

**INSTITUTION OF ENVIRONMENTAL SCIENCES**

Response to the DAERA Public Consultation on

**Rethinking Our Resources:  
Northern Ireland Resources and Waste Management  
Strategy**

March 2026

Prepared on behalf of the Institution of Environmental Sciences

## Summary of Key Recommendations

The IES recommends the following specific changes to the final Strategy:

- Bring forward the C&I baseline and reporting framework milestones (Actions 25–26) or add an interim data publication milestone, to ensure adequate data is available before the mid-point of the strategy period.
- Explicitly define which waste streams and sectors are in scope of the 70% by 2030 recycling target, as the draft Strategy acknowledges this scope is not yet defined (Section 2.3.2).
- Include an explicit statement committing to a timetable for the commencement of Part III of the WCLO, given the Strategy repeatedly relies on the Order as its statutory backbone.
- Ensure the Strategic Investment Board infrastructure assessment (due early 2026) includes a dedicated hazardous waste workstream covering options appraisal, planning pathways, and financing models.
- Commit to developing a Soil Passport Scheme (DoWCoP) to provide regulatory clarity on the reuse of excavated materials. This should be supported by the development of Materials Hubs and soil treatment plants to facilitate a "deposit/withdrawal" system, reducing reliance on landfill and resolving construction timetable conflicts.
- Develop financial support mechanisms for micro and small enterprises to meet new recycling obligations, to reduce the risk of non-compliance and perverse outcomes.

## 1. Introduction

The Institution of Environmental Sciences (IES) welcomes the opportunity to respond to the Department of Agriculture, Environment and Rural Affairs (DAERA) public consultation on *Rethinking Our Resources: the Northern Ireland Resources and Waste Management Strategy*.

The IES is at the forefront of uniting the environmental sciences around a shared goal: to work with speed, vision and expertise to solve the world's most pressing environmental challenges, together. As the global professional membership body for environmental scientists, we support a diverse network of professionals all over the world – and at every stage of their education and careers – to connect, develop, progress and inspire.

As a professional body, the IES represents the voices of environmental professionals, sharing insights from the front lines of work with the environment. Our Land Condition Community connects members to share expertise, shape resources, and drive standards across the sector. Through collaboration with partners, the Community champions best practice and strong professional standards in the sector.

The IES supports the overarching ambition of the draft Strategy to transition Northern Ireland toward a circular, low-carbon economy, and the targets set under the Climate Change Act (Northern Ireland) 2022. This response focuses on three areas which we believe merit greater attention in the final Strategy. These areas are likely to receive less coverage from other respondents and we therefore consider it valuable to highlight the following:

- (i) The non-domestic (industrial and commercial) waste challenge, where data gaps and infrastructure constraints pose significant risks to achieving the 70% recycling target;
- (ii) The continued non-commencement of Part III of the Waste and Contaminated Land (Northern Ireland) Order 1997, which represents a fundamental gap in Northern Ireland's environmental protection framework; and
- (iii) The lack of local hazardous waste management facilities within Northern Ireland, which undermines the proximity and self-sufficiency principles upon which the Strategy relies.

## 2. Non-Domestic Waste: Industrial and Commercial Sectors

### 2.1 The Data Gap and Undefined Scope

The draft Strategy itself acknowledges the absence of robust data on commercial and industrial (C&I) waste arisings, composition, and recycling rates. The Strategy references WRAP's estimate of 1.44 million tonnes of C&I waste annually (Section 2.3.1), but this figure is modelled rather than measured, using a methodology derived from 2009 estimates. The Strategy further identifies approximately 4,925 industrial entities across Northern Ireland operating outside the scope of the non-household municipal (NHM) definition (Table 2), spanning sectors from chemical manufacturing to machinery and equipment production, and concedes that *"the baseline and recycling performance data is poor for industrial sectors in Northern Ireland"* (Section 2.3.2).

Critically, the Strategy also states that the waste streams and sectors in scope of the 70% by 2030 recycling target *"have yet to be defined"* (Section 2.3.2). The IES considers this a significant concern. In effect, the Department proposes to commit Northern Ireland to a legally binding recycling target under the Climate Change Act (Northern Ireland) 2022 without having defined which waste streams count toward it, and without reliable baseline data for a substantial portion of the economy. The final Strategy should resolve this ambiguity as a matter of priority.

The IES welcomes the commitment to gather baseline data on C&I arisings (Action 26, target date 30 June 2027) and to establish a reporting framework for non-household waste and recycling performance (Action 25, target date 31 March 2027). We also welcome the planned introduction of mandatory Digital Waste Tracking by October 2026. However, we are concerned that the current timetable means the Strategy could reach its mid-point with the same data gaps that have persisted since the 2013 Strategy. We recommend that DAERA either bring forward the milestones for Actions 25 and 26, or introduce an interim milestone requiring publication of a baseline methodology and pilot sector data within the first 12 months.

### 2.2 Infrastructure and Capacity for Non-Domestic Waste

The Strategy acknowledges that Northern Ireland does not have sufficient capacity to process all potentially available mixed recyclables from household and commercial sources (Section 3.1). It notes that UK Materials Facilities tend to process relatively small quantities of commercial waste, and that sorting infrastructure will need to manage streams of household and NHM waste appearing in very different volumes at different times of year (Section 3.2.2).

The IES notes that DAERA has commissioned the Strategic Investment Board (SIB) to carry out an assessment of waste infrastructure required in Northern Ireland to 2050, with publication expected in early 2026 (Section 3.2.3). This is a welcome development. However, we recommend that the SIB assessment include a dedicated workstream on processing capacity for the distinct waste streams arising from industrial sectors such as chemical manufacturing, metal fabrication, and textile production. These waste streams have

materially different characteristics from household and NHM waste, and a one-size-fits-all approach to infrastructure planning risks leaving the industrial sector without adequate local processing options.

The Strategy would also benefit from committing to regulatory clarity on the reuse of excavated materials, particularly soils, as an enabler of circular economy outcomes and the proximity principle. Northern Ireland currently lacks an equivalent to the regulator-recognised frameworks available in other UK jurisdictions—such as the CL:AIRE Definition of Waste Code of Practice (DoWCoP), which provides a recognised framework in England and Wales for demonstrating when excavated materials can be managed outside waste controls.

The IES recommends that DAERA and NIEA develop and publish a comparable framework for Northern Ireland, which we suggest should be referred to as the Soil Passport Scheme (DoWCoP). This terminology addresses the technical reality that not all management of excavated soils falls under a waste definition, ensuring it can be managed as a by-product or non-waste in materials re-use options depending on site-specific risk and circumstances.

The IES highlights a clear strategic opportunity for Northern Ireland, which is currently home to global leaders in materials management technology (such as CDE). Despite this world-class domestic expertise, there is a notable gap in local soil washing activity and treatment hubs - models that are already successfully operating in Belgium and other parts of the UK. We recommend that the final Strategy explicitly support the development of Materials Hubs and relevant treatment plants. Such hubs, acting as a 'deposit/withdrawal' system alongside the Soil Passport scheme, would utilise soil depots and earth banks to resolve timing bottlenecks between excavation and redevelopment. This would directly support the Strategy's construction and demolition waste objectives, reduce landfill reliance, and ensure Northern Ireland finally capitalises on its own industrial excellence.

## 2.3 SME Engagement and Support

Of the approximately 57,920 NHM entities identified in the Strategy (Table 1), some 45,885 (79%) are micro businesses employing fewer than 10 people. Similarly, in the wider industrial sectors, 3,950 of 4,925 entities (80%) are micro businesses (Table 2). The Strategy acknowledges that most small and micro-sized businesses were found to be either recycling small quantities of material or have no services in place at all (Section 2.2.1), and that smaller premises may be unable to reduce residual waste containers, meaning the introduction of recycling could result in additional costs (Section 2.2.2).

The IES considers that the commitment to develop guidance, tools, and resources (Action 18) and to establish a Northern Ireland Business Recycling Advisory Group (Action 54) are welcome but insufficient on their own. We recommend that the Strategy include a commitment to develop a financial support mechanism for micro and small enterprises to meet new recycling obligations, analogous to the role Invest NI plays in supporting energy efficiency. Without financial support, there is a significant risk of non-compliance or perverse outcomes such as increased fly-tipping from businesses seeking to avoid waste disposal costs.

## 2.4 Recommendations on Non-Domestic Waste

The IES recommends that:

- DAERA bring forward the milestones for Actions 25 and 26, or introduce an interim milestone requiring publication of a baseline methodology and pilot sector data within 12 months of adoption;
- The final Strategy explicitly define which waste streams and sectors are in scope of the 70% by 2030 target;
- The SIB infrastructure assessment includes a dedicated workstream on industrial waste processing capacity;
- DAERA and NIEA develop and publish a framework for the reuse of excavated materials, referred to as the Soil Passport Scheme (DoWCoP), to ensure materials can be managed as a by-product or non-waste depending on site-specific risk;
- The final Strategy explicitly support the development of Materials Hubs and soil treatment plants to facilitate a "deposit/withdrawal" system, utilising soil depots to resolve construction timetable conflicts and reduce landfill reliance;
- Financial support mechanisms be developed for micro and small enterprises to meet new recycling obligations; and
- Sector-specific waste reduction targets and guidance be developed for each of the major industrial categories identified in Table 2 of the Strategy.

## 3. Commencement of Part III of the Waste and Contaminated Land (NI) Order 1997

### 3.1 The Legislative Gap

The IES considers that the Strategy would be significantly strengthened by addressing the continued non-commencement of Part III of the Waste and Contaminated Land (Northern Ireland) Order 1997 (“the WCLO”). Part III establishes the contaminated land regime for Northern Ireland, providing a legal framework for the identification, assessment, and remediation of historically contaminated land. It is closely modelled on Part IIA of the Environmental Protection Act 1990, which has been in force in England and Scotland since 2000 and in Wales since 2001.

Nearly three decades after the WCLO was enacted, Part III remains uncommenced. Northern Ireland is the only jurisdiction in the United Kingdom without an operational contaminated land regime. As DAERA’s own published guidance confirms, the contaminated land regime “has been enacted but is not yet in force” and “a timetable for implementation of the regime in Northern Ireland has not been agreed.”

### 3.2 Relevance to the Resources and Waste Strategy

While the Strategy is framed primarily around waste management, the WCLO is the foundational legislation upon which it is built. The title of the Order itself reflects the inseparable relationship between waste management and contaminated land. The two are inextricably linked: poor waste management practices, both historic and contemporary, are the primary source of land contamination, and the remediation of contaminated land generates waste streams that must be managed within the waste management framework.

The Ministerial Foreword states that through the WCLO, the Climate Change Act, and the Environment Act 2021, Northern Ireland is “implementing policies that reduce emissions, enhance recycling, and improve resource efficiency.” The IES notes that while the waste management provisions of the WCLO (Part II) are in force, the contaminated land provisions (Part III) are not. The Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011 brought forward some additional enforcement powers relating to waste deposits (Sections 4 and 5, commenced 2 January 2023), but these do not address the contaminated land regime itself.

The absence of an operational contaminated land regime has practical consequences for the Strategy:

- There is no statutory mechanism to compel the investigation or remediation of historically contaminated sites outside the planning system. Contaminated land not subject to redevelopment may remain a continuing source of pollution, undermining the environmental objectives of the Strategy;
- The polluter pays principle, which the contaminated land regime is designed to enforce, cannot be applied to historic contamination. The Strategy’s vision of a

circular economy in which producers take financial responsibility for their waste is incomplete if the legacy of past waste mismanagement is not addressed;

- The 2019 DAERA risk assessment identified the risks of not having the regime in force, but no timetable for commencement has been set. This sustained regulatory vacuum is inconsistent with Northern Ireland’s obligations under the Climate Change Act 2022 and its Net Zero 2050 commitment; and
- Northern Ireland also lacks a standardised, regulator-recognised framework for distinguishing legitimate reuse of excavated materials from waste disposal. The absence of the Part III regime, combined with this gap in the wider regulatory architecture for land and soil, creates uncertainty for practitioners, developers, and regulators alike.

### 3.3 The Environmental Science Perspective

From the perspective of environmental science, the absence of a contaminated land regime creates a patchwork regulatory environment. Land contamination does not respect administrative boundaries. Pollutant linkages involving contaminated groundwater, surface water, and soil can affect receptors far removed from the source site. The Land Contamination: Risk Management (LCRM) guidance framework, which NIEA recommends, provides a robust technical basis for risk assessment. However, without the statutory underpinning of the Part III regime, there is no obligation on landowners or polluters to undertake risk assessments or remediation except through the planning system.

This means that contaminated sites not subject to development pressure – which may include some of the most severely contaminated sites in Northern Ireland – fall entirely outside any regulatory framework for investigation and remediation.

### 3.4 Recommendations on Contaminated Land

The IES recognises that commencement of Part III may require cross-departmental and NI Executive action. Nevertheless, given that the Strategy repeatedly relies on the WCLO as its statutory backbone, the IES strongly recommends that the final Strategy:

- Include a specific action committing DAERA to publishing a timetable for the commencement of Part III of the WCLO within 12 months of the Strategy’s adoption;
- Pending full commencement, publish statutory guidance to councils and NIEA on the identification and prioritisation of potentially contaminated sites, building on the 2019 risk assessment;
- Explicitly acknowledge the regulatory gap and commit to a programme of interim measures to protect human health and the environment from risks posed by contaminated land; and

- Include indicators related to contaminated land identification and remediation in the monitoring framework (Section 4), recognising this as a material component of environmental protection in Northern Ireland.

## 4. Hazardous Waste Infrastructure

### 4.1 The Current Position

The draft Strategy records that approximately 118,000 tonnes of hazardous waste were generated in Northern Ireland in 2022/23 (Section 2.5.1). It further acknowledges that Northern Ireland “does not have any specialised hazardous solid waste incineration sites, has a limited hazardous waste treatment capacity and hazardous waste landfill capacity” and that “most hazardous wastes are exported to Great Britain and elsewhere for end treatment and disposal” (Section 2.5.2).

The IES considers that this position is inconsistent with the proximity principle and the self-sufficiency principle, both of which the Strategy itself identifies as foundational (Section 3.2.2). The wholesale export of hazardous waste to Great Britain is the antithesis of both principles.

### 4.2 Environmental and Economic Risks

The reliance on export for hazardous waste treatment creates several risks that the Strategy does not adequately address:

- **Transport risk:** The movement of hazardous waste, including Persistent Organic Pollutants (POPs), asbestos, clinical waste, and industrial solvents, across the Irish Sea and by road involves inherent environmental risk that cannot be eliminated;
- **Supply chain vulnerability:** Complete dependence on external treatment capacity means that any disruption to export routes – whether due to regulatory change, capacity constraints, or logistical disruption – could leave producers with no compliant disposal option. The Windsor Framework has already introduced regulatory complexity for the movement of goods, including waste, between Northern Ireland and Great Britain;
- **Cost:** Export adds significant cost to hazardous waste disposal, creating a barrier to proper disposal and a perverse incentive for illegal disposal through fly-tipping or mis-classification of waste; and
- **Carbon footprint:** Long-distance transport of hazardous waste, including by sea, generates greenhouse gas emissions inconsistent with Northern Ireland’s Net Zero 2050 commitment. The Strategy does not quantify the carbon impact of hazardous waste transport.

### 4.3 Planning and Investment

The Strategy notes that planning applications are progressing which may improve hazardous waste treatment capacity in the longer term (Section 2.5.2). However, it does not identify what types of hazardous waste these facilities would address, whether they would provide capacity for the most problematic waste streams, or the expected timeline.

The Strategy’s own assessment identifies landfill tax differentials as a driver of waste crime in the construction and demolition sector (Section 2.4.2). Similar incentive problems exist in the hazardous waste sector: the high cost of compliant export-based disposal creates

economic pressure to misclassify waste or dispose of it illegally. The commitment to tackling serious and organised crime in environmental offending (Target 10) is welcome, but without addressing the underlying economic drivers – principally the lack of affordable, accessible local treatment capacity – enforcement alone will be insufficient.

As noted above, DAERA has commissioned the SIB to carry out an assessment of waste infrastructure required in Northern Ireland to 2050 (Section 3.2.3). This provides a ready-made vehicle for addressing the hazardous waste infrastructure gap. The IES recommends that this assessment include a dedicated hazardous waste workstream, and that the findings be incorporated into the final Strategy.

## 4.4 Recommendations on Hazardous Waste Infrastructure

The IES recommends that:

- The SIB infrastructure assessment (due early 2026) include a dedicated hazardous waste workstream covering capacity needs by waste stream, options appraisal, planning pathways, and financing models, and that the findings be incorporated into the final Strategy;
- DAERA work with the Department for Infrastructure (DfI) to identify suitable sites for hazardous waste treatment facilities and ensure that planning policy actively supports development in appropriate locations;
- The Strategy set a target to reduce the proportion of hazardous waste exported for treatment within the strategy period, with investment incentives to support local facility development; and
- The monitoring framework include specific indicators for hazardous waste management, including volumes exported, cost of disposal, transport emissions, and incidents of non-compliant disposal.

## 5. Conclusion

The IES welcomes the ambition of the Rethinking Our Resources Strategy and supports its overarching objective of transitioning Northern Ireland toward a circular, low-carbon economy. The targets set – particularly the 70% recycling rate by 2030 and the 10% landfill cap by 2035 – are appropriately challenging and reflect Northern Ireland’s statutory obligations under the Climate Change Act 2022.

However, the IES considers that the Strategy would be strengthened by addressing three areas that, if left unresolved, risk undermining its effectiveness:

1. The non-domestic waste sector remains poorly understood, with the scope of the 70% target undefined, inadequate baseline data, limited processing infrastructure, and insufficient support for the micro and small enterprises that constitute the vast majority of businesses in scope.
2. The continued non-commencement of Part III of the WCLO means Northern Ireland remains the only UK jurisdiction without an operational contaminated land regime – a fundamental gap in environmental protection that the Strategy should address, given the intimate connection between waste management and land contamination.
3. The near-total reliance on export for hazardous waste treatment and disposal is inconsistent with the proximity and self-sufficiency principles that the Strategy endorses. Without local infrastructure, Northern Ireland remains vulnerable to supply chain disruption, cost escalation, and the environmental risks associated with long-distance hazardous waste transport.

The IES urges DAERA to address these gaps in the final Strategy. We are confident that doing so would strengthen its deliverability and position Northern Ireland as a genuinely comprehensive leader in sustainable resource and waste management.

The IES would welcome the opportunity to engage further with DAERA on these matters and is willing to provide additional technical input or evidence as required.

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**Date:** March 2026