1994 No. 104

CLEAN AIR

The Alkali, &c. Works (Amendment) Order (Northern Ireland) 1994

Made . . . . . *23rd March 1994*

Coming into operation . . *6th May 1994*

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department of the Environment, in exercise of the powers conferred on it by Article 25(9) of the Clean Air (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Alkali, &c. Works (Amendment) Order (Northern Ireland) 1994 and shall come into operation on 6th May 1994.

Interpretation

2. In this Order, "the Alkali Act" means the Alkali, &c. Works Regulation Act 1906(**b**).

3. For paragraphs (30), (50), and (61) of the list of works mentioned in the First Schedule to the Alkali Act there shall be substituted the paragraphs so numbered in the Schedule.

Sealed with the Official Seal of the Department of the Environment on 23rd March 1994.

(L.S.) *R. W. Rogers*
Assistant Secretary

(**a**) S.I. 1981/158 (N.I. 4)
(**b**) 1906 c. 14 as amended by S.R. 1991 No. 49

Substitution of certain paragraphs for those contained in the List of Works in the First Schedule to the Alkali Act

(30) Gas and coke works

Works (not being producer gas works as defined in paragraph (29)) in which—

(*a*) coal, oil or other carbonaceous materials (excluding wood) or products of petroleum refining or natural gas or methane from coal mines or gas derived from fermentation of carbonaceous materials are handled or prepared for carbonisation or gasification or reforming and in which these materials are subsequently carbonised or gasified or reformed or odorised; or

(*b*) water gas is produced or purified; or

(*c*) coke or semi-coke or other solid smokeless fuel is produced and quenched, cut, crushed or graded; or

(*d*) gases derived from any processes mentioned in sub-paragraph (*a*) are subjected to purification processes.

(50) Acrylates works

Works in which acrylates are—

(*a*) made or purified; or

(*b*) made and polymerised; or

(*c*) purified and polymerised; or

(*d*) used in the manufacture of any chemical.

(61) Incineration works

Works for—

(*a*) the destruction by incineration of waste chemicals or waste plastic arising from the manufacture of a chemical or the manufacture of a plastic; or

(*b*) the destruction by incineration, other than incidentally in the course of burning other waste, of waste chemicals being, or comprising in elemental or compound form, bromine, cadmium, chlorine, fluorine, iodine, lead, mercury, nitrogen, phosphorus, sulphur or zinc; or

(*c*) the destruction by incineration of clinical waste, municipal waste or any mixture thereof; or

(*d*) the destruction by incineration of radioactive waste in any facility which is authorised for that purpose under section 13 of the Radioactive Substances Act 1993(**a**); or

(*e*) the destruction by incineration of other waste, including animal remains, where the works are capable of incinerating 1 tonne or more of waste per hour; or

(*f*) the cleaning for re-use, by burning out their residual contents, of metal containers used for the transport or storage of chemicals.

(**a**) 1993 c. 12

In this paragraph—

"clinical waste" has the same meaning as in the Waste Collection and Disposal Regulations (Northern Ireland) 1992(**a**);

"incineration" includes incineration by oxidation including pretreatment as well as pyrolysis or other thermal treatment processes;

"municipal waste" means household waste or commercial waste within the meaning of Article 36(2) and (3) of the Pollution Control and Local Government (Northern Ireland) Order 1978(**b**); and

"waste" has the same meaning as in Article 36(1) of the Pollution Control and Local Government (Northern Ireland) Order 1978.

(**a**) S.R. 1992 No. 254
(**b**) S.I. 1978/1049 (N.I. 19)

EXPLANATORY NOTE

(This note is not part of the Order.)

The discharge of certain noxious or offensive gases from certain types of works is subject to control under the Alkali, &c. Works Regulation Act 1906 ("the Act of 1906"). Article 25(9) of the Clean Air (Northern Ireland) Order 1981 empowers the Department to make orders varying or adding to the list of works in the Act of 1906. The existing list of such works is set out in the First Schedule to the Act of 1906, as substituted by the Alkali, &c. Works Order (Northern Ireland) 1991.

This order amends that list of works by substituting new paragraphs (30), (50), and (61) which describe gas and coke works, acrylates works, and incineration works, respectively.