

Short Guidance

Paragraph 5 Burning of Waste as a Fuel

A guide to the legislation is given below. Read through this to help you decide if this exemption covers the type of activity that you wish to undertake.

Exempted Activity

Paragraph 5 allows burning of waste as a fuel at a rate of less than one tonne per hour to the extent that it is or forms part of a process within Part B or Part C of any section of Schedule 1 to the Industrial Pollution Control (Prescribed Processes and Substances) (Northern Ireland) Regulations 1998, or an activity within Part B or Part C of any Section of Part 1 of Schedule 1 to the Pollution Prevention Control Regulations 2003 and the feeding of such waste into an appliance in which it is to be so burned.

Waste Stream(s) Permitted

- straw (02 01 03), poultry litter (02 01 06) or wood (02 01 07); or
- solid fuel which has been manufactured from waste by a process involving the application of heat (19 12 10).

Quantity

Waste must be burned at a rate of less than one tonne per hour.

Storage and Location

No more than 25 tonnes of waste may be stored on the premises at any one time. No waste may be stored for longer than one year.

Additional Conditions

The operation may only be carried on under an authorisation granted under the Industrial Pollution Order or a permit under the Pollution Prevention Control Regulations (Northern Ireland) 2003 to the extent that it forms part of a process within Part B or Part C of any section of Schedule 1 to the 1998 Regulations, or an activity within Part B or Part C of any Section of Part 1 of Schedule 1 to the 2003 Regulations.

The relevant IPC authorisation or PPC permit must be submitted with the Paragraph 5 exemption application.

If you do not already have this authorisation, you must contact the relevant authority.

Part B processes of the Pollution Prevention and Control Regulations (Northern Ireland) 2003 require a permit that is granted by NIEA. For more information please see the following link:- <https://www.daera-ni.gov.uk/topics/pollution>

Part C processes of the Pollution Prevention and Control Regulations (Northern Ireland) 2003 require a permit that is granted by the local District Council.

What the legislation says

The full wording of the paragraph 5 exemption can be found in Schedule 2 of the Waste Management Licensing Regulations (Northern Ireland) 2003. These Regulations have been amended a number of times. Please see the following link:- <http://www.legislation.gov.uk/nisr/2003/493/contents/made>

Relevant Objectives in relation to the disposal or recovery of waste are given in paragraph 4 of Schedule 3 to the Regulations.

If you think that you can meet the requirements of the Paragraph 5 exemption and wish to proceed with the registration please contact:-

Northern Ireland Environment Agency
Resource Efficiency Division
Regulation Unit
1st Floor Klondyke Building
Cromac Avenue
Gasworks Business Park
Lower Ormeau Road
Malone Lower
Belfast
BT7 2JA

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