
Northern Ireland Waste Management Policy and Legislation

The Northern Ireland Waste Management Strategy

Published in March 2000, the Waste Management Strategy for Northern Ireland has been developed to allow Northern Ireland to meet its legal obligations under the EC Waste Framework Directive, as well as meeting the protocols under the Landfill Directive and other EU Directives, including Producer Responsibility and the Hazardous Waste Directive.

The Strategy is a statutory document under Article 19 of The Waste & Contaminated Land (Northern Ireland) Order 1997, which provides direction for transforming waste management practices in Northern Ireland. It acts as the framework for the preparation of Waste Management Plans by District Councils and is a material consideration in determining planning applications and appeals.

The production of the Northern Ireland Waste Strategy provides an integrated, cost-effective method of improving the environment and achieving sustainable development. Six key concepts of particular importance are:

- The Waste Management Hierarchy (reduce, reuse, recycle, energy recovery, dispose)
- Best Practicable Environmental Option (BPEO)
- Best Available Technology Not Entailing Excessive Costs (BATNEEC)
- The Polluter Pays Principle
- The Proximity Principle
- Self Sufficiency

The key aim of the Strategy is to achieve fully sustainable waste management, with a minimal impact on public health and the environment. The following objectives and policies are also integral parts of the Strategy:

- Reduction of waste production and landfilling and promotion of reuse, recycling and recovery, in line with the waste management hierarchy.
- Demonstration of leadership by adopting and promoting more sustainable practices of resource consumption and waste management
- To attract investment, support economic development and create opportunities for increased employment and wealth creation
- To put in place a regulatory framework which supports those businesses which actively work towards sustainable resource use and waste management
- To address the need for the Government to develop markets for recycled materials
- Provision of a framework for the preparation of joint Waste Management Plans and the development of an integrated network of regional waste management facilities which are cost effective to the public
- Encouragement of public involvement and contribution.

The Strategy presents a series of Policy Statements and provisional targets, which outline an agreed way forward. These targets will be reviewed at the end of Phase 1, in 2003, and it is intended that they then become mandatory for the following Phases.

Primary Targets:

- Recover 25% of household waste by 2005
- Recover 40% of household waste by 2010, of which 25% shall be by recycling or composting
- Reduce the landfilling of industrial and commercial wastes to 85% of 1998 levels by 2005
- Reduce the quantities of biodegradable municipal wastes being landfilled to 75% of 1995 baseline levels by 2010, 50% by 2013 and 35% by 2020
- WEEE
- Recover 85% of waste tyres by 2005 and 100% by 2010
- Reduce the amount of construction and demolition waste landfilled to 85% of 1998 levels by 2005

Secondary Targets:

- Stem the increase in waste arisings per household, returning to 1998 levels by 2005 and thereafter reduce arisings by 1% every three years
- Each District Council to set out in a Waste Management Plan provision for recycling or composting 15% of their household waste arisings by 2005
- The Department to specify, and introduce in 2002, a mandatory recycled content for selected products and materials purchased
- Recover a minimum of 50% of packaging waste, of which at least 25% shall be recycled and at least 15% of each packaging material recycled
- Reduce the quantity of biodegradable municipal waste being landfilled to 85% of 1995 levels by 2005
- The Department to reduce its overall paper use by 10% by 2002
- Recover a minimum of 85% of the materials in End of Life Vehicles by 2005 and a minimum of 90% by 2015
- Recover a minimum of 90% of large WEEE by 2004 and a minimum of 70% of small WEEE
- Recover 85% of waste tyres by 2005 and 100% by 2010
- Reduce the amount of construction and demolition waste landfilled to 85% of 1998 levels by 2005

Waste and Contaminated Land (Northern Ireland) Order 1997

The Waste and Contaminated Land Order was made on the 26 November 1997 with the first commencement order, bringing into force certain Articles, made on the 2 March 1998. Section 23 of the Order also places a duty on Local Authorities to prepare Waste Management Plans. The Order states that the District Councils shall include the following information:

In relation to recovering waste:

- the kinds and quantities of controlled waste which the Council expects to collect during the period specified in the plan
- the kinds and quantities of controlled waste which the Council expects to purchase during that period
- the kinds and quantities of controlled waste which the Council expects to deal with
- the arrangements which the Council expects to make during that period with other District Councils or waste disposal contractors for them to deal with waste in those ways
- the plant and equipment which the Council expects to provide
- the estimated costs or savings attributable to the methods of dealing with the waste in the ways provided for in the plan

In relation to treatment or disposal of waste:

- the kinds and quantities of controlled waste which the Council expects to be situated in its district during that period
- the kinds and quantities of controlled waste which the Council expects to be brought into or taken for disposal out of its district during that period
- the kinds and quantities of controlled waste which the Council expects to be disposed of within its district during that period
- the methods and the respective priorities for the methods by which, in the opinion of the Council, controlled waste in its district should be disposed of or treated during that period
- the sites and equipment which persons are providing and which during that period are expected to provide for disposal of controlled waste
- the estimated costs of the methods of disposal or treatment provided for in the plan

Special Waste Regulations (Northern Ireland) 1998

These regulations implement the 1991 EU Directive on Hazardous Waste (91/689/EEC as amended by 94/31/EEC).

Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999

The regulations were introduced in September 1999, requiring waste carriers to be registered with the Department by March 2000.

Waste and Contaminated Land (Northern Ireland) Order 1997, Article 5. Waste Management The Duty of Care, Consultation Paper

Published in November 2001 this consultation paper contains draft regulations and a draft code of practice in accordance with Article 5(9) of the Waste and Contaminated Land (Northern Ireland) Order 1997 which imposes a new duty of care on persons concerned with controlled waste. This applies to any persons who produces, imports, carries, keeps, treats or disposes of controlled waste, or, as a broker has control of such waste. The code of practice provides the main steps that are normally necessary to meet the duty of care, thus ensuring that waste is not illegally managed.

Producer Responsibility Obligation (Packaging Waste) Regulations (Northern Ireland) 1999

These Regulations implement the EU Packaging Directive in Northern Ireland, which aims to harmonise the management of packaging wastes and minimise its impact on the environment. These Regulations set out targets for compliance with levels of packaging recycling and recovery as stated in the Directive.

Industrial Pollution Control (Northern Ireland) Order SI 1997 No. 2777 (NI. 18)

When introduced the Order will provide a new system to control pollution from industrial processes, similar to the Integrated Pollution Control (IPC) system that operates in England and Wales. However, Northern Ireland will have a three tier system, as opposed to the two tier system operated under IPC. The three tiers are:

- Part A processes which would be subject to IPC (air, land and water) and would be expected to use the Best Practicable Environmental Option (BPEO) regulated by DoE
- Part B processes which would be subject to a system of air pollution control regulated by DoE
- Part C processes which would be subject to a system of air pollution control regulated by local authorities

The Order will affect certain waste activities, such as high temperature incineration, however it is unlikely to affect the majority of waste recycling activities.

Planning Policy Statement II (PPSII), Public Consultation Draft, May 2001

Planning Policy Statement, PPS II, "Planning and Waste Management" sets out the Department's planning policies for the development of waste management facilities including guidance on the issues likely to be considered in the determination of planning applications. In addition, it explains the relationship between the planning system and authorities responsible for the regulation and management of waste. PPS II is intended to update the planning policy framework in order to facilitate the change in waste management proposed by the Waste Management Strategy. It seeks to provide guidance for District Councils, the private sector and the public as to the issues to be considered by the Planning Service in the determination of planning applications for new waste management facilities.