

# WMX 15 – Guidance Notes

**Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended), Schedule 2, Part I, Paragraph 15.**

**Guidance for registering an exempt activity: The Manufacture of Finished Goods from Waste Metal, Plastic, Glass, Ceramics, Rubber, Textiles, Wood, Paper or Cardboard, and the Storage of Those Wastes.**

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**Read the guidance notes and application form carefully before you start to fill in the application form.**

## About the Regulations

Most waste management activities are regulated by The Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended). These Regulations determine whether activities need a waste management licence or meet the criteria to allow the activity to be registered as exempt. You can find a list of the exempt activities in Schedule 2, Part I, of the 2003 Regulations. The 2003 regulations have subsequently been amended. Please see the attached link:-

<http://www.legislation.gov.uk/nisr/2003/493/contents/made>

For an activity to be considered exempt, it must be undertaken without endangering human health and without using processes or methods which could harm the environment, and in particular without:

- risk to water, air, soil, plants or animals;
- causing nuisance through noise or odours; and
- adversely affecting the countryside or places of special interest.

This guidance relates to the exemption for the manufacture of finished goods from waste under **Paragraph 15**, Schedule 2, Part I of The Waste Management Licensing Regulations (Northern Ireland) 2003 (as amended).

For certain exemptions, including Paragraph 15, you must register the exemption with the Resource Efficiency Division – Regulation Unit of the Northern Ireland Environment Agency (NIEA) acting on behalf of the Department of Agriculture, Environment and Rural Affairs. The exemption lasts for 36 months from the start date of the registration. You will then have to renew it if you want to continue the activity. **It is an offence to carry out a Paragraph 15 exempt activity without being registered.**

## When to use this application form

Use the application form WMX 15 to:

- register an exemption for the first time;
- renew an exemption; or
- vary the details of an existing exemption.

## Registering an exemption

Before you submit your application, make sure you:

- read through the guidance notes and application form;
- answer all the questions on the application form (if any of the questions do not apply, write 'Not Applicable' on the application form);
- send the correct fee with your application form; and
- send all the documents asked for on the checklist in Section 8 of the application form.

## New Registration

NIEA must receive the completed application form and all

relevant documentation **at least 28 days** before you want to commence the activity. Without these the application will not be processed and the fee may be retained.

## Renewal

NIEA will invite you to renew your exemption two months before the current registration expires. If you wish to renew your exemption, you must submit the completed application form and all relevant documentation **at least 28 days** before the expiry date. A renewal application received after a registration has expired will be treated as a new application.

## Variation

Complete the application form if you wish to vary an existing registration. NIEA will review the information and decide if a variation is appropriate or if a new application is required. If a new application is appropriate you will be required to submit a fee.

## Format of maps and plans

Any maps or plans you send NIEA should:

- be at a scale of at least 1:8000;
- be at least an A4 sheet;
- show the individual fields and areas of land covered by your application;
- identify public rights of way, houses, schools, workplaces and recreation facilities;
- indicate road/street names; and
- use colour or hatching to highlight specific areas.

## Fees

For details of fees see the 'Fees and Charges' document. Cheques should be made payable to the 'Department of Agriculture, Environment and Rural Affairs' and crossed 'a/c payee'. **You must include the correct fee with the application, otherwise, all documentation will be returned to you without further processing.**

## Where to send your application

Check that you have filled in all the relevant parts of the application form. Send it and the checklisted documents (see Section 8 of the application form) to;

Northern Ireland Environment Agency  
Resource Efficiency Division - Regulation Unit  
1st Floor Klondyke Building  
Cromac Avenue  
Gasworks Business Park  
Belfast, BT7 2JA

## What happens when your application is received?

NIEA will normally give you a decision within 28 days of receiving your **fully completed** application, by sending you either confirmation of your registration or a notice of refusal. In some cases it may be necessary to extend the determination period. In this case NIEA will contact you. If your application is refused NIEA will tell you why. There is no appeal process.

## Letting NIEA know about changes during the exempted period

If there are any changes to the activity for which you have received the exemption, you must notify NIEA immediately. You may need to make a new application.

## Disclosing information you provide in this application

NIEA has a regulatory responsibility to make certain information available on the public register for all activities that it registers as exempt.

This includes details about:

- the name, address and telephone number of the establishment or undertaking;
- the activity which constitutes the exempt activity; and
- the place or places where the activity is undertaken.

## When you are registered

### Inspections

NIEA may inspect the site at any reasonable time.

### Record Keeping

As a requirement of this exemption and in accordance with **Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002 (as amended)** <http://www.legislation.gov.uk/nisr/2002/248/contents/made>

you must complete a waste transfer note detailing the:

- nature of the waste;
- quantity of the waste;
- name and address of the producer of the waste;
- name and address of waste carrier;
- waste carrier licence number;
- name and address of destination;
- destination reference number e.g. waste management licence/exemption number, permit number;
- method of waste containment during transport e.g. loose or in a container;
- type of container e.g. skip or tanker; and
- date and time of transfer.

Waste transfer notes must be retained for at least 2 years and you must make them available, on request, to NIEA.

You are also obliged, under The Waste Management Licensing Regulations (Northern Ireland) 2003, (as amended) to keep the following information:

- frequency of collection;
- mode of transport; and
- treatment method of any waste which is disposed of or recovered.

## Breach of the Regulations

NIEA may revoke your exemption and your details may be removed from the public register if you are carrying out your activity in breach of the Regulations. NIEA will send you a notice and explain why your registration has been revoked. You may also be liable to enforcement action.

## Filling in the application form

Paragraph numbers in this guidance correspond to question numbers on the application form WMX 15.

### Continuation sheets

If you have used continuation sheets for any of your answers, you should tell NIEA how many sheets you are enclosing. Make sure that you label each sheet clearly with:

- the question number it applies to; and
- the number of the sheet, e.g. 3 of 5.

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## 1. Contact details

### 1.1 Are you?

*Tick appropriate box.*

### 1.2 Applicant details

*Provide contact details of the person, company, partnership, or other organisation that wishes to register the exempt activity.*

### 1.3 Operator details

*Provide contact details of the person, company, partnership, or other organisation that will be carrying out the exempt activity.*

If the operator is also the applicant, write 'As applicant'

### 1.4 Further contact details

*Provide contact details of the person, company, partnership or other organisation NIEA can contact with questions about this application.*

This can be someone acting as a consultant or an agent for the applicant.

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## 2. About the application

### 2.1 Type of application

*Tick appropriate box.*

#### New Registration

You must notify NIEA, using this form, **at least 28 days** before you wish to commence the activity. In this time NIEA will assess your application and decide whether the activity can be registered as exempt.

#### Renewal

NIEA will invite you to renew your exemption 2 calendar months before the current registration expires and NIEA must receive the completed application form and all relevant information **at least 28 days** before the current registration expires. An application received after a registration has expired will be deemed a new application.

### Variation

Complete the application form and provide all relevant information if you wish to vary an existing registration.

## 2.2 Details of the current registration

*Complete both boxes, if appropriate.*

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## 3. About the waste

### 3.1 Details of the waste(s) you propose using

*Complete as appropriate.*

#### Type of waste

Provide a description of the waste(s) to be used. Waste(s) which can be used for the manufacturing activity under this exemption are:

- metal;
- plastic;
- glass;
- ceramics;
- rubber;
- textiles;
- wood;
- paper;
- cardboard.

#### Process from which the waste arose

Indicate the process from which the waste arose.

#### Source of waste

Enter the name and address of the site where the waste has been produced.

#### European Waste Catalogue (EWC) Codes

Enter the EWC codes for the waste(s) you intend using. A full copy of the Consolidated European Waste Catalogue can be found at <http://www.opsi.gov.uk/sr/sr2005/20050301.htm>

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## 4 Occupancy of the land

The NIEA can only register an exemption if either:

- the activity is undertaken by, or with the consent of the occupier or owner of the land where the activity is carried out; or
- the person carrying out the activity is otherwise entitled to do so on that land.

You must have the written consent of the occupant or owner before carrying out the activity unless you have any other rights that allow you to do this. If you are not the owner or occupier, you must tell NIEA why you are allowed to undertake this activity.

Proof of occupancy may be one of the following:

- site deeds;
- rates invoice/payment;
- rent invoice/payment; or
- mortgage payment.

### 4.1 Do you occupy the land where the manufacturing activity is to be carried out?

*Tick appropriate box*

### 4.2 Do you have the occupant's consent to carry out the activity?

*Complete as appropriate*

### 4.3 Occupant's details

*Complete as appropriate*

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## 5. About the activity

### 5.1 Where will the activity be carried out?

*Give the address and the Ordnance Survey Irish grid reference of the location where the manufacturing activity is to be carried out.*

#### Minimising risk

To make sure your activity does not have any adverse impacts, you will need to consider the risks and take steps to prevent or minimise their effect upon sensitive receptors.

Further advice on pollution prevention can be found at: <https://www.daera-ni.gov.uk/topics/pollution> or by contacting NIEA.

### 5.2 Which finished goods do you intend to manufacture?

*Complete as appropriate*

### 5.3 Manufacturing Process

You must be able to demonstrate that the manufacturing activity you undertake will result in a product. Please supply documentary evidence to support this.

*Complete as appropriate*

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## 6. About the storage

All wastes must be stored at the place where the activity is to be carried out.

### 6.1 Quantity of waste to be stored

*Complete as appropriate*

The total quantity of waste stored at that place must not exceed 15,000 tonnes.

## 7. Site location

### 7.1 Site plan or map

*Complete as appropriate*

*Provide an appropriate map or plan with your application.*

You must provide a map or plan of the locations of the waste storage and where the waste is to be used showing all the features listed:

- the boundaries of that place marked in red; and
- the locations within that place at which the exempt activity is to be carried out

If you are both storing and using waste you only need to supply one map or plan provided it shows details of both activities.

For information on how you should format maps and plans see 'Format of maps and plans' on page 3.

### 7.2 Environmentally Sensitive Sites

*Complete as appropriate*

**You must state if the site is within 1 kilometre of any environmentally sensitive sites.**

#### Designated sites under the Habitats Directive

The requirements of the [EC Habitats Directive](#) mean that NIEA must consider the impacts of your activity on the following sensitive sites:

- Special Protection Area (SPA);
- Potential Special Protection Area (pSPA);
- Sites of Community Importance (SCI);
- Special Area of Conservation (SAC);
- Candidate Special Area of Conservation (cSAC), and
- Ramsar sites- Ramsar sites are designated under the International Convention on Wetlands of International Importance especially as Waterfowl Habitat (the Ramsar Convention).

#### Other protected sites

There may be other sites that are sensitive which are covered by; Part 4 of [The Environment \(Northern Ireland\) Order 2002](#) which are Areas of Special Scientific Interest (ASSI), and [The Nature Conservation and Amenity Lands \(Northern Ireland\) Order 1985](#) which include National Nature Reserves (NNR) and Areas of Outstanding Natural Beauty (AONB).

Public bodies have a duty to have regard to conserving and enhancing the natural beauty of AONB so NIEA will take this into account when assessing your application.

#### Where to find information on these sites

You can find more information about these sites on NIEA website at: <https://www.daera-ni.gov.uk/>

Or by contacting the NIEA:  
Tel: 028 9056 9515  
Email: [cdp@doeni.gov.uk](mailto:cdp@doeni.gov.uk)

### 7.3 Pollution risk assessment

*Provide an appropriate risk assessment.*

The application must be supported by a risk assessment that identifies:

- the source of any hazards associated with the activity e.g. malodorous compounds in the waste;
- the receptors likely to be affected e.g. local residents;
- the pathway between the two e.g. airborne via prevailing winds
- the magnitude of the risk; and
- the steps that will be taken to minimise or mitigate the risks.

Careful consideration should be given to the risk assessment prior to commencing this activity because of the high volumes of waste permitted under the exemption. You must demonstrate that the activity will be carried out without endangering human health and without using processes or methods which could harm the environment, and in particular without:

- risk to water, air, soil, plants or animals;
- causing nuisance through noise or odours; and
- adversely affecting the countryside or places of special interest.

A risk assessment template, along with notes on completing it, is included in Appendix 1 of these guidance notes. If this is correctly filled out, it will provide sufficient information to assess whether or not your proposed activity is likely to endanger human health or use processes or methods which could harm the environment. You may need to make additional copies of the template to address all issues. A guide to risk assessment is available on DEFRA's website at: <https://www.gov.uk/government/publications/guidelines-for-environmental-risk-assessment-and-management-green-leaves-iii>

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## 8. Checklist

*Complete the checklist and provide details of any continuation sheets used.*

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## 9. Declaration

*Read the entire section and complete as appropriate.*

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## 10. Data protection notice

*Read the entire section.*

## Sources of further information and guidance

<https://www.daera-ni.gov.uk/topics/waste>

<http://www.legislation.gov.uk/nisr/2003/493/contents/made>

## Legislation

The Waste Management Licensing Regulations (Northern Ireland) 2003

The Waste Management Licensing Regulations (Northern Ireland) 2006

Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002

EU Habitats Directive (94/43/EC)

Environment (Northern Ireland) Order 2002

The Nature Conservation and Amenity Lands (Northern Ireland) Order 1985

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## Appendix 1

### Guidance on completing the risk assessment template

Examples are given of some of the common receptors, sources etc. that you may need to consider. These are not exclusive lists and you may need to consider others that are relevant to your particular circumstances.

**Receptors** to consider should include: surface waters, groundwater, wells and boreholes, soil, humans, wildlife and their habitats. A single receptor may be at risk from several different sources and all must be addressed.

The **source** of hazard will be the material proposed to be used because its characteristics could, in certain circumstances, cause harm, e.g. potentially toxic elements or compounds, pathogens, excessive acidity or alkalinity, or malodorous substances.

**Harm** could include: human health effects, noise nuisance, dust nuisance, odour nuisance, plant disease or toxic effects, deterioration of water quality, or fish deaths.

Pathways to consider include: direct run-off or infiltration of liquids or soluble components, transport via land-drains or water (e.g. surface water or groundwater that is a receptor may also be a pathway to a different receptor such as an environmentally sensitive site or water supply borehole), airborne transport of fine or volatile materials, ingestion and direct contact.

Probability of exposure is the likelihood of the receptors being exposed to the hazard. Example definitions:

- High - exposure is probable: direct exposure likely with no/few barriers between hazard source and receptor;
- Medium - exposure is fairly probable: feasible exposure possible barriers to exposure less controllable;
- Low - exposure is unlikely: several barriers exist between hazard source and receptors to mitigate against exposure; and
- Very low - exposure is very unlikely: effective, multiple barriers in place to mitigate against exposure.

The **consequences** of a hazard being realised may be actual or potential harm. Example definitions:

- High – the consequences are severe: sufficient evidence that short or long-term exposure may result in serious damage;
- Medium – consequences are significant: sufficient evidence that exposure to hazard may result in damage that is not severe in nature and reversible once exposure ceases (e.g. irritant);
- Low – consequences are minor: damage not apparent though reversible adverse changes may occur; and
- Very low – consequences are negligible: no evidence of adverse changes following exposure.

**Magnitude of the risk** is determined by combining the probability with the magnitude of the potential consequences. Use the matrix below to categorise as high, medium, low or very low.

High risks require additional assessment and active management; medium risks require additional assessment and may require active management/monitoring; low and very low risks require periodic review.

**Risk management** techniques to consider may include: only carrying out the activity under certain weather conditions or at certain times, avoiding using the waste close to sensitive receptors, and appropriate choice of storage method.

|             |          | Consequences |        |        |        |
|-------------|----------|--------------|--------|--------|--------|
|             |          | Very Low     | Low    | Medium | High   |
| Probability | High     | Low          | Medium | High   | High   |
|             | Medium   | Low          | Medium | Medium | High   |
|             | Low      | Low          | Low    | Medium | Medium |
|             | Very Low | Very Low     | Low    | Low    | Low    |



**Appendix 1 (continued)**

**Risk assessment template**

Risk assessment for proposed activity

at..... Risk assessment carried out

by.....

Date.....

| Data   |   |   |   | Judgement  |  |  |  | Action  |   |
|--|---|---|---|--|--|--|--|---|---|
| Receptor<br>What is at risk?<br>What do I wish to protect? | Source<br>The agent or process with potential to cause harm | Harm<br>The harmful consequences if things go wrong | Pathway<br>How the receptor might come into contact with the source | Probability of Exposure<br>How likely is this contact? | Consequence<br>Severity of the consequences if this occurs | Magnitude of risk<br>The overall magnitude of the risk | Justification for Magnitude -<br>Basis of my judgement | Risk management<br>How I can best manage the risk to reduce the magnitude | Residual risk<br>Magnitude of the risk after management |
| <b>EXAMPLE</b><br><i>Human health</i>                      | <i>Generation of dust during manufacturing</i>              | <i>Ill health (e.g. asthma)</i>                     | <i>Air-borne</i>  | <i>Medium</i>  | <i>Medium</i>  | <i>Medium</i>  | <i>Nature of the process.</i>                          | <i>Process carried out under cover</i><br><br><i>Damping down</i>         | <i>Low</i>  |
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T.0845 3020008

<https://www.daera-ni.gov.uk/topics/waste>

Our aim is to protect, conserve and promote the natural environment and built heritage for the benefit of present and future generations.

