

The Landfill Allowance Scheme (Northern Ireland) Regulations 2004

Guidance for Landfill Operators

Version 2
August 2008

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Introduction

The Landfill Allowance Scheme (Northern Ireland) Regulations 2004 came into operation on 1st April 2005. The regulations are designed to reduce the landfilling of biodegradable municipal waste (BMW), by setting allowances (landfill Allowances) on the amount of BMW each District Council can dispose of to landfill. They are key to meeting the requirements of the Landfill Directive (1999/31/EC) and the Waste and Emissions Trading Act 2003.

From 1st April 2005, under regulation 11, all landfill operators have been required to keep records and make returns to the Monitoring Authority (Northern Ireland Environment Agency).

What is municipal waste?

Municipal waste is any waste under the control of District Councils or their agents.

Section 1. Obligations on Landfill Operators

1.1 KEEPING RECORDS

What records must be kept?

1.1.1 For each scheme year¹ the landfill operator MUST keep records containing the following information:

For each load of municipal waste –

- a) The weight in tonnes (to the nearest tonne).
- b) The standard description of and European Waste Catalogue code. (See Annex B)
- c) The area in which the waste originated and the District Council² for that area OR for waste coming from a transfer station, record the name of the transfer station.
- d) Any treatment applied to the waste at landfill before the waste is landfilled.

How long must these records be kept?

1.1.2 These records must be kept for 2 years after the reconciliation period³ for each scheme year.

¹ A scheme year is from 1st April to 31st March

² Reconciliation period is a period of 6 months following the end of a scheme year.

1.2 MAKING RETURNS

What information must a return contain?

1.2.1 An operator of a landfill MUST submit to the Monitoring Authority³ a return containing the following information:

For **each load** of municipal waste –

- a) The weight in tonnes (to the nearest tonne).
- b) The standard description of, and European Waste Catalogue code.(see Annex B)
- c) The area in which the waste originated and the District Council (see Annex D) for that area OR for waste coming from a transfer station, record the name of the transfer station.
- d) Any treatment applied to the waste at landfill before the waste is landfilled.

What form must be used for making a return?

1.2.2 The return must be made on the NILAS 001 form - 'Landfill Operator – Municipal Waste Return Form'. (ANNEX A)

Where can the return form be found?

1.2.3 This form can be found on the Northern Ireland Environment Agency web site:
www.ni-environment.gov.uk/nilas_landfilloperatorreturnsheet.xls ; (see section 3).

³ Monitoring Authority – NIEA will perform this role

What if internet access is not available?

1.2.4 Landfill operators without internet access may obtain the form on disk by contacting the Monitoring Authority, at the address given in section 2.

What if a landfill operator fails to make a return?

1.2.5 A failure to comply with Regulation 11 will cause a landfill operator to commit an offence under section 13 of The Waste and Emissions Act 2003. Penalties available under this Act include conviction on indictment of up to two years, or to a fine, or to both; and on summary conviction to a fine not exceeding level 5 on the standard scale.

When must returns be submitted?

1.2.5 For every scheme year, the returns must be submitted for each 3 month period (quarter) **within 2** months after the quarter end. The dates, by which, returns must be submitted to the Monitoring Authority are shown in the table.

A calendar of submission dates has been included
in ANNEX C.

Quarter	Period in scheme year	Return MUST be submitted by:
1	1 st April – 30 th June	31 st August
2	1 st July – 30 th September	30 th November
3	1 st October – 31 st December	28 th February
4	1 st January – 31 st March	31 st May

How must returns be submitted?

1.2.6 Returns must be submitted electronically. Completed forms (NILAS 001) should be emailed to NILAS@doeni.gov.uk

Contact Details

Any queries relating to The Landfill Allowance Scheme (Northern Ireland) Regulations 2004 should be directed to:

NILAS Monitoring Team
Northern Ireland Environment Agency
Land & Resource Management Unit
Klondyke Building,
Cromac Avenue,
Gasworks Business Park,
Belfast,
BT7 2JA

e-mail: NILAS@doeni.gov.uk

Tel: 028 9056 9429

Section 2. Downloading the Returns Form (NILAS 001)

3.1 The form 'Landfill Operator – Municipal Waste Data Return Form' (NILAS 001) can be found on the Northern Ireland Environment Agency website as follows:

- a) Go to website – www.ni-environment.gov.uk
- b) Click on the "Waste" hyperlink on the home page.
- c) Click on the "Guidance and forms" on the righthand side of the screen on the waste page.
- d) Scroll down the screen to the section entitled "The Landfill Allowances Scheme (Northern Ireland) Regulations 2004"
- e) The NILAS 001 form can be downloaded as a Microsoft Excel spreadsheet by clicking on the hyperlink and following the on-screen prompts.

ANNEX B

European Waste Catalogue

“European Waste Catalogue” means the list of wastes which pursuant to Article 1(a) of Council Directive 75/442/EC on waste and Article 1(4) of Council Directive 91/689/EEC on hazardous waste, is set out in Commission Decision 2000/532/EC, as amended by Council Decisions 2001/118/EC, 2001/119/EC and 2001/573/EC.

Useful web links:

Decision 2000/532/EC

www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2001:0216:FIN:EN:PDF

Decision 2001/119/EC

[www.eur-](http://www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:047:0032:0032:EN:PDF)

lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:047:0032:0032:EN:PDF

Decision 2001/118/EC

[www.eur-](http://www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:047:0001:0031:EN:PDF)

lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:047:0001:0031:EN:PDF

European Waste Catalogue

www.ni-environment.gov.uk/wm2_appendix_b_revised.pdf

European Waste Catalogue – Municipal Waste Codes:

20 MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS.

20 01	separately collected fractions (except 15 01)
20 01 01	paper and card board
20 01 02	glass
20 01 08	biodegradable kitchen and canteen waste
20 01 10	clothes
20 01 11	textiles
20 01 13*	solvents
20 01 14*	acids
20 01 15*	alkalines
20 01 17*	photochemicals
20 01 19*	pesticides
20 01 21*	fluorescent tubes and other mercury-containing waste
20 01 23*	discarded equipment containing chlorofluorocarbons
20 01 25	edible oil and fat
20 01 26*	oil and fat other than those mentioned in 20 01 25
20 01 27*	paint, inks, adhesives and resins containing dangerous substances
20 01 28	paint, inks, adhesives and resins other than those mentioned in 20 01 27
20 01 29*	detergents containing dangerous substances
20 01 30	detergents other than those mentioned in 20 01 29
20 01 31*	cytotoxic and cytostatic medicines
20 01 32	medicines other than those mentioned in 20 01 31
20 01 33*	batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries
20 01 34	batteries and accumulators other than those mentioned in 20 01 33
20 01 35*	discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components (6)
	20 01 36 discarded electric and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35
20 01 37*	wood containing dangerous substances
20 01 38	wood other than that mentioned in 20 01 37
20 01 39	plastics
20 01 40	metals
20 01 41	wastes from chimney sweeping
20 01 99	other fractions not otherwise specified
20 02	garden and park wastes (including cemetery waste)
20 02 01	biodegradable waste
20 02 02	soil and stones
20 02 03	other non-biodegradable wastes
20 03	other municipal wastes
20 03 01	mixed municipal waste
20 03 02	waste from markets
20 03 03	street cleansing residues
20 03 04	septic tank sludge
20 03 06	waste from sewage cleaning
20 03 07	bulky waste
20 03 99	municipal wastes not otherwise specified

* Any waste marked with an asterisk (*) is considered as a hazardous waste pursuant to directive 91/689/EEC on hazardous waste, and subject to the provisions of that Directive unless Article 1(5) of that Directive applies.

Annex C

Landfill Operator Returns – Submission Date

APRIL					MAY							JUNE							
		1	2	3								1			1	2	3	4	5
6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12	
13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19	
20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	
27	28	29	30		23/30	24/31	25	26	27	28	29	27	28	29	30				

JULY					AUGUST							SEPTEMBER						
		1	2	3	1	2	3	4	5	6	7			1	2	3	4	
6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31	29	30	31					26	27	28	29	30		

OCTOBER					NOVEMBER							DECEMBER						
			1	2		1	2	3	4	5	6			1	2	3	4	
5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11
12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18
19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25
26	27	28	29	30	28	29	30					26	27	28	29	30	31	

JANUARY					FEBRUARY							MARCH						
		1	2	3	1	2	3	4	5	6	7		1	2	3	4	5	6
6	7	8	9	10	8	9	10	11	12	13	14	7	8	9	10	11	12	13
13	14	15	16	17	15	16	17	18	19	20	21	14	15	16	17	18	19	20
20	21	22	23	24	22	23	24	25	26	27	28	21	22	23	24	25	26	27
27	28	29	30	31	29							28	29	30	31			

- Period:** 1st January -31st March return to be submitted by 31st May
- Period:** 1st April - 30 th June return to be submitted by 31st August
- Period:** 1st July - 30th September return to be submitted by 30th November
- Period:** 1st October - 31st December return to be submitted by 28th February

ANNEX D

District Council Area Areas*

ANTRIM BOROUGH COUNCIL	ARDS BOROUGH COUNCIL	ARMAGH CITY & DISTRICT COUNCIL	BALLYMENA BOROUGH COUNCIL	BALLYMONEY BOROUGH COUNCIL	BANBRIDGE DISTRICT COUNCIL	BELFAST CITY COUNCIL	BELFAST CITY COUNCIL	CASTLEREAGH BOROUGH COUNCIL
Aldergrove	Ballygowan	Armagh	Ahoghill	Ballymoney	Annaclone	Andersonstown	Knock	Ballyhanwood
Antrim	Ballyrainey	Ballymartrim	Ballymena	Benvardin	Ballyroney	Ardoyne	Ladybrook	Beechill
Ballycraigy	Ballywalter	Callan	Broughshane	Carnany	Banbridge	Ballyhackamore	Legoniel	Cairnshill
Clady		Charlemont	Cullybackey	Clogh Mills	Dromore	Ballymacarrett	Malone	Carrowreagh
Cranfield	Carrowdore	Cladymilltown	Galgorm	Corkey	Gilford	Ballynafeigh	New Lodge	Carryduff
Crumlin	Cloughey	Darkley	Glenravel	Dervock	Katesbridge	Ballysillan	Orangefield	Cregagh
Glenavy	Comber	Derrynoose	Glenwhirry	Dunloy	Lawrencetown	Beechmount	Ravenhill	Downshire
Massereene	Donaghadee	Hamiltonsbawn	Gracehill	Louguille	Leitrim	Bellevue	Rosetta	Dundonald
Muckamore	Greyabbey	Keady	Harryville	Rasharkin	Loughbrickland	Belmont	Shankill	Euler
Randalstown		Killeen	Kells	Stranocum	Milltown	Blackstaff	Springfield	Galwally
Shilvodan	Killinchy	Killylea	Newtown-Crommelin		Moneyslane	Bloomfield	Stormont	Gilnahirk
Springfarm	Kircubbin	Laurelvale	Portglenone		Rathfriland	Botanic	Stranmillis	Knockbracken
Steeple	Lisbane	Loughgall			Scarva	Castleview	Sydenham	Lisnasharragh
Stiles	Millisle	Markethill			Seapatrik	Cavehill	Whiterock	Minnowburn
Templepatrick	Movilla	Middletown				Cherryvalley	Woodstock	Moneyreagh
Toome	Newtownards	Milford				Cliftonville		Newtownbreda
Parkgate	Portaferry	Mountnorris				Clonard		Tullycarnet
	Portavogie	Poyntz Pass				Crumlin		
	Scrabo	Rich Hill				Duncairn		
	Whitespots	Tandragee				Falls		
						Finaghy		

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CARRICKFERGUS BOROUGH COUNCIL	COLERAINE BOROUGH COUNCIL	COOKSTOWN BOROUGH COUNCIL	CRAIGAVON DISTRICT COUNCIL	DERRY CITY COUNCIL	DOWN DISTRICT COUNCIL	DUNGANNON & SOUTH TYRONE BOROUGH COUNCIL	FERMANAGH DISTRICT COUNCIL	LARNE BOROUGH COUNCIL
Carrickfergus	Aghadowey	Ardboe	Aghagallon	Banagher	Annacloy		Ballinamallard	Ballycarry
Clipperstown	Articlave	Coagh	Bleary	Claudy	Annsborough	Augher	Belcoo	Ballygalley
Greenisland	Ballybogy	Cookstown	Carn	Derry (City)	Ardglass	Aughnacloy	Belleek	Blackcave
Whitehead	Castlerock	Dunnamore	Craigavon	Eglinton	Ballynahinch	Ballygawley	Brookeborough	Carnlough
Woodburn	Coleraine	Moneymore	Dollingstown	New Buildings	Bryansford	Ballysaggart	Derrygonnelly	Glenarm
	Garvagh	Pomeroy	Donaghcloney	Park	Castlewellan	Benburb	Derrylin	Glynn
	Kilrea	Sandholes	Lurgan		Clough	Caledon	Ederney	Islandmagee
	Macosquin	Stewartstown	Magheralin		Crossgar	Castlecaulfield	Enniskillen	Kilwaughter
	Portrush	The Loop	Portadown		Downpatrick	Clogher	Garrison	Larne
	Portstewart	Tullaghoge	Scotch Street		Drumaness	Coagh	Irvinestown	
	Ringsend		Seagoe		Dundrum	Coalisland	Kesh	
	The Cuts		The Birches		Dunmore	Coolhill	Kinawley	
			Waringstown		Killough	Donaghmore	Lack	
					Killyleagh	Drumglass	Lisbellaw	
					Loughinisland	Dungannon	Lisnarrick	
					Newcastle	Fivemiletown	Lisnaskea	
					Saintfield	Killyman	Maguires Bridge	
					Seaforde	Killymeal	Newtownbutler	
					Strangford	Moy	Rosslea	
						Moygashel	Tempo	
						Mullaghmore		
						Washing Bay		

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LIMAVADY BOROUGH COUNCIL	LISBURN CITY COUNCIL	MAGHERAFELT DISTRICT COUNCIL	MOYLE DISTRICT COUNCIL	NEWRY & MOURNE DISTRICT COUNCIL	NEWTOWNABBEY BOROUGH COUNCIL	NORTH DOWN BOROUGH COUNCIL	OMAGH DISTRICT COUNCIL	STRABANE DISTRICT COUNCIL
Ballykelly	Ballinderry	Bellaghy	Armoyn	Annalong	Ballyclare	Ballyholme	Beragh	Ardstraw
Dungiven	Blaris	Castledawson	Ballycastle	Ballybot	Ballyduff	Bangor	Carrickmore	Artigarvan
Enagh	Derryriaghy	Desertmatin	Ballyvov	Bessbrook	Ballyhenry	Bloomfield	Dromore	Ballymagorry
Feeny	Dromara	Draperstown		Burren	Ballynure	Clandeboye	Drumnakilly	Castledearg
Greysteel	Drumbo	Maghera	Bushmills	Camrough	Ballyrobert	Conlig	Drumquin	Clady
Limavady	Dunmurry	Magherafelt	Cushendall	Crossmaglen	Carnmoney	Craigavad	Drumragh	Dunnamanagh
Magilligan	Glenavy	Swatragh	Cushendun	Donaghmore	Doagh	Crawfordsburn	Fintona	Killen
	Hilden	Tobermore	Dunseverick	Forkhill	Glengormley	Cultra	Gortin	Killeter
	Hillhall	Upperlands	Glenaan	Grencastle	Hightown	Groomsport	Killyclogher	Newtownstewart
	Hillsborough		Glenariff	Hilltown	Jordanstown	Helen's Bay	Mountfield	Plumbridge
	Lambeg		Glendun	Kilkeel	Mallusk		Omagh	Sion Mills
	Lisburn		Glensheak	Lisnacree	Monkstown		Seskinore	Strabane
	Magheraberry		Glentaisie	Mayobridge	Mossley		Sixmilecross	Victoria Bridge
	Maze		Moss-side	Newtownhamilton	Newtownabbey		Trillick	
	Moira		Portballintrae	Rostrevor	Whiteabbey			
	Poleglass		Rathlin	Silver Bridge	Whitehouse			
	Seymour Hill			Warrenpoint				
	Twinbrook							

“Our aim is to protect and conserve the natural and built environment and to promote its appreciation for the benefit of present and future generations.”