

5. THIRD SCHEDULE PART 1 - CLASSES OF ACTIVITIES SUBJECT TO A WASTE FACILITY PERMIT

Class No. 1 The reception and temporary storage, pending collection, other than by a local authority, where not otherwise regulated by a waste licence or certificate of registration, or exempted in accordance with the provisions of article 39 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 of —

(1) household hazardous waste (other than WEEE and mercury containing waste or used batteries and accumulators) at a civic amenity facility, recycling centre or central collection point where annual intake shall not exceed—

(i) in the case of liquid waste, 100,000 litres,

(ii) in the case of non-liquid waste, 100 tonnes.

(2) WEEE at any premises

for the purpose of onward transport and submission to recovery at an authorised facility.

Examples	Private sector waste transfer station, civic amenity site, recycling centre or central collection point for reception and temporary storage of household hazardous waste (HHW) and/or WEEE prior to onward submission to recovery.
Wastes	<p>HHW and/or WEEE.</p> <p>HHW means 'hazardous waste produced within the curtilage of a building or self-contained part of a building used for the purposes of living accommodation as well as commercial and other waste which, because of its nature or composition, is similar to household waste'.</p> <p>Waste electrical and electronic equipment (WEEE) means 'electrical and electronic equipment which is waste within the meaning of article 1(a) of Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006, including all components, subassemblies and consumables which are part of the product at the time of discarding'.</p>
Caveats	<p>Reception and temporary storage only.</p> <p>Storage duration shall not exceed 6 months.</p> <p>Waste must be stored for the purpose of onward submission to recovery.</p> <p>HHW shall not contain WEEE, mercury-containing waste, used batteries or accumulators.</p>
Threshold	<p>Annual intake shall not exceed 100,000 litres of liquid HHW and 100 tonnes of non-liquid HHW.</p> <p>No limit for WEEE.</p>

Class No. 2 The Reception, storage (including temporary storage) and recovery of waste vehicles (other than end-of-life vehicles) having regard to the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006).

Examples	Private sector depollution facility for waste vehicles other than end-of-life vehicles (ELVs), e.g. motorbikes, lorries, tractors and buses.
Wastes	Waste vehicles other than ELVs. ELVs are typically waste passenger cars or light commercial vans – see definitions in the Waste Management (End-Of-Life Vehicles) Regulations 2006 for more detail. Therefore, examples of waste vehicles that are not ELVs are waste motorbikes, lorries, tractors and buses.
Caveats	The recovery of waste vehicles must have regard to the provisions of Articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006. Article 14 deals with obligations on Authorised Treatment Facilities to hold a waste licence or permit and to meet minimum technical requirements for storage, treatment and recovery. Article 15 deals with the appropriate treatment including minimum requirements for depollution.
Threshold	None.

Class No. 3 The reception, treatment and recovery of WEEE (including removal of all fluids and dismantling or disassembly or removal of WEEE substances, preparations and components prior to treatment) in accordance with the provisions of articles 20 and 21 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations (S.I. No. 340 of 2005). Annual intake shall not exceed 10,000 tonnes per annum.

Examples	Authorised Treatment Facility for the treatment of WEEE accepting not more than 10,000 tonnes per year.
Wastes	WEEE – see WFP Class No. 1 for definition.
Caveats	The activity shall be carried out in accordance with the provisions of Articles 20 and 21 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations (S.I. No. 340 of 2005). These articles relate to the proper storage and treatment of WEEE.
Threshold	Annual intake shall not exceed 10,000 tonnes.



Class No. 4 The reception, storage and recovery of scrap metal, including scrap metal arising from end-of-life vehicles, waste vehicles (other than end-of-life vehicles) and WEEE where scrap metal from —

- (1) end-of-life vehicles shall be subject to appropriate treatment and recovery in accordance with the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) prior to acceptance at the scrap metal facility, and as appropriate,
- (2) waste vehicles (other than end-of-life vehicles) shall be subject to appropriate treatment and recovery having regard to the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) prior to acceptance at the scrap metal facility, and as appropriate,
- (3) WEEE shall be subject to appropriate treatment and recovery in accordance with the provisions of articles 20, 21 and 22 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005) prior to acceptance at the scrap metal facility.

Examples	Private sector scrap metal recycling facility. Accepts scrap metal, depolluted end-of-life vehicles (ELVs), depolluted waste vehicles other than ELVs and treated WEEE.
Wastes	<ul style="list-style-type: none"> ➤ Scrap metal. ➤ ELVs – see WFP Class No. 2 for definition. ➤ Waste vehicles other than ELVs – see WFP Class No. 2 for definition. ➤ WEEE – see WFP Class No 1 for definition.
Caveats	The ELVs, waste vehicles other than ELVs and WEEE shall be treated in accordance with the relevant regulations, i.e. treated/depolluted, before being brought on-site.
Threshold	None.

Class No 5. Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 100,000 tonnes.

Examples	<p>A farmer needs to fill part of a field which is steeply sloping and cannot be safely trafficked with farm machinery reducing the usability of the land. The topsoil will be removed, the area filled and the topsoil replaced. Approximately 30,000 tonnes of material is required to reduce the slope to a suitable gradient. The farmer intends to use inert subsoil discarded from excavations associated with housing developments in the area as this is a cheap and suitable source and more environmentally friendly than using quarry product.</p> <p>A farmer keeping livestock. Part of the land has elevated levels of</p>
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	<p>selenium, which have been identified as toxic to the livestock. The best solution is placement of a 1m layer of subsoil topped with topsoil to break the pathway from source to receptor. Approximately 35,000tonnes of topsoil and subsoil is required to cover the area. The farmer intends to use inert waste soil and subsoil discarded from excavations associated with housing developments in the area as this is a cheap and suitable source and more environmentally friendly than using quarry product.</p> <p>This class is not confined to improvement of land such as agricultural land. It also covers development of land, e.g. engineering uses such as the car-park example given for WFP Class No. 6 if inert soil and stone only is involved.</p>
Wastes	<p>Excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone.</p> <p>Dredge spoil means 'waste materials arising from dredging operations from the sea, an estuary or an inland waterway'.</p>
Caveats	<p>The waste shall be inert.</p> <p>Inert waste means 'waste that:</p> <ul style="list-style-type: none"> (a) does not undergo any significant physical, chemical or biological transformations, (b) will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter, or be adversely affected by other matter, including waters, with which it comes into contact in a way that causes or is likely to cause environmental pollution, or (c) in particular, will not endanger the quality of surface water or groundwater. <p>The deposition shall be for the purposes of the improvement or development of land. Evidence from an appropriately qualified person (e.g. agricultural scientist or engineer) should be sought detailing how the waste will be used, its suitability for purpose and how it will lead to improvement of the land or contribute to the development of the land.</p>
Threshold	100,000 tonnes total intake over the life of the activity.

Class No. 6 Recovery of inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone) through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 50,000 tonnes.

Examples	Private sector car-park development associated with a shopping center. The developer requires an estimated 15,000tonnes of material to form a base for the car-park and intends to use waste concrete, bricks, tiles and ceramics from the demolition of a nearby building complex.
Wastes	Inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone), e.g. mixtures of concrete, bricks, tiles and ceramics. See WFP Class No. 5 for definition of inert waste.
Caveats	As per WFP Class No. 5.
Threshold	50,000 tonnes total intake over the life of the activity.

Class No. 7 Recovery of inert waste arising from construction and demolition activity, including concrete, bricks, tiles, or other such similar material, at a facility (excluding land improvement or development) where—

- (a) the annual intake shall not exceed 50,000 tonnes, and**
- (b) the maximum quantity of residual waste consigned from the facility for collection, onward transport and submission to disposal at an authorized facility shall not exceed 15% of the annual intake.**

Examples	Private sector construction and demolition (C&D) waste recycling facility that takes in inert waste from construction and demolition activities, such as concrete, bricks and tiles. The material is separated (including removal of entrained materials such as metals, timber and plastic) and the concrete, bricks and tiles are crushed to a suitable specification for use in construction projects. Most of the entrained material (e.g. metals) is sent onwards for recovery but some residual has to be sent for disposal. The annual intake is 40,000tonnes and the maximum quantity of residual sent for disposal is 6,000tonnes (15%).
Wastes	Inert wastes arising from C&D activity, such as mixtures of concrete, bricks, tiles and ceramics.
Caveats	The waste shall be inert. See WFP Class No. 5 for definition of inert waste. Selected C&D wastes with low contents of other types of materials (metals, plastic, organics, wood, rubber, etc) are acceptable. The origin of the waste must be known. C&D waste from constructions polluted with dangerous substances (e.g. because of production processes in the construction, soil pollution, storage and usage of pesticides or other dangerous substances, etc.) are not acceptable unless it is demonstrated that the demolished construction was not significantly polluted. C&D waste from constructions, treated, covered or painted with materials containing dangerous substances in significant amounts are not acceptable.

	Residual waste consigned onwards for disposal shall not exceed 15% of the annual intake.
Threshold	Annual intake shall not exceed 50,000 tonnes.

Class No. 8 The reception, storage and biological treatment of biowaste at a facility where—

- (a) the maximum amount of compost, biowaste and digestate held at the facility does not exceed 6,000 cubic metres at any time, and
(b) the annual intake shall not exceed 10,000 tonnes.

Examples	Private sector composting or anaerobic digestion facility which takes in various organic wastes including food/organic wastes from a domestic brown bin collection service and from canteens in local offices and commercial developments.
Wastes	Biowaste. Biowaste means 'source segregated household or commercial waste of an organic or putrescible character, such as food or garden waste'.
Caveats	Maximum amount of compost, biowaste and digestate held at the facility shall not exceed 6,000 cubic metres at any time.
Threshold	Annual intake shall not exceed 10,000 tonnes

Class No. 9 The reception, temporary storage and recovery of used batteries and accumulators where—

- (a) from 26 September 2008, the treatment and recycling of used batteries and accumulators meets the requirements of article 12 of Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and

- (b) the annual intake shall not exceed 1,000 tonnes.

Examples	Private sector battery recycling center with an annual intake less than 1,000tonnes.
Wastes	Batteries and accumulators.
Caveats	From 26 September 2008, the treatment and recycling of used batteries and accumulators shall meet the requirements of article 12 of Directive 2006/66/EC (establishment of schemes for the collection and treatment of waste batteries). Storage duration shall not exceed 6 months.

Threshold	Annual intake shall not exceed 1,000 tonnes
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Class No. 10 The recovery of waste (not mentioned elsewhere in this part of the third schedule), other than hazardous waste or an activity specified in Category 5 of Annex I of Council Directive 96/61/EC, where—
 (a) the annual intake does not exceed 50,000 tonnes, and
 (b) the maximum quantity of residual waste consigned from the facility for onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake.

Examples	<p>Private sector materials recovery facility, which takes in kerbside dry recyclables. The dry recyclables are separated into various fractions (e.g. newspaper, cardboard, tin, aluminum, plastic) by hand picking and tromelling and consigned onwards for further recovery. The annual intake is approximately 40,000tonnes and typically approximately 4,000tonnes (10%) is not recyclable and has to be sent for disposal.</p> <p>For general purpose skip hire activities, it is not known in advance what percentage of the waste will be recoverable and, accordingly, facilities which take in waste in this manner should be considered waste disposal facilities and should not be authorised under WFP Class No. 10. They could be authorised under WFP Class No. 11 below subject to the 7,500 tonne/annum threshold. Otherwise, an EPA waste licence is required.</p> <p>Facilities which take in construction and demolition waste skips, where there is confidence in obtaining a high percentage of recyclables, could be considered under WFP Classes No. 7 or 10 subject to the caveats therein.</p>
Wastes	Wastes other than hazardous waste.
Caveats	<p>Shall not be mentioned elsewhere in the Third Schedule Part 1.</p> <p>Residual waste consigned onwards for disposal shall not exceed 15% of the annual intake.</p>
Threshold	Annual intake shall not exceed 50,000 tonnes.

Class 11. The reception, storage and transfer of waste (other than hazardous waste) for disposal at a facility (other than a landfill facility) where the annual intake does not exceed 7,500 tonnes.

Examples	Waste transfer station which takes in mixed municipal waste which is bulked-up and consigned onwards for disposal.
Wastes	Wastes other than hazardous waste.

Caveats	Reception, storage and transfer only. Waste must be stored for the purpose of onward submission to disposal .
Threshold	Annual intake shall not exceed 7,500 tonnes.

Class No. 12 The collection and storage (including the temporary storage) and the appropriate treatment and recovery of end-of-life vehicles in accordance with the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006).

Examples	Private sector depollution facility for end-of-life vehicles (ELVs).
Wastes	ELVs – see WFP Class No. 2 for definition.
Caveats	The recovery of the ELVs must be in accordance with the provisions of Articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006. Article 14 deals with obligations on Authorised Treatment Facilities to hold a waste licence or permit and to meet minimum technical requirements for storage, treatment and recovery. Article 15 deals with the appropriate treatment including minimum requirements for depollution.
Threshold	None.