



**Transposing
the Mining Waste Directive (2006/21/EC)
in Northern Ireland**

Answer booklet

February 2009

Introduction

This answer booklet accompanies the Department's consultation paper seeking views on the proposals to transpose EU Directive 2006/21/ EC on the management of waste from the extractive industries, the Mining Waste Directive (MWD), into Northern Ireland law.

How to Respond

Completed answer booklets should be returned to the Planning Service, an Executive Agency of the Department, no later than **11th May 2009** in one of the following ways:

1. **By post** to:

Stephen Acheson
Mining Waste Directive Consultation
Planning Service
3rd Floor
Millennium House
17-25 Great Victoria Street
Belfast
BT2 7BN

2. **By e-mail** to: mining.waste@doeni.gov.uk

3. **By fax** (marked 'Mining Waste Directive Consultation Response') to: **028 9041 6960**

This answer booklet replicates the questions set out in the Department's consultation paper in relation to the proposals for transposition of Directive 2006/21/EC in to Northern Ireland legislation. These are intended to guide your response although you do not need to answer every question and you may comment on any aspect of the proposals even if a question has not been included. We look forward to receiving responses to the proposals contained within the consultation document.

Respondents do not have to use this answer booklet (although this is the preferred format) but should make any return to the Planning Service in one of the ways noted above.

Additional copies of the consultation document can be downloaded from the Planning Service website at www.planningni.gov.uk. Additional hard copies of the consultation document and copies in alternative formats (e.g. answer booklet in Microsoft Word™) are also available on request from the postal, e-mail or fax numbers above or by telephone on 028 90416940.

If you have any comments or complaints about the consultation process itself (rather than the content of this document) these should be directed to the postal or e-mail addresses above and clearly identified as a comment or complaint.

Question 1: Do you agree that Northern Ireland should take advantage of all derogations in MWD?

Answer:

Question 2: Do you agree with the proposal to extend the meaning of development in the 1991 Order by amending the definition of “mining operations” to include “*the management of waste resulting from the prospecting, extraction, treatment and storage of mineral resources*”?

Answer:

Question 3: Do you agree that a waste management plan is an appropriate method through which an operator should demonstrate compliance with the requirements set out in Articles 4, 5 and 10?

Answer:

Question 4: Do you agree that the planning application process is a suitable mechanism through which to consider the appropriateness of the waste management plan?

Answer:

Question 5: Do you agree with the Department's proposal to modify the current consultation arrangements with NIEA and HSENI to ensure compliance with the MWD?

Answer:

Question 6: Do you agree that ROMPs is the most appropriate mechanism for bringing planning permissions into line with waste management plans?

Answer:

Question 7: Do you agree that planning permission should be withheld for new operations and enforced for existing operations where a suitable financial guarantee is not put in place?

Answer:

Question 8: Do you agree that the principles of Best Available Techniques should be demonstrated through waste management plans as an element of a planning application or by some other means, and if so what?

Answer:

Question 9: Do you agree that the proposed requirements as an element of the planning application process are adequate in addressing the requirements of Article 6?

Answer:

Question 10: Do you agree that the proposals to satisfy the requirements of the MWD in relation to inspections are consistent with Better Regulation principles?

Answer:

Question 11: Do you agree that placing a general requirement on operators is an appropriate means of securing the competency requirements of Article 11?

Answer:

Question 12: Should the proposed Regulations introduce specific fees for the consideration of waste management plans and inspections?

Answer:

Other Comments:

Personal details

Title : Mr / Mrs / Ms / Miss

Name : _____

Address : _____

Postcode : _____

Email : _____