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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 427**

**The Mines Regulations (Northern Ireland) 2016**

**PART 8**

**TIPS AND TIPPING**

**Notification of tips**

**65.**—(1) Subject to paragraph (2), the mine operator shall give not less than 30 days' notice in writing to the Executive (or such other period as the Executive may permit) of the mine operator's intention to commence or continue (as appropriate) operations in relation to any—

- (a) proposed tip which it is reasonable to expect will be a significant hazard; or
- (b) notifiable tip other than a notifiable tip which was a classified tip within the meaning of the 1995 Regulations and in respect of which notice has been given in accordance with regulation 8(1) **(1)** of those Regulations.

(2) Paragraph (1)(b) shall not apply to a tip in relation to which notice of intention to commence operations has been given previously.

(3) The notice referred to in paragraph (1) shall be given—

- (a) in the case of tips falling within paragraph (1)(a), before the commencement of operations; and
- (b) in the case of tips falling within paragraph (1)(b), as soon as possible after the date on which the mine operator receives the geotechnical assessment.

(4) The following information shall be included in any notice given under paragraph (1)—

- (a) a brief description of the tip, including its location, size and the material to be excavated or tipped; and
- (b) in relation to a tip falling within paragraph (1)(b), the geotechnical specialist's conclusions under regulation 62(3).

(5) Where a geotechnical specialist concludes during the geotechnical assessment of a notifiable tip that the tip no longer presents a significant hazard by way of instability or movement, the mine operator shall give notice in writing of that conclusion and the reasons for that conclusion to the Executive within two months of the geotechnical assessment.