or other appliances the primary combustion chambers of which have in aggregate a rated thermal input of less than 0.2 megawatts;
 - (ii) it does not involve the removal by heat of plastic or rubber covering from scrap cable or of any asbestos contaminant; and
 - (iii) it is not related to any other activity falling within this Part of this section.

Interpretation of section 2.1

1. In this section, “ferrous alloy” means an alloy of which iron is the largest constituent, or equal to the largest constituent, by weight, whether or not that alloy also has a non-ferrous metal content greater than any percentage specified in section 2.2.

SECTION 2.2

NON-FERROUS METALS

Part A

- (a) Producing non-ferrous metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic activities.

- (b) Melting, including making alloys, of non-ferrous metals, including recovered products and the operation of non-ferrous metal foundries where the plant has a melting capacity of more than 4 tonnes per day for lead or cadmium or 20 tonnes per day for all other metals.
- (c) Producing, melting or recovering (whether by chemical means or by electrolysis or by the use of heat) cadmium or mercury or any alloy containing more than 0.05 per cent by weight of either of those metals or, in aggregate, of both.

Part B

- (a) Melting, including making alloys, of non-ferrous metals (other than tin or any alloy which in molten form contains 50 per cent or more by weight of tin), including recovered products (refining, foundry casting, etc.) in plant with a melting capacity of 4 tonnes or less per day for lead or cadmium or 20 tonnes or less per day for all other metals and where the designed holding capacity of molten metal is 0.5 tonnes or more (together with any additional refining).
- (b) Melting zinc or a zinc alloy in conjunction with a galvanising activity at a rate of 20 tonnes or less per day unless described in Part A of section 2.1.
- (c) Melting zinc, aluminium or magnesium or an alloy of one or more of these metals in conjunction with a die-casting activity at a rate of 20 tonnes or less per day.

Part C

- (a) Melting, including making alloys, of non-ferrous metals (other than tin or any alloy which in molten form contains 50 per cent or more by weight of tin), including recovered products (refining, foundry casting, etc.) in plant with a melting capacity of 4 tonnes or less per day for lead or cadmium or 20 tonnes or less per day for all other metals and where the designed holding capacity of molten metal is less than 0.5 tonnes (together with any additional refining).
- (b) The heating in a furnace or any other appliance of any non-ferrous metal or non-ferrous metal alloy for the purpose of removing grease, oil or any other non-metallic contaminant, including such operations as the removal by heat of plastic or rubber covering from scrap cable, if not related to another activity described in this Part of this section; but an activity does not fall within this paragraph if—
 - (i) it involves the use of one or more furnaces or other appliances the primary combustion chambers of which have in aggregate a net rated thermal input of less than 0.2 megawatts; and
 - (ii) it does not involve the removal by heat of plastic or rubber covering from scrap cable or of any asbestos contaminant.
- (c) Unless falling within Part A or B of this section, the separation of copper, aluminium, magnesium or zinc from mixed scrap by differential melting.

Interpretation of Part C

1. In this Part “net rated thermal input” is the rate at which fuel can be burned at the maximum continuous rating of the appliance multiplied by the net calorific value of the fuel and expressed as megawatts thermal.

Interpretation of section 2.2

1. In this section “non-ferrous metal alloy” means an alloy which is not a ferrous alloy, as defined in section 2.1.

2. Nothing in paragraph (c) of Part A or in Part B or C of this section shall be taken to refer to the activities of hand soldering, flow soldering or wave soldering.

SECTION 2.3

Status: This is the original version (as it was originally made).

SURFACE TREATING METALS AND PLASTIC MATERIALS

Part A

- (a) Surface treating metals and plastic materials using an electrolytic or chemical process where the aggregated volume of the treatment vats is more than 30m³.

Part B

- (b) Any process for the surface treatment of metal which is likely to result in the release into air of any acid-forming oxide of nitrogen and which does not fall within Part A of this section.

Part C

Nil

CHAPTER 3

MINERAL INDUSTRIES

SECTION 3.1

PRODUCTION OF CEMENT AND LIME

Part A

- (a) Producing cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or in other kilns with a production capacity exceeding 50 tonnes per day.
- (b) Producing lime or magnesium oxide in kilns with a production capacity of more than 50 tonnes per day.

Part B

- (a) Blending cement in bulk or using cement in bulk other than at a construction site, including the bagging of cement and cement mixtures, the batching of ready-mixed concrete and the manufacture of concrete blocks and other cement products where the activity is not related to an activity described in paragraph (a) of Part A of this section and is carried on at the same location as an activity described in paragraph (a) of Part B of section 3.5.
- (b) Producing lime where the activity is not likely to involve the heating in any period of 12 months of 5,000 tonnes or more of calcium carbonate or calcium magnesium carbonate or, in aggregate, of both.
- (c) Slaking lime for the purpose of making calcium hydroxide or calcium magnesium hydroxide when related to an activity described in paragraph (b) above.
- (d) Grinding cement clinker not associated with production of cement clinker.
- (e) Unless falling within Part A of section 2.1 or 2.2, grinding metallurgical slag in plant with a grinding capacity of more than 250, 000 tonnes in any period of 12 months.

Part C

- (a) Storing, loading or unloading cement or cement clinker in bulk prior to further transportation in bulk.
- (b) Blending cement in bulk or using cement in bulk other than at a construction site, including the bagging of cement and cement mixtures, the batching of ready-mixed concrete and the manufacture of concrete blocks and other cement products where the activity is not related to an activity described in paragraph (a) of Part A of this section and is not described in paragraph (a) of Part B of this section.
- (c) Slaking lime for the purpose of making calcium hydroxide or calcium magnesium hydroxide unless related to an activity described in another Part of this Schedule.

SECTION 3.2

ACTIVITIES INVOLVING ASBESTOS

Part A

- (a) Producing asbestos or manufacturing products based on or containing asbestos.
- (b) Stripping asbestos from railway vehicles except—
 - (i) in the course of the repair or maintenance of the vehicle;
 - (ii) in the course of recovery operations following an accident; or
 - (iii) where the asbestos is permanently bonded in cement or in any other material (including plastic, rubber or resin).

Part B

- (a) The industrial finishing of any of the following products where not related to an activity falling within Part A of this section—
 - (i) asbestos cement;
 - (ii) asbestos cement products;
 - (iii) asbestos fillers;
 - (iv) asbestos filters;
 - (v) asbestos floor coverings;
 - (vi) asbestos friction products;
 - (vii) asbestos insulating board;
 - (viii) asbestos jointing, packaging and reinforcement material;
 - (ix) asbestos packing;
 - (x) asbestos paper or card; or
 - (xi) asbestos textiles.

Part C

Nil

Interpretation of section 3.2

1. In this section “asbestos” includes any of the following fibrous silicates: actinolite, amosite, anthophyllite, chrysotile, crocidolite and tremolite.

SECTION 3.3

MANUFACTURING GLASS AND GLASS FIBRE

Part A

- (a) Manufacturing glass or glass fibre where the melting capacity of the plant is more than 20 tonnes a day.

Part B

Unless falling within Part A of this section—

- (a) Manufacturing glass at any location where the person concerned has the capacity to make 5,000 tonnes or more of glass in any period of 12 months, and any activity involving the use of glass which is carried out at any such location in conjunction with its manufacture.
- (b) Manufacturing glass where the use of lead or any lead compound is involved.
- (c) Manufacturing any glass product where lead or any lead compound has been used in the manufacture of the glass except—
 - (i) making products from lead glass blanks; or

Status: This is the original version (as it was originally made).

- (ii) melting, or mixing with another substance, glass manufactured elsewhere to produce articles such as ornaments or road paint.
- (d) Polishing or etching glass or glass products in the course of any manufacturing activity if—
 - (i) hydrofluoric acid is used; or
 - (ii) hydrogen fluoride may be released into the air.
- (e) Manufacturing glass frit or enamel frit and its use in any activity where that activity is related to its manufacture.

Part C

Nil

SECTION 3.4

PRODUCTION OF OTHER MINERAL FIBRES

Part A

- (a) Unless falling within Part A of section 3.3, melting mineral substances including the production of mineral fibres with a melting capacity exceeding 20 tonnes per day.

Part B

Nil.

Part C

Nil.

SECTION 3.5

OTHER MINERAL ACTIVITIES

Part A

- (a) Manufacturing cellulose fibre reinforced calcium silicate board using unbleached pulp.

Part B

- (a) Unless falling within Part A of any section in this Schedule, the crushing, grinding or other size reduction, other than the cutting of stone, or the grading, screening or heating of any designated mineral or mineral product except where the operation of the activity is unlikely to result in the release into the air of particulate matter.
- (b) Coating road stone with tar or bitumen.
- (c) The fusion of calcined bauxite for the production of artificial corundum.

Part C

- (d) Any of the following activities unless carried on at an exempt location—
 - (i) crushing, grinding or otherwise breaking up coal, coke or any other coal product;
 - (ii) screening, grading or mixing coal, coke or any other coal product;
 - (iii) loading or unloading petroleum coke, coal, coke or any other coal product except unloading on retail sale.
- (e) The crushing, grinding or other size reduction, with machinery designed for that purpose, of bricks, tiles or concrete.
- (f) Screening the product of any activity described in paragraph (b).
- (g) Loading, unloading or storing pulverised fuel ash in bulk prior to further transportation in bulk.

Interpretation of Parts B and C

1. In Parts B and C—

“coal” includes lignite;

“designated mineral or mineral product” means—

- (i) clay, sand and any other naturally occurring mineral other than coal or lignite;
- (ii) metallurgical slag;
- (iii) boiler or furnace ash produced from the burning of coal, coke or any other coal product;
- (iv) gypsum which is a by-product of any activity;

“exempt location” means—

- (i) any premises used for the sale of petroleum coke, coal, coke or any coal product where the throughput of such substances at those premises in any period of 12 months is in aggregate likely to be less than 10,000 tonnes; or
- (ii) any premises to which petroleum coke, coal, coke or any coal product is supplied only for use there;

“retail sale” means sale to the final customer.

2. Nothing in this Part applies to any activity carried out underground.

SECTION 3.6

CERAMIC PRODUCTION

Part A

(a) Manufacturing ceramic products (including roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain) by firing in kilns, where—

- (i) the kiln production capacity is more than 75 tonnes per day; or
- (ii) the kiln capacity is more than 4m³ and the setting density is more than 300 kg/m³.

Part B

(a) Unless falling within Part A of this section, firing heavy clay goods or refractory materials (other than heavy clay goods) in a kiln where a reducing atmosphere is essential or with a production capacity exceeding 50 tonnes per day.

(b) Vapour glazing earthenware or clay with salts.

Part C

(a) Unless falling within Part A or Part B of this section, firing heavy clay goods or refractory materials (other than heavy clay goods) in a kiln.

Interpretation of Parts B and C

1. In these Parts—

“clay” includes a blend of clay with ash, sand or other materials;

“refractory material” means material (such as fireclay, silica, magnesite, chrome-magnesite, sillimanite, sintered alumina, beryllia and boron nitride) which is able to withstand high temperatures and to function as a furnace lining or in other similar high temperature applications.

CHAPTER 4

THE CHEMICAL INDUSTRY

Interpretation of Chapter 4

Status: This is the original version (as it was originally made).

1. In Part A of the sections of this Chapter, “producing” means producing on an industrial scale by chemical or biological processing of substances or groups of substances listed in the relevant sections.

SECTION 4.1

ORGANIC CHEMICALS

Part A

- (a) Producing organic chemicals such as—
- (i) hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic);
 - (ii) organic compounds containing oxygen, such as alcohols, aldehydes, ketones, carboxylic acids, esters, ethers, peroxides, phenols, epoxy resins;
 - (iii) organic compounds containing sulphur, such as sulphides, mercaptans, sulphonic acids, sulphonates, sulphates and sulphones and sulphur heterocyclics;
 - (iv) organic compounds containing nitrogen, such as amines, amides, nitrous-, nitro- or azo-compounds, nitrates, nitriles, nitrogen heterocyclics, cyanates, isocyanates, di-isocyanates and di-isocyanate prepolymers;
 - (v) organic compounds containing phosphorus, such as substituted phosphines and phosphate esters;
 - (vi) organic compounds containing halogens, such as halocarbons, halogenated aromatic compounds and acid halides;
 - (vii) organometallic compounds, such as lead alkyls, Grignard reagents and lithium alkyls;
 - (viii) plastic materials, such as polymers, synthetic fibres and cellulose-based fibres;
 - (ix) synthetic rubbers;
 - (x) dyes and pigments;
 - (xi) surface-active agents.

Part B

- (a) Unless falling within Part A of this section, any activity where the carrying on of the activity by the person concerned at the location in question is likely to involve the use in any 12 month period of 5 tonnes or more of any di-isocyanate or of any partly polymerised di-isocyanate or, in aggregate, of both.
- (b) The flame bonding or cutting with heated wires of polyurethane foams or polyurethane elastomers.
- (c) Any activity for the polymerisation or co-polymerisation of any pre-formulated resin or pre-formulated gel coat which contains any unsaturated hydrocarbon, where the activity is likely to involve, in any period of 12 months, the polymerisation or co-polymerisation of 100 tonnes or more of unsaturated hydrocarbon.
- (d) Unless falling within Part A of this section, any activity involving the use of toluene di-isocyanate or partly polymerised di-isocyanate if the activity may result in a release into the air which contains toluene di-isocyanate.

Part C

Nil

Interpretation of section 4.1

1. In this section, “pre-formulated resin or pre-formulated gel coat” means any resin or gel coat which has been formulated before being introduced into polymerisation or co-polymerisation activity, whether or not the resin or gel coat contains a colour pigment, activator or catalyst.

SECTION 4.2

INORGANIC CHEMICALS

Part A

- (a) Producing inorganic chemicals such as—
- (i) gases, such as ammonia, hydrogen chloride, hydrogen fluoride, hydrogen cyanide, hydrogen sulphide, oxides of carbon, sulphur compounds, oxides of nitrogen, hydrogen, oxides of sulphur, phosgene;
 - (ii) acids, such as chromic acid, hydrofluoric acid, hydrochloric acid, hydrobromic acid, hydroiodic acid, phosphoric acid, nitric acid, sulphuric acid, oleum and chlorosulphonic acid;
 - (iii) bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide;
 - (iv) salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate, cupric acetate, ammonium phosphomolybdate;
 - (v) non-metals, metal oxides, metal carbonyls or other inorganic compounds such as calcium carbide, silicon, silicon carbide, titanium dioxide;
 - (vi) halogens or interhalogen compound comprising two or more of halogens, or any compound comprising one or more of those halogens and oxygen.
- (b) Unless falling within another section of this Schedule, any manufacturing activity (other than the manufacture of chemicals or glass or the coating, plating or surface treatment of metal) which involves the use and may result in the release into the air of any hydrogen halide or any manufacturing activity which uses, or which is likely to result in the release into the air or water of any of the compounds mentioned in paragraph (a)(vi), other than the treatment of water by chlorine.
- (c) Unless falling within another section of this Schedule, any manufacturing activity, other than the application of a glaze or vitreous enamel, involving the use of any of the following elements or compound of those elements or the recovery of any compound of the following elements—
- antimony;
 - arsenic;
 - beryllium;
 - gallium;
 - indium;
 - lead;
 - palladium;
 - platinum;
 - selenium;
 - tellurium;
 - thallium,

where the activity may result in the release into the air of any of those elements or compounds or the release into water of any substance listed in paragraph 10 of Part 2 of this Schedule.

Status: This is the original version (as it was originally made).

- (d) Recovering any compound of cadmium or mercury.
- (e) Unless falling within another section of this Schedule, any manufacturing activity involving the use of mercury or cadmium or any compound of either element or which may result in the release into air of either of those elements or their compounds.
- (f) Unless falling within another section of this Schedule, any activity, other than the combustion or incineration of carbonaceous material, which is likely to result in the release into the air of any acid-forming oxide of nitrogen.

Interpretation of Part A

1. "Carbonaceous material" referred to in (f) includes such materials as charcoal, coke, peat, rubber and wood, (but does not include wood which has not been chemically treated).

Part B

Nil.

Part C

Nil.

SECTION 4.3

CHEMICAL FERTILISER PRODUCTION

Part A

- (a) Producing (including any blending which is related to their production) phosphorus, nitrogen or potassium based fertilisers (simple or compound fertilisers).

Part B

Nil.

Part C

Nil.

SECTION 4.4

PLANT PROTECTION PRODUCTS AND BIOCIDES

Part A

- (a) Producing plant protection products or biocides.
- (b) Formulating such products if this may result in the release into water of any substance listed in paragraph 10 of Part 2 of this Schedule in a quantity which, in any period of 12 months, is greater than the background quantity by more than the amount specified in that paragraph for that substance.

Part B

Nil.

Part C

Nil.

SECTION 4.5

PHARMACEUTICAL PRODUCTION

Part A

- (a) Producing pharmaceutical products, including intermediates.

Part B

Nil.

Part C

Nil.

SECTION 4.6

EXPLOSIVES PRODUCTION

Part A

- (a) Producing explosives.

Part B

Nil.

Part C

Nil.

SECTION 4.7

MANUFACTURING ACTIVITIES INVOLVING AMMONIA

Part A

- (a) Any activity for the manufacture of a chemical which may result in the release of ammonia into the air other than an activity in which ammonia is only used as a refrigerant.

Part B

Nil.

Part C

Nil.

SECTION 4.8

THE STORAGE OF CHEMICALS IN BULK

Part A

Nil.

Part B

- (a) The storage in tanks, other than in tanks for the time being forming part of a powered vehicle, of any of the substances listed below except where the total storage capacity of the tanks installed at the location in question in which the relevant substance may be stored is less than the figure specified below in relation to that substance—

any one or more acrylates	20 tonnes (in aggregate)
acrylonitrile	20 tonnes
anhydrous ammonia	100 tonnes
anhydrous hydrogen fluoride	1 tonne
toluene di-isocyanate	20 tonnes
vinyl chloride monomer	20 tonnes
ethylene	8,000 tonnes.

Part C

Nil

CHAPTER 5

WASTE MANAGEMENT

SECTION 5.1

INCINERATION AND CO-INCINERATION OF WASTE

Part A

- (a) The incineration of hazardous waste in a waste incineration plant with a capacity of 10 tonnes or more per day or, unless carried out as part of any other Part A activity, in a waste co-incineration plant with a capacity of 10 tonnes or more per day.
- (b) The incineration of hazardous solid or liquid waste in a waste incineration plant with a capacity of less than 10 tonnes per day or, unless carried out as part of any other Part A activity, in a waste co-incineration plant with a capacity of less than 10 tonnes per day, other than in an excluded plant.
- (c) The incineration of non-hazardous waste in a waste incineration plant with a capacity of 3 tonnes or more per hour or, unless carried out as part of any other Part A activity, in a waste co-incineration plant with a capacity of 3 tonnes or more per hour.
- (d) The incineration of non-hazardous solid or liquid waste in a waste incineration plant with a capacity of less than 3 tonnes per hour or, unless carried out as part of any other Part A activity, in a waste co-incineration plant with a capacity of less than 3 tonnes per hour, other than in an excluded plant.
- (e) The incineration, other than incidentally in the course of burning landfill gas or solid or liquid waste, of any gaseous compound containing halogens
- (f) The incineration of animal carcasses or animal waste with a treatment capacity of more than 10 tonnes per day of animal carcasses or animal waste or, in aggregate, of both.
- (g) Unless described elsewhere in this Part, the incineration of solid or liquid non-hazardous waste in an excluded plant with a capacity of 1 tonne per hour or more, but less than 3 tonnes per hour.
- (h) Unless carried out as part of any other activity in this part, the incineration of a fuel manufactured from a waste in an appliance with a rated thermal input over 3 megawatts.

Part B

- (a) The incineration of waste in an incineration plant, which is authorised for the incineration of radioactive waste under section 13 of the Radioactive Substances Act 1993(2).

Part C

- (a) Unless described elsewhere in this section, the incineration of non-hazardous solid or liquid waste in an excluded plant but which has a capacity of 50 kilogrammes or more per hour but less than 1 tonne per hour.
- (b) The cremation of human remains.

Interpretation of section 5.1

- 1. In this section—
“excluded plant” means—

(2) 1993 c. 12
O.J.L 300, 14.11.2009, p.1

- (a) a plant treating only the following wastes—
 - (i) vegetable waste from agriculture and forestry;
 - (ii) vegetable waste from the food processing industry, if the heat generated is recovered;
 - (iii) fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered;
 - (iv) wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood-preserved or coated, and which includes in particular such wood waste originating from construction and demolition waste;
 - (v) cork waste;
 - (vi) radioactive waste;
 - (vii) animal carcasses as regulated by Regulation (EC) No 1069/2009(b) of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption; or
 - (viii) waste resulting from exploration for, and the exploitation of, oil and gas resources from off-shore installations and incinerated on board the installation;
- (b) an experimental plant used for research, development and testing in order to improve the incineration process and which treats less than 50 tonnes of waste per year; and
- (c) gasification or pyrolysis plants, if the gases resulting from the thermal treatment of waste are purified to such an extent that they are no longer a waste prior to their incineration and they can cause emissions no higher than those resulting from the burning of natural gas.

“fuel” does not include fuel manufactured from waste which ceased to be a waste before being burned as a fuel; and

“incineration” means the thermal treatment of wastes with or without recovery of the combustion heat generated. This includes the incineration by oxidation of waste as well as other thermal treatment processes such as pyrolysis, gasification or plasma processes in so far as the substances resulting from the treatment are subsequently incinerated.

SECTION 5.2

DISPOSAL OF WASTE BY LANDFILL

Part A

- (a) The disposal of waste in a landfill receiving more than 10 tonnes of waste in any day or with a total capacity of more than 25,000 tonnes, excluding disposals in landfills taking only inert waste.
- (b) The disposal of waste in any other landfill.

Part B

Nil

Part C

Nil

SECTION 5.3

Status: This is the original version (as it was originally made).

*DISPOSAL OR RECOVERY OF HAZARDOUS WASTE
OTHER THAN BY INCINERATION OR LANDFILL*

Part A

- (a) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving one or more of the following activities—
 - (i) biological treatment;
 - (ii) physico-chemical treatment;
 - (iii) blending or mixing prior to submission to any of the other activities listed in sections 5.1 (a) and (c) and this section;
 - (iv) repackaging prior to submission to any of the other activities listed in sections 5.1 (a) and (c) and this section;
 - (v) solvent reclamation/regeneration;
 - (vi) recycling/reclamation of inorganic materials other than metals or metal compounds;
 - (vii) regeneration of acids or bases;
 - (viii) recovery of components used for pollution abatement;
 - (ix) recovery of components from catalysts;
 - (x) oil re-refining or other reuses of oil;
 - (xi) surface impoundment.

Part B

Nil.

Part C

Nil.

SECTION 5.4

DISPOSAL OR RECOVERY OF NON-HAZARDOUS WASTE

Part A

- (b) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving one or more of the following activities, (but excluding activities covered by Council Directive [91/271/EEC](#)(3) of 21 May 1991 concerning urban waste-water treatment)—
 - (i) biological treatment;
 - (ii) physico-chemical treatment;
 - (iii) pre-treatment of waste for incineration or co-incineration;
 - (iv) treatment of slags and ashes;
 - (v) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.
- (c) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, (but excluding activities covered by Directive [91/271/EEC](#))—
 - (i) biological treatment;
 - (ii) pre-treatment of waste for incineration or co-incineration;
 - (iii) treatment of slags and ashes;

(3) O.J.L 135, 30.5.1991, p.40

- (iv) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.
- (d) When the only waste treatment activity carried out is anaerobic digestion, the capacity threshold for this activity shall be 100 tonnes per day.

Part B

Nil.

Part C

Nil.

SECTION 5.5

TEMPORARY AND UNDERGROUND STORAGE OF WASTE

Part A

- (a) Temporary storage of hazardous waste not covered under section 5.2 pending any of the activities listed in sections 5.1, 5.2, 5.3 and paragraph (b) of this section with a total capacity exceeding 50 tonnes, excluding temporary storage, pending collection, on the site where the waste is generated.
- (b) Underground storage of hazardous waste with a total capacity exceeding 50 tonnes.

Part B

Nil.

Part C

Nil.

CHAPTER 6

OTHER ACTIVITIES

SECTION 6.1

PAPER, PULP AND BOARD MANUFACTURING ACTIVITIES

Part A

- (a) Producing, in industrial plant, pulp from timber or other fibrous materials.
- (b) Producing, in industrial plant, paper and card board where the plant has a production capacity of more than 20 tonnes per day.
- (c) Production of one or more of the following wood-based panels: oriented strand board, particleboard or fibreboard with a production capacity exceeding 600 m³ per day.

Part B

Nil.

Part C

Nil.

SECTION 6.2

CARBON ACTIVITIES

Part A

- (a) Producing carbon or hard-burnt coal or electro graphite by means of incineration or graphitisation.

Status: This is the original version (as it was originally made).

Part B

Nil.

Part C

Nil.

SECTION 6.3

TAR AND BITUMEN ACTIVITIES

Part A

- (a) Distilling tar or bitumen in connection with any process of manufacture where the carrying out of the activity by the person concerned at the location in question is likely to involve the use in any period of 12 months of 5 tonnes or more of tar or of bitumen or, in aggregate, of both.

Part B

- (a) Any activity not falling within Part A of this section or of section 6.2 involving—
 - (i) heating, but not distilling, tar or bitumen in connection with any manufacturing activity; or
 - (ii) oxidising bitumen by blowing air through it, at plant where no other activities described in any section in this Schedule are carried out,where the carrying out of the activity is likely to involve the use in any period of 12 months of 5 tonnes or more of tar or of bitumen or, in aggregate, of both.

Interpretation of Part B

1. In this Part “tar” and “bitumen” include pitch.

Part C

Nil

SECTION 6.4

COATING ACTIVITIES, PRINTING AND TEXTILE TREATMENTS

Part A

- (a) Pre-treating (by operations such as washing, bleaching or mercerisation) or dyeing fibres or textiles in plant with a treatment capacity of more than 10 tonnes per day.
- (b) Surface treating substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating, in plant with a consumption capacity of more than 150 kg per hour or more than 200 tonnes per year.

Part B

Unless falling within Part A of this section or paragraph (g) of Part A of section 2.1, any activity (other than for the repainting or respraying of or of parts of road vehicles), involving—

- (a) the repainting or respraying of or of parts of aircraft or railway vehicles; or
- (b) the application to a substrate of, or the drying or curing after such applications of, printing ink or paint or any other coating material as, or in the course of, a manufacturing activity,

where the carrying on of the activity may result in the release into the air of particulate matter or of any volatile organic compound and is likely to involve the use in any period of 12 months of—

- (i) 400 tonnes or more of printing ink, paint or other coating material which is applied in solid form; or

- (ii) 400 tonnes or more of any metal coating which is sprayed on in molten form;

Part C

- (a) Unless falling within Part A or Part B of this section or paragraph (g) of Part A of section 2.1, any process (other than for the repainting or respraying of, or of parts of, aircraft or road or railway vehicles) for applying to a substrate, or drying or curing after such application, printing ink or paint or any other coating material as, or in the course of, a manufacturing activity, where the process may result in the release into the air of particulate matter or of any volatile organic compound and is likely to involve the use in any period of 12 months of—
 - (i) 20 tonnes or more of printing ink, paint or other coating material which is applied in solid form;
 - (ii) 20 tonnes or more of any metal coating which is sprayed on in molten form;
 - (iii) 25 tonnes or more of organic solvents in respect of any cold set web offset printing activity or any sheet fed offset litho printing activity; or
 - (iv) 5 tonnes or more of organic solvents in respect of any activity not mentioned in subparagraph (iii).
- (b) Unless falling within Part A of this section, repainting or respraying road vehicles or parts of them if the activity may result in the release into the air of particulate matter or of any volatile organic compound and the carrying on of the activity is likely to involve the use of 1 tonne or more of organic solvents in any period of 12 months.
- (c) Repainting or respraying aircraft or railway vehicles or parts of them if the activity may result in the release into the air of particulate matter or of any volatile organic compound and the carrying out of the activity is likely to involve the use in any period of 12 months of—
 - (i) 20 tonnes or more of any paint or other coating material which is applied in solid form;
 - (ii) 20 tonnes or more of any metal coatings which are sprayed on in molten form; or
 - (iii) 5 tonnes or more of organic solvents.

Interpretation of Parts B and C

1. In this Part—
 - “aircraft” includes gliders and missiles;
 - “coating material” means paint, printing ink, varnish, lacquer, dye, any metal oxide coating, any adhesive coating, any elastomer coating, any metal or plastic coating and any other coating material.
2. The amount of organic solvents used in an activity shall be calculated as—
 - (a) the total input of organic solvents into the process, including both solvents contained in coating materials and solvents used for cleaning or other purposes; less
 - (b) any organic solvents that are removed from the process for re-use or for recovery for re-use.

SECTION 6.5

THE MANUFACTURE OF DYESTUFFS, PRINTING INK AND COATING MATERIALS

Part A

Nil.

Part B

Status: This is the original version (as it was originally made).

- (a) Unless falling within Part A of any section in this Schedule—
 - (i) manufacturing or formulating printing ink or any other coating material containing, or involving the use of, an organic solvent, where the carrying out of the activity is likely to involve the use of 200 tonnes or more of organic solvents in any period of 12 months;
 - (ii) manufacturing any powder for use as a coating material where the process uses lead chromate or triglycidyl isocyanurate and where there is the capacity to produce 400 tonnes or more of such powder in any period of 12 months.

Part C

- (a) Unless falling within Part A or Part B of any section in this Schedule—
 - (i) manufacturing or formulating printing ink or any other coating material containing, or involving the use of, an organic solvent, where the carrying out of the activity is likely to involve the use of 100 tonnes or more, but less than 200 tonnes of organic solvents in any period of 12 months;
 - (ii) manufacturing any powder for use as a coating material where the process uses lead chromate or triglycidyl isocyanurate and where there is the capacity to produce 200 tonnes or more, but less than 400 tonnes of such powder in any period of 12 months.

Interpretation of Parts B and C

1. In this Part, “coating material” has the same meaning as in section 6.4.
2. The amount of organic solvents used in an activity shall be calculated as—
 - (i) the total input of organic solvents into the process, including both solvents contained in coating materials and solvents for cleaning or other purposes; less
 - (ii) any organic solvents, not contained in coating materials, that are removed from the process for re-use or for recovery for re-use.

SECTION 6.6

TIMBER ACTIVITIES

Part A

- (a) Curing, or chemically treating, as part of a manufacturing process, timber or products wholly or mainly made from wood if any substance listed in paragraph 10 of Part 2 of this Schedule is used.
- (b) Preservation of wood and wood products with chemicals with a production capacity exceeding 75 m³ per day other than exclusively treating against sapstain.

Part B

Nil.

Part C

- (a) Unless falling within Part A of section 6.1, manufacturing products wholly or mainly of wood at any works if the activity involves the sawing, drilling, sanding, shaping, turning, planning, curing or chemical treatment of wood (“relevant activities”) and the throughput of the works in any period of 12 months is likely to be more than—
 - (i) 10,000 cubic metres, in the case of works at which wood is sawed but at which wood is not subjected to any other relevant activities or is subjected only to relevant activities which are exempt activities; or
 - (ii) 1,000 cubic metres in any other case.

Interpretation of Part C

1. In this Part—

“relevant activities” other than sawing are “exempt activities” where, if no sawing were carried out at the works, the activities carried out there would be unlikely to result in the release into the air of any substances listed in paragraph 9 of Part 2 of this Schedule in a quantity which is capable of causing a significant negative effect on human health or the environment;

“throughput” shall be calculated by reference to the amount of wood which is subjected to any of the relevant activities, but where, at the same works, wood is subject to two or more relevant activities, no account shall be taken of the second or any subsequent activity;

“wood” includes any product consisting wholly or mainly of wood; and

“works” includes a sawmill or any other premises on which relevant activities are carried out on wood.

SECTION 6.7

ACTIVITIES INVOLVING RUBBER

Part A

- (a) Manufacturing new tyres (but not remoulds or retreads) if this involves the use in any period of 12 months of 50,000 tonnes or more of one or more of the following—
- (i) natural rubber;
 - (ii) synthetic organic elastomers;
 - (iii) other substances mixed with them.

Part B

- (a) The curing of foam rubber products where hydrogen sulphide is released.

Part C

- (a) Unless falling within Part A or B of any section in this Schedule, the mixing, milling or blending of—
- (i) natural rubber; or
 - (ii) synthetic organic elastomers,
- if carbon black is used.
- (b) Any activity which converts the product of an activity falling within paragraph (a) into a finished product if related to an activity falling within that paragraph.

SECTION 6.8

THE TREATMENT OF ANIMAL AND VEGETABLE MATTER AND FOOD INDUSTRIES

Part A

- (a) Tanning hides and skins at plant with a treatment capacity of more than 12 tonnes of finished products per day.
- (b) Slaughtering animals at plant with a carcass production capacity of more than 50 tonnes per day.
- (c) Disposing of or recycling animal carcasses or animal waste otherwise than by incineration falling within section 5.1 in plant with a treatment capacity exceeding 10 tonnes per day of animal carcasses or animal waste or, in aggregate, of both.
- (d) Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed from—

Status: This is the original version (as it was originally made).

- (i) only animal raw materials (other than milk) at plant with a finished product production capacity of more than 75 tonnes per day;
- (ii) only vegetable raw materials at plant with a finished product production capacity greater than 300 tonnes per day or 600 tonnes per day where the installation operates for a period of no more than 90 consecutive days in any year;
- (iii) animal and vegetable raw materials, both in combined and separate products, with a finished product production capacity in tonnes per day greater than—
 - (aa) 75 if A is equal to 10 or more;
 - (bb) $300 - (22.5 \times A)$ in any other case; or
 - (cc) where 'A' is the portion of animal material (in % of weight) of the finished product production capacity;

where, when calculating the weight of finished product for the purposes of paragraphs (i) to (iii), the weight of packaging must be ignored.

- (e) Treating and processing milk, the quantity of milk received being more than 200 tonnes per day (average value on an annual basis).

Part B

- (a) Unless falling within Part A of this section, treating feathers by hydrolysis where hydrogen sulphide or other sulphur containing compounds may be released into the air.

Part C

- (a) Processing, storing or drying by the application of heat of the whole or part of any dead animal or any vegetable matter (other than the treatment of effluent so as to permit its discharge into waterways, underground strata or into a sewer unless the treatment involves the drying of any material with a view to its use as animal feedstuff) if—
 - (i) the processing, storing or drying does not fall within another section of this Schedule or Part A or B of this section and is not an exempt activity; and
 - (ii) the processing, storing or drying may result in the release into the air of a substance described in paragraph 9 of Part 2 of this Schedule or any offensive smell noticeable outside the premises on which the activity is carried out.
- (b) Breeding maggots in any case where 5 kg or more of animal matter or of vegetable matter or, in aggregate, of both are introduced into the process in any week.

Interpretation of section 6.8

1. In this section—

“animal” includes a bird or a fish;

“exempt activity” means—

- (i) any activity carried out in a farm or agricultural holding other than the manufacture of goods for sale;
- (ii) the manufacture or preparation of food or drink for human consumption but excluding—
 - (aa) the extraction, distillation or purification of animal or vegetable oil or fat otherwise than as a activity incidental to the cooking of food for human consumption;
 - (bb) any activity involving the use of green offal or the boiling of blood except the cooking of food (other than tripe) for human consumption;
 - (cc) the cooking of tripe for human consumption elsewhere than on premises on which it is to be consumed;
- (iii) the fleshing, cleaning and drying of pelts of fur-bearing mammals;

- (iv) any activity carried on in connection with the operation of a knackers yard, as defined in the Animal By-Products Order (Northern Ireland) 2002⁽⁴⁾;
 - (v) any activity for the manufacture of soap not falling within Part A of section 4.1;
 - (vi) the storage of vegetable matter not falling within any other section of this Schedule;
 - (vii) the cleaning of shellfish shells;
 - (viii) the manufacture of starch;
 - (ix) the processing of animal or vegetable matter at premises for feeding a recognised pack of hounds registered under the Animal By-Products Order (Northern Ireland) 2002;
 - (x) the salting of hides or skins, unless related to any other activity listed in this Schedule;
 - (xi) any activity for composting animal or vegetable matter or a combination of both, except where that activity is carried on for the purposes of cultivating mushrooms;
 - (xii) any activity for cleaning, and any related activity for drying or dressing seeds, bulbs, corms or tubers;
 - (xiii) the drying of grain or pulses;
 - (xiv) any activity for the production of cotton yarn from raw cotton or for the conversion of cotton yarn into cloth;
 - (xv) the drying of green crops;
- “food” includes—
- (i) drink;
 - (ii) articles and substances of no nutritional value which are used for human consumption; and
 - (iii) articles and substances used as ingredients in the preparation of food;
- “green crops” means alfalfa (Lucerne), clover, grass, perennial ryegrass, tall fescue and other similar crops;
- “green offal” means the stomach and intestines of any animal, other than poultry or fish, and their contents;
- “underground strata” has the same meaning as in Article 2(2) of the Water (Northern Ireland) Order 1999⁽⁵⁾;
- “waterways” has the same meaning as in Article 2(2) of the Water (Northern Ireland) Order 1999.

SECTION 6.9

INTENSIVE FARMING

Part A

- (a) Rearing poultry or pigs intensively in an installation with more than:
 - (i) 40,000 places for poultry;
 - (ii) 2,000 places for production pigs (over 30 kg); or
 - (iii) 750 places for sows.

Part B

Nil.

(4) S.R. 2002 No. 209

(5) S.I. 1999/662 (N.I. 6)

Status: This is the original version (as it was originally made).

Part C

Nil.

Interpretation of section 6.9

1. The conditions of permits relating to Intensive Agriculture under this section shall apply without prejudice to the legislation relating to animal welfare.

SECTION 6.10

CARBON CAPTURE AND STORAGE

Part A

- (a) Capture of carbon dioxide streams from an installation for the purposes of geological storage pursuant to Directive [2009/31/EC\(6\)](#) of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide.

Part B

Nil.

Part C

Nil.

SECTION 6.11

WASTE WATER TREATMENT

Part A

- (a) Independently operated treatment of waste water not covered by Directive [91/271/EEC](#) and discharged by a Part A installation or Part A mobile plant.

Part B

Nil.

Part C

Nil.

CHAPTER 7

SOLVENT EMISSIONS

SECTION 7

SED ACTIVITIES

Part A

Nil

Part B

Nil

Part C

- (a) The activities listed in the table below if they are operated above the solvent consumption thresholds for that activity.

(6) O.J. L140, 5.6.2009, p.114

<i>Activity</i>	<i>Solvent consumption threshold in tonnes/year</i>
Heatset web offset printing	15
Publication rotogravure	25
Other rotogravure, flexography, rotary screen printing, laminating or varnishing units	15
Rotary screen printing on textile/cardboard	30
Surface cleaning using specified substances or mixtures	1
Other surface cleaning	2
Vehicle coating and vehicle refinishing	0.5
Coil coating	25
Other coating activities, including metal, plastic, textile (except rotary screen printing on textile), fabric, film and paper coating	5
Winding wire coating	5
Coating activity applied to wooden surfaces	15
Dry cleaning	0
Wood impregnation	25
Coating activity applied to leather	10
Footwear manufacture	5
Wood and plastic lamination	5
Adhesive coating	5
Manufacture of coating mixtures, varnishes, inks and adhesives	100
Rubber conversion	15
Vegetable oil and animal fat extraction and vegetable oil refining activities	10
Manufacturing of pharmaceutical products	50

Interpretation of Part C

1. Expressions used both in this Part and in Chapter V of the IED have the same meaning for the purposes of this Part as they have for the purposes of that Directive.

2. For the purposes of this Part—

“adhesive” means any mixture, including all the organic solvents or mixtures containing organic solvents necessary for its proper application, which is used to adhere separate parts of a product;

“adhesive coating” means any activity in which an adhesive is applied to a surface excluding the application of adhesive and laminating associated with printing activities;

“coating activity” means any activity in which a single or a multiple application of a continuous film of a coating is applied (including a step in which the same article is printed using any

Status: This is the original version (as it was originally made).

technique) but does not include the coating of substrate with metals by electrophoretic and chemical spraying techniques;

“coil coating” means any activity where coiled steel, stainless steel, coated steel copper alloys or aluminium strip is coated with either a film forming or laminate coating in a continuous process;

“consumption” means the total input of organic solvents into an installation per calendar year, or any other twelve month period, less any volatile organic compounds that are recovered for re-use;

“dry cleaning” means any industrial or commercial activity using volatile organic compounds to clean garments, furnishing and similar consumer goods excluding the manual removal of stains and spots in the textile and clothing industry;

“flexography” means a printing activity using an image carrier of rubber or elastic photopolymers on which the printing areas are above the non-printing areas and liquid inks which dry through evaporation;

“footwear manufacture” means any activity of producing complete footwear or parts of footwear;

“halogenated organic solvent” means an organic solvent which contains at least one atom of bromine, chlorine, fluorine or iodine per molecule;

“heat web offset printing” means a web-fed printing activity using an image carrier in which the printing and non-printing area are in the same plane, where—

- (i) the non-printing area is treated to attract water and reject ink;
- (ii) the printing area is treated to receive and transmit ink to the surface to be printed; and
- (iii) evaporation takes place in the oven where hot air is used to heat the printed material.

“ink” means a mixture, including all the organic solvents or mixtures containing organic solvents necessary for its proper application which is used in a printing activity to impress text or images on to a surface;

“laminating associated to a printing activity” means the adhering together of two or more flexible materials to produce laminates;

“manufacturing of coating mixtures, varnishes, inks and adhesives” means the manufacture of coating mixtures, varnishes, inks and adhesives as final products and where carried out at the same site the manufacture of intermediates by the mixing of pigments, resins and adhesive materials with organic solvent or other carrier, including—

- (i) dispersion and predispersion activities;
- (ii) viscosity and tint adjustments; and
- (iii) operations for filling the final product into its container;

“manufacturing of pharmaceutical products” means one or more of the following activities—

- (i) the chemical synthesis;
- (ii) fermentation;
- (iii) extraction;
- (iv) formulation; or
- (v) finishing of pharmaceutical products and where carried out at the same site, the manufacture of intermediate products;

“other coating activities” means a coating activity applied to—

- (i) trailers, defined in categories O1, O2, O3 and O4 in Directive [70/156/EEC](#)(7) of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers;
- (ii) metallic and plastic surfaces including the surfaces of airplanes, ships and trains; and
- (iii) textile, fabric, film and paper surfaces;

“printing activity” means any activity (not being a step in a coating activity) for reproducing text and/or images in which, with the use of an image carrier, ink is transferred on to any type of surface, including the use of associated varnishing, coating and laminating techniques;

“publication rotogravure” means a rotogravure printing activity used for printing paper for magazines, brochures, catalogues or similar products, using toluene-based inks;

“reuse” means the use of organic solvents recovered from an installation for any technical or commercial purpose and including use as a fuel but excluding the final disposal of such recovered organic solvent as waste;

“rotary screen printing” means a web-fed printing activity in which liquid ink which dries only through evaporation is passed on to the surface to be printed by forcing it through a porous image carrier, in which the printing area is open and the non-printing area is sealed off;

“rotogravure” means a printing activity using a cylindrical image carrier in which the printing area is below the non-printing area and liquid inks which dry through evaporation in which the recesses are filled with ink and the surplus is cleaned off the non-printing area before the surface to be printed contacts the cylinder and lifts the ink from the recesses;

“rubber conversion” means—

- (i) any activity of mixing, milling, blending, calendaring, extrusion and vulcanisation of natural or synthetic rubber; and
- (ii) any ancillary operations for converting natural or synthetic rubber into a finished product;

“specified substances or mixtures” mean—

- (i) until 1st June 2015—
 - (aa) any substances or mixtures which because of their content of volatile organic compounds are classified as carcinogens, mutagens, or toxic to reproduction and are assigned or need to carry the risk phrases R45, R46, R49, R60 or R61, or under Regulation [\(EC\) No 1272/2008](#), are assigned or need to carry the hazard statement H340, H350, H350i, H360D, or H360F; and
 - (bb) halogenated organic compounds which are assigned or need to carry the risk phrases R40 or R68 or the hazard statements H341 or H351; or
- (ii) from 1st June 2015, any substances or mixtures which because of their content of volatile organic compounds are classified as carcinogens, mutagens, or toxic to reproduction under Regulation [\(EC\) No 1272/2008](#)(8), and are assigned or need to carry the hazard statement H340, H350, H350i, H360D or H360F or halogenated volatile organic compounds which are assigned or need to carry the hazard statements H341 or H351;

“surface cleaning” means any activity, except dry cleaning, using organic solvents to remove contamination from the surface of material including degreasing but excluding the cleaning of equipment; and a cleaning activity consisting of more than one step before or after any other activity shall be considered as one surface cleaning activity;

“vehicle coating” means a coating activity applied to the following vehicles—

(7) O.J. No.L42, 23.2.1970 p. 1 as amended by Directive [97/27/EC](#) (O.J. No. 233, 25.8.1997, p. 1)

(8) O.J. No.L353, 31.12.2008, p.1

Status: This is the original version (as it was originally made).

- (i) new cars, defined as vehicles of category M1 in Directive 70/156/EEC, and of category N1 in so far as they are coated at the same installation as M1 vehicles;
- (ii) truck cabins, defined as the housing for the driver, and all integrated housing for the technical equipment, of vehicles of categories N2 and N3 in Directive 70/156/EEC;
- (iii) vans and trucks, defined as vehicles of categories N1, N2 and N3 in Directive 70/156/EEC, but not including truck cabins; or
- (iv) buses, defined as vehicles in categories M2 and M3 in Directive 70/156/EEC;

“varnish” means a transparent coating;

“varnishing” means an activity by which varnish or an adhesive coating for the purpose of sealing the packaging material is applied to a flexible material;

“vegetable oil and animal fat extraction and vegetable oil refining activities” means any activity to extract vegetable oil from seeds and other vegetable matter, the processing of dry residues to produce animal feed, the purification of fats and vegetable oils derived from seeds, vegetable matter or animal matter;

“vehicle refinishing” means any industrial or commercial coating activity and associated degreasing activities performing—

- (i) the original coating of road vehicles as defined in Directive 70/156/EEC or part of them with refinishing-type materials, where this is carried out away from the original manufacturing line; or
- (ii) the coating of trailers (including semi-trailers) (category O);

“web-fed” means that the material to be printed is fed to the machine from a reel as distinct from separate sheets;

“winding wire coating” means any coating activity of metallic conductors used for winding the coils in transformers and motors etc;

“wood and plastic lamination” means any activity to adhere together wood or plastic to produce laminated products;

“wood impregnation” means any activity giving a loading of preservative in timber.

PART 2

INTERPRETATION OF PART 1

1. The following rules apply for the interpretation of Part 1 of this Schedule.

2.—(1) Subject to sub-paragraph (2), an activity shall not be taken to be a Part B or Part C activity if it cannot result in the release into the air of a substance listed in paragraph 9 or there is no likelihood that it will result in the release into the air of any such substance except in a quantity which is so trivial that it is incapable of causing pollution or its capacity to cause pollution is insignificant.

(2) Sub-paragraph (1) shall not apply to—

- (a) a SED activity; or
- (b) an activity which may give rise to an offensive smell noticeable outside the site where the activity is carried out.

3. An activity shall not be taken to be an activity falling within sections 1.1 to 7 of Part 1 if it is—

- (a) carried out in a working museum to demonstrate an industrial activity of historic interest or if it is carried out for educational purposes in a school as defined by Article 2(1) of the Education and Libraries (Northern Ireland) Order 1986(9);
- (b) carried out at an installation or mobile plant solely used for research, development and testing of new products and processes;
- (c) the running on or within an aircraft, hovercraft, mechanically propelled road vehicle, railway locomotive or ship or other vessel of an engine which propels or provides electricity for it;
- (d) the running of an engine in order to test it before it is installed or in the course of its development; or
- (e) carried out as a domestic activity in connection with a private dwelling.

4. An activity listed in section 7 of Part 1 shall include the cleaning of equipment but, except for a surface cleaning activity, not the cleaning of products.

5. References in Part 1 to related activities are references to separate activities being carried out by the same person on the same site.

6.—(1) This paragraph applies for the purpose of determining whether an activity carried out in a stationary technical unit falls within a description in Part A which refers to capacity, other than design holding capacity.

(2) Where a person carries out several activities falling within the same description in Part A in different parts of the same stationary technical unit or in different stationary technical units on the same site, the capacities of each part or unit shall be added together and the total capacity shall be attributed to each part or unit for the purpose of determining whether the activity carried out in each part or unit falls within a description in Part A.

(3) For the purpose of sub-paragraph (2), no account shall be taken of capacity when determining whether activities fall within the same description.

(4) Where an activity falls within a description in Part A by virtue of this paragraph it shall not be taken to be an activity falling within a description in Part B or Part C (other than a description in section 7).

7.—(1) Where an activity falls within a description in Part A and a description in Part B that activity shall be regarded as falling only within the description in Part A.

(2) Where an activity falls within a description in Part A and a description in Part C (other than a description in section 7) that activity shall be regarded as falling only within the description in Part A.

(3) Where an activity falls within a description in Part B and a description in Part C (other than a description in section 7) that activity shall be regarded as falling only within that description which fits it most aptly.

8. In Part 1—

“background quantity” means, in relation to the release of a substance resulting from an activity, such quantity of that substance as is present in—

- (i) water supplied to the site where the activity is carried out;
- (ii) water abstracted for use in the activity; and
- (iii) precipitation onto the site on which the activity is carried out;

“Part A activity” means an activity falling within Part A of any section in Part 1;

(9) [S.I. 1986/594 \(N.I. 3\)](#)

Status: This is the original version (as it was originally made).

“Part B activity” means an activity falling within Part B of any section in Part 1;

“Part C activity” means an activity falling within Part C of any section in Part 1.

9. References to, or to the release into the air of, a substance listed in this paragraph are to any of the following substances—

- (a) oxides of sulphur and other sulphur compounds;
- (b) oxides of nitrogen and other nitrogen compounds;
- (c) oxides of carbon;
- (d) organic compounds and partial oxidation products;
- (e) metals, metalloids and their compounds;
- (f) asbestos (suspended particulate matter and fibres), glass fibres and mineral fibres;
- (g) halogens and their compounds;
- (h) phosphorus and its compounds;
- (i) particulate matter.

10. References to, or to the release into water of, a substance listed in this paragraph or to its release in a quantity which, in any period of 12 months, is greater than the background quantity by an amount specified in this paragraph are to the following substances and amounts—

<i>Substance</i>	<i>Amount greater than the background quantity (in grammes) in any period of 12 months</i>
Mercury and its compounds	200 (expressed as metal)
Cadmium and its compounds	1,000 (expressed as metal)
All isomers of hexachlorocyclohexane	20
All isomers of DDT	5
Pentachlorophenol and its compounds	350 (expressed as PCP)
Hexachlorobenzene	5
Hexachlorobutadiene	20
Aldrin	2
Dieldrin	2
Endrin	1
Polychlorinated Biphenyls	1
Dichlorvos	0.2
1,2 – Dichloroethane	2,000
All isomers of trichlorobenzene	75
Atrazine	350*
Simazine	350*
Tributyltin compounds	4 (expressed as TBT)
Triphenyltin compounds	4 (expressed as TPT)
Trifluralin	20

<i>Substance</i>	<i>Amount greater than the background quantity (in grammes) in any period of 12 months</i>
Fenitrothion	2
Azinphos-methyl	2
Malathion	2
Endosulfan	0.5

*Where both Atrazine and Simazine are released, the figure for both substances in aggregate is 350 grammes.

11.—(1) References to a substance listed in this paragraph are to any of the following substances—

- (a) alkali metals and their oxides and alkaline earth metals and their oxides;
- (b) organic solvents;
- (c) azides;
- (d) halogens and their covalent compounds;
- (e) metal carbonyls;
- (f) organo-metallic compounds;
- (g) oxidising agents;
- (h) polychlorinated dibenzofuran and any congener thereof;
- (i) polychlorinated dibenzo-p-dioxin and any congener thereof;
- (j) polyhalogenated biphenyls, terphenyls and naphthalenes;
- (k) phosphorus;
- (l) pesticides.

(2) In sub-paragraph (1), “pesticide” means any chemical substance or mixture prepared or used for destroying any pest, including those used for protecting plants or wood or other plant products from harmful organisms, regulating the growth of plants, giving protection against harmful creatures, rendering such creatures harmless, controlling organisms with harmful or unwanted effects on water systems, buildings or other structures, or on manufactured products, or protecting animals against ectoparasites.

PART 3

INTERPRETATION OF “PART A INSTALLATION” ETC.

12. For the purpose of these Regulations—

“Part A installation” means an installation where a Part A activity is carried out (including such an installation where a Part B or Part C activity is also carried out);

“Part B installation” means an installation where a Part B activity is carried out, not being a Part A installation (including such an installation where a Part C activity is also carried out);

“Part C installation” means an installation where a Part C activity is carried out, not being a Part A installation or Part B installation.

13. For the purpose of these Regulations—

Status: This is the original version (as it was originally made).

“Part A mobile plant” means mobile plant used to carry out a Part A activity (including such plant which is also used to carry out a Part B or Part C activity);

“Part B mobile plant” means mobile plant used to carry out a Part B activity, not being Part A mobile plant;

“Part C mobile plant” means mobile plant used to carry out a Part C activity, not being Part A mobile plant or Part B mobile plant.

14. A Part B installation where an activity falling within paragraph (a) of Part B of section 2.2, or a Part C installation, where an activity falling within paragraph (c) of Part C of section 2.2 is carried out, does not include any location where the associated storage or handling of scrap which is to be heated as part of that activity is carried out, other than a location where scrap is loaded into a furnace.

15. A Part B installation where an activity falling within paragraph (a) of Part B of section 5.1 or a Part C installation, where an activity falling within paragraph (a) or (b) of Part C of section 5.1 is carried out, does not include any location where the associated storage or handling of wastes and residues which are to be incinerated as part of that activity is carried out, other than a location where the associated storage or handling of animal remains, intended for burning in an incinerator used wholly or mainly for the incineration of such remains or residues from the burning of such remains in such an incinerator, is carried out.

16.—(1) A Part B or Part C installation where an activity falling within Part B or Part C of section 6.4 is carried out, does not include any location where the associated cleaning of used storage drums prior to painting or their incidental handling in connection with such cleaning is carried out.

(2) Sub-paragraph (1) shall not apply where the location referred to in that sub-paragraph forms part of a SED installation.

17. Where an installation is a Part A installation, a Part B installation or a Part C installation by virtue of the carrying out of an activity which is only carried out during part of a year that installation shall not cease to be such an installation during the parts of the year when that activity is not being carried out.

18. Where an installation is authorised by a permit granted under these Regulations to carry out Part A activities, Part B activities or Part C activities which are described in Part 1 by reference to a threshold (whether in terms of capacity or otherwise), the installation shall not cease to be a Part A installation, a Part B installation or a Part C installation by virtue of the installation being operated below the relevant threshold unless the permit ceases to have effect in accordance with these Regulations.

19. In this Part, “Part A activity”, “Part B activity” and “Part C activity” have the meaning given by paragraph 8 in Part 2.