STATUTORY RULES OF NORTHERN IRELAND

2009 No. 252

ENVIRONMENTAL PROTECTION

The Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009

Made - - - - 29th June 2009

Coming into operation 24th July 2009

THE ENVIRONMENTAL LIABILITY (PREVENTION AND REMEDIATION) REGULATIONS (NORTHERN IRELAND) 2009

PART 1

Introductory provisions

- 1. Citation and commencement
- 2. Interpretation
- 2A References in Schedule 2 or 3 to EU instruments are...
- 2B Application
- 3. Meaning of "environmental damage"
- 4. Other legislation
- 5. Exceptions
- 6. Temporal application
- 7. Exception from environmental damage to surface water or groundwater
- 8. Enforcing authority

PART 2

Preventing environmental damage

- 9. Preventing environmental damage
- 10. Preventing further environmental damage
- 11. Action by the enforcing authority
- 12. Costs
- 13. Following instructions from a public authority

PART 3

Remediation

14. 15. 16. 17. 18. 19. 20. 21.	Assessment of damage Determining liability to remediate Appeals against liability to remediate Remediation notices Appeal against the remediation notice Appeals generally Actions by the enforcing authority Costs
	PART 4
	Enforcement
22. 23. 24. 25. 26. 27. 28. 29.	Requests for action by interested parties Proceedings for costs by the enforcing authority Recovery of costs from other persons Grant of and compensation for rights of entry etc. Powers of authorised persons Provision of information to the enforcing authority Costs recoverable from owner to be a charge on land Penalties Signature
SCHEDULE 1	Damage to species and natural habitats
1.	Damage to protected species and natural habitats
2.	Conservation status of habitats
3.	Conservation status of species
4.	Areas of special scientific interest
5.	Express authorisation
SCHEDULE 2	Activities causing damage
1.	Operation of permitted installations
2.	Waste management operations
3.	Mining waste
4.	Discharges requiring authorisation
5.	Water abstraction and impoundment
6.	Dangerous substances, plant protection products and biocidal products
7.	Transport
8.	Genetically modified organisms
9.	Transboundary shipment of waste
10.	Geological storage of carbon dioxide
11.	Interpretation
SCHEDULE	Permits, etc.
3 1.	Integrated pollution prevention and control
2.	Waste
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Changes to legislation: There are currently no known outstanding effects for the The Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009. (See end of Document for details)

- Landfill
 Incineration plants
 Discharges to water
- 6. Discharges to groundwater
- 7. Water abstraction or impoundment
- 8. Pesticides and biocides
- 9. Genetically modified organisms

SCHEDULE Remediation

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PART 1 — Remediation of damage to natural resources other than land

- 1. Application of Part 1
- 2. Risk to human health
- 3. Objective
- 4. Primary and complementary remediation
- 5. Compensatory remediation
- 6. Choice of remediation
- 7. Identification of complementary and compensatory remediation
- 8. Options

PART 2 — Remediation of damage to land

P. Remediation of damage to land

SCHEDULE Compensation

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- 1. Compensation for grant of rights
- 2. Interpretation
- 3. Period for making an application
- 4. Manner of making an application
- 5. Loss and damage for which compensation is payable
- 6. Basis on which compensation is assessed
- 7. Determination of disputes

SCHEDULE Issue of Warrants

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- 1. If it is shown to the satisfaction of a lay...
- 2. The conditions mentioned in paragraph 1 are—Explanatory Note

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