These Regulations are made in exercise of the powers conferred by section 2 of, and Schedule 1 to, the Pollution Prevention and Control Act 1999(a).

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, have in accordance with section 2(4) of that Act consulted—

(a) the Environment Agency;

(b) such bodies or persons appearing to them to be representative of the interests of local government, industry, agriculture and small businesses respectively as they consider appropriate; and

(c) such other bodies or persons as they consider appropriate.

A draft of this instrument has been approved by a resolution of each House of Parliament and by the National Assembly for Wales pursuant to section 2(8) and (9)(d) and (e) of that Act.

Accordingly, the Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make the following Regulations.

Citation, commencement and extent

1.—(1) These Regulations—

(a) may be cited as the Environmental Permitting (England and Wales) (Amendment) Regulations 2009;

(b) come into force on 1st October 2009; and

(a) 1999 c. 24. Functions of the Secretary of State under section 2 (except in relation to offshore oil and gas exploration and exploitation), so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 3 of S.I. 2005/1958. Those functions were then transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006, c. 32.
(c) extend to England and Wales only.

(2) For the purposes of this regulation—

(a) England and Wales includes the sea adjacent to Wales out as far as the seaward boundary of the territorial sea; and

(b) the sea adjacent to Wales has the same meaning as in section 158 of the Government of Wales Act 2006(a).

Amendment of the Environmental Permitting (England and Wales) Regulations 2007

2. The Environmental Permitting (England and Wales) Regulations 2007(b) are amended as follows.

3. For regulation 5 (interpretation: exempt waste operation), substitute—

“(1) In these Regulations, a waste operation is an “exempt waste operation” if the requirements in paragraph 3(1) of Schedule 2 are met in respect of the waste operation.

(2) Schedule 2 (exempt waste operations) has effect.”.

4. At the end of regulation 22 (revocation of an environmental permit: general), add—

“(7) Where an environmental permit covers in whole or in part a waste operation which falls within a description in Part 2 of Schedule 3, that part of the permit which covers the operation is to be treated as revoked on the date of first registration.

(8) For the purposes of paragraph (7), “date of first registration” has the meaning given in paragraph 5(6) of Schedule 2.”.

5.—(1) Regulation 38 (offences ) is amended as follows.

(2) After paragraph (1)(e)(i), omit “or”.

(3) After paragraph (1)(e)(ii), add—

”, or

(iii) for the purpose of obtaining, renewing or amending the registration of an exempt waste operation;”.

(4) For paragraph (2), substitute—

“(2) It is an offence for an establishment or undertaking to—

(a) fail to comply with paragraph 8(3) of Schedule 2; or

(b) intentionally make a false entry in a record required to be kept under that paragraph.”.

6.—(1) Paragraph (1) of regulation 65 (fees and charges in relation to local authorities) is amended as follows.

(2) After sub-paragraph (b), omit “and”.

(3) After sub-paragraph (c), add—

“; and

(d) fees payable to a local authority in relation to its functions as an exemption registration authority set out in Schedule 2.”.

7. For regulation 68 (further provision in relation to waste), substitute—

“(1) Section 33(1)(a) of the 1990 Act does not apply to an operation which—

(a) falls within a description in Part 2 of Schedule 3A, and

(b) 2006 c. 32; the boundary between the sea adjacent to Wales and that adjacent to England is described by article 6 and Schedule 3 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of and paragraph 26 of Schedule 11 to the 2006 Act, S.I. 1999/672 continues to have effect.

(b) S.I. 2007/3538.
meets the conditions specified in that Part for the description.

(2) Schedule 20 (further provision in relation to waste) has effect.”.

8. After regulation 71 (transitional provision: conversion of PPC permits resulting from applications in relation to existing Part A installations and mobile plant), insert—

“71A Transitional provisions – exempt waste operations

(1) An establishment or undertaking which at the relevant time was registered in relation to a waste operation falling within a description in paragraph 9, 12, 13 or 19 of Part 1 of the previous schedule is deemed to be carrying out an exempt waste operation until the date referred to in paragraph (2) but only if the conditions in paragraph (11) and, where applicable, paragraph (12) are met.

(2) The date referred to in this paragraph is—

(a) if an application for the grant or variation of an environmental permit is duly made in relation to the waste operation on or before 1st October 2010—

(i) if the application is granted, the date of the grant,

(ii) if the application is refused, and the applicant appeals against the refusal, the date of the appeal determination or the date the appeal is withdrawn, or

(iii) if the application is refused, and the applicant does not appeal against the refusal, the day after the last day on which an appeal could have been brought; or

(b) if the waste operation is registered on or before 1st October 2010, the date of first registration;

(c) if no such application or registration is made, 1st October 2010.

(3) Paragraph (1) does not apply to establishments or undertakings that are deemed to be carrying out an exempt waste operation pursuant to paragraph (7) or paragraph (9).

(4) An establishment or undertaking which at the relevant time was registered in relation to a waste operation falling within a description in any paragraph in Part 1 of the previous schedule is deemed to be carrying out an exempt waste operation until the date referred to in paragraph (5) but only if the conditions in paragraph (11) and, where applicable, paragraph (12) are met.

(5) The date referred to in this paragraph is—

(a) if an application for the grant or variation of an environmental permit is duly made in relation to the waste operation on or before 1st October 2011—

(i) if the application is granted, the date of the grant,

(ii) if the application is refused, and the applicant appeals against the refusal, the date of the appeal determination or the date the appeal is withdrawn, or

(iii) if the application is refused, and the applicant does not appeal against the refusal, the day after the last day on which an appeal could have been brought; or

(b) if the waste operation is registered on or before 1st October 2011, the date of first registration;

(c) if no such application or registration is made, 1st October 2011.

(6) Paragraph (4) does not apply to establishments or undertakings that—

(a) fall within a description mentioned in paragraph (1); or

(b) are deemed to be carrying out an exempt waste operation pursuant to paragraph (7) or paragraph (9).

(7) An establishment or undertaking which at the relevant time was registered in relation to a waste operation—
(a) falling within a description in any paragraph in Part 1 of the previous schedule; and

(b) involving the disposal or recovery of agricultural waste on agricultural land,

is deemed to be carrying out an exempt waste operation until the date referred to in paragraph (8), but only if the conditions in paragraph (11) and, where applicable, paragraph (12) are met.

(8) The date referred to in this paragraph is—

(a) if an application for the grant or variation of an environmental permit is duly made in relation to the waste operation on or before 1st October 2012—

(i) if the application is granted, the date of the grant,

(ii) if the application is refused, and the applicant appeals against the refusal, the date of the appeal determination or the date the appeal is withdrawn, or

(iii) if the application is refused, and the applicant does not appeal against the refusal, the day after the last day on which an appeal could have been brought; or

(b) if the waste operation is registered on or before 1st October 2012, the date of first registration;

(c) if no such application or registration is made, 1st October 2012.

(9) An establishment or undertaking which at the relevant time was registered in relation to a waste operation—

(a) that is a Part B activity falling within a description in Part 1 of the previous schedule; or

(b) falling within a description in paragraph 45 of Part 1 of the previous schedule,

is deemed to be carrying out an exempt waste operation until the date referred to in paragraph (10) but only if the condition in paragraph (11) is met.

(10) The date referred to in this paragraph is—

(a) if an application for the grant or variation of an environmental permit is duly made in relation to the waste operation on or before 1st October 2012—

(i) if the application is granted, the date of the grant,

(ii) if the application is refused, and the applicant appeals against the refusal, the date of the appeal determination or the date the appeal is withdrawn, or

(iii) if the application is refused, and the applicant does not appeal against the refusal, the day after the last day on which an appeal could have been brought; or

(b) if no such application is made, 1st October 2012.

(11) The condition in this paragraph is that the establishment or undertaking complies with the relevant requirements for the period that it is deemed to be carrying out an exempt waste operation.

(12) The condition in this paragraph, which applies only in relation to the waste operations described in paragraphs 6, 7, 9, 10, 19, 40 and 46 of Part 1 of the previous schedule, is that the establishment or undertaking complies with the notifiable exemption requirements for the period that it is deemed to be carrying out an exempt waste operation.

(13) In this regulation—

“agricultural land” means land used for agriculture within the meaning the Agriculture Act 1947;

“at the relevant time” means 30th September 2009;

“date of first registration” has the meaning given in paragraph 5(6) of Schedule 2;
“notifiable exemption requirements” means the requirements in paragraph 10 of Schedule 2 to these Regulations as they had effect at the relevant time;
“previous schedule” means Schedule 3 to these Regulations as it had effect at the relevant time;
“registered” has the meaning given in paragraph 1 of Schedule 2;
“relevant requirements” means the requirements in Part 1 of the previous schedule that—
(a) were applicable to the waste operation that the establishment or undertaking was registered in relation to; and
(b) had effect at the relevant time.

9. In the definition of “excluded activity” in paragraph 1 of Section 6.8 of Part 2 of Schedule 1, for sub-paragraph (a) substitute—
“(a) any activity carried on in a farm or agricultural holding other than—
(i) the manufacture of goods for sale,
(ii) the production of compost for the growth of mushrooms,”.

10. For Schedule 2 (exempt waste operations: general), substitute the schedule set out in Schedule 1 to these Regulations.

11. For Schedule 3 (descriptions: exempt waste operations and other operations to which section 33(1)(a) of the 1990 Act does not apply), substitute the schedule set out in Schedule 2 to these Regulations.

12. Notwithstanding the substitutions made by regulations 10 and 11, the Schedules removed by those regulations continue to have effect for the purposes of the transitional provisions inserted by regulation 8.

Consequential amendments

13.—(1) Schedule 21 (consequential amendments) is amended as follows.
(2) Paragraph 23 (Environment Act 1995) is amended as follows.
(3) After sub-paragraph (1), insert—
“(1A) From section 41 (power to make charging schemes), omit subsection (2A).”.
(4) In sub-paragraph (2)(c) for substituted paragraph (j) substitute—
“(j) registration under Schedule 2 of the Environmental Permitting (England and Wales) Regulations 2007 of an establishment or undertaking in relation to a waste operation which for the purposes of those Regulations is an exempt waste operation,”.

Signed on behalf of the Welsh Ministers

Name
Minister for [ ]

Date
one of the Welsh Ministers

Name
Parliamentary Under Secretary of State

Date
Department for Environment, Food and Rural Affairs


**Interpretation: general**

1. In this Schedule—
   
   “prescribed fee” means—
   
   (a) a fee prescribed for the purpose under a charging scheme made under—
       
       (i) section 41 of the 1995 Act, or
       
       (ii) regulation 65(1)(d), or
   
   (b) where no such fee is prescribed, the fee specified in Table 1 that applies to the form of registration.

<table>
<thead>
<tr>
<th>Form of registration</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electronic registration</td>
<td>[TBC]</td>
</tr>
<tr>
<td>Any other method of registration</td>
<td>£50.00</td>
</tr>
</tbody>
</table>

“register” means the register which the exemption registration authority is required to establish and maintain under paragraph 6(1);

“registered” means, in relation to an establishment or undertaking, that the relevant particulars appear in the register during a valid registration period and “registration” must be construed accordingly;

“relevant particulars” means the information in paragraph 4(2);

“specified method” means a method specified by the exemption registration authority and published on its website or in such other form as the authority thinks fit; and

“valid registration period” means the period of validity of a registration referred to in paragraph 5(1) as read with paragraph 5(2).

**Interpretation: exemption registration authority**

2.—(1) Subject to sub-paragraphs (2) and (3), the exemption registration authority in relation to a waste operation falling within a description in Part 2 of Schedule 3 is the Agency.

(2) The exemption registration authority in relation to a waste operation falling within the paragraphs numbered T3 or T7 of Chapter 2 in Part 2 of Schedule 3 is—

   (a) in relation to waste operations carried out in a mobile plant, the local authority in whose area the operator has his principal place of business;

   (b) in relation to all other waste operations, the local authority in whose area the operation is carried out.
(3) The exemption registration authority in relation to a waste operation falling within paragraph numbered T22 in Chapter 2 of Part 2 of Schedule 3 is the authority responsible for granting an authorisation—

(a) in England, under regulation 27 of the Animal By-Products Regulations 2005(a); 
(b) in Wales, under regulation 27 of the Animal By-Products Regulations 2006(b).

Requirements for exempt waste operations

3.—(1) The requirements referred to in regulation 5(1) are—

(a) the waste operation falls within a description in Part 2 of Schedule 3;
(b) the general and specific conditions specified in Part 2 of Schedule 3 in relation to the description are met;
(c) an establishment or undertaking is registered in relation to the waste operation; and
(d) the type and quantity of waste submitted to the waste operation, and the method of disposal or recovery, are consistent with the need to attain the objectives mentioned in Article 4(1) of the Waste Framework Directive.

(2) The requirement in sub-paragraph (1)(c) does not apply to any waste operation carried out within the curtilage of a domestic property by a person who is not an establishment or undertaking.

Procedure for registering an exempt waste operation

4.—(1) An establishment or undertaking seeking to be registered in relation to a waste operation or to renew a registration in relation to a waste operation must notify the exemption registration authority of—

(a) the relevant particulars; and
(b) the information specified in sub-paragraph (3).

(2) The relevant particulars are—

(a) the name and address of the establishment or undertaking carrying out the waste operation;
(b) a description of the waste operation; and
(c) the place where the waste operation is carried out, including the post code of that place.

(3) The information in this sub-paragraph is the name and contact details of an individual officer or employee designated by the establishment or undertaking to be the primary contact for the purposes of registration.

(4) Notification under sub-paragraph (1) must be—

(a) provided by a specified method; and
(b) accompanied by the prescribed fee.

Validity of registration

5.—(1) A registration is valid for 3 years.

(2) For the purposes of sub-paragraph (1), the period of validity of any registration commences on the date of first registration or on the most recent renewal date, as the case may be.

(3) The operator of a registered establishment or undertaking may renew a registration—
(a) at any time before; or
(b) up to 1 month after
the registration becomes invalid and the registration procedure specified in paragraph 4 applies in relation to any such renewal.

(4) Where an establishment or undertaking has renewed a registration in accordance with sub-paragraph (3), the renewal takes effect on the day after the day on which the previous registration becomes invalid.

(5) The exemption registration authority may waive the requirements for notification of the relevant particulars as set out in paragraph 4(1)(a)—

(a) for the purposes of renewing a registration, and

(b) in circumstances where the authority receives confirmation from the establishment or undertaking by a specified method that the particulars have not changed since the most recent registration.

(6) In this paragraph—

“date of first registration” means in relation to an establishment or undertaking, the date on which the relevant particulars first appear in the register;

“existing registration” means a registration that is valid;

“renewal date” means the date that the renewal of a registration takes effect in accordance with sub-paragraph (4).

Register of exempt waste operations

6.—(1) Every exemption registration authority must establish and maintain a register of exempt waste operations in relation to which it is the exemption registration authority.

(2) Subject to sub-paragraphs (3), (4) and (5), the exemption registration authority must ensure the register contains the relevant particulars within 5 working days of the date that it receives—

(a) notification by a specified method of—
   (i) the relevant particulars, and
   (ii) the information specified in paragraph 4(3); and

(b) payment of the prescribed fee.

(3) Where a waste operation involves the treatment of WEEE, the exemption registration authority must not enter the relevant particulars on the register until it—

(a) has carried out an inspection in relation to the waste operation that complies with the second paragraph of Article 6(2) of the WEEE Directive, and

(b) is satisfied as to the particulars to be verified pursuant to the third paragraph of that Article.

(4) Where a waste operation falls within a description in the paragraph numbered T7 of Chapter 2 of Part 2 of Schedule 3, the exemption registration authority must not enter the relevant particulars on the register unless it is satisfied that—

(a) the operation cannot result in the release into the air of a substance listed in paragraph 6(3) of Part 1 of Schedule 1; or

(b) there is no likelihood that it will result in the release of the air of any such substance except in a quantity which is so trivial that it is incapable of causing pollution or its capacity to cause pollution is insignificant.

(5) The exemption registration authority must ensure that any type of waste operation described in Part 2 of Schedule 3 is not registered more than once in relation to a particular site.

(6) Every exemption registration authority must—
(a) ensure that its register is open to inspection by members of the public free of charge at all reasonable hours; and
(b) provide reasonable facilities to members of the public for obtaining a copy of an entry on payment of a reasonable charge.

(7) A register may be kept in any form.

Duty to remove entries from the register

7.—(1) The duty to maintain a register in paragraph 6(1) includes a duty to remove an entry if—
(a) the exemption registration authority becomes aware that the establishment or undertaking has ceased to carry out the waste operation at the place stated in the entry;
(b) the waste operation is no longer an exempt waste operation;
(c) in the case of a waste operation involving the treatment of WEEE, the exemption registration authority—
   (i) has carried out an inspection in accordance with paragraph 9(2), and
   (ii) is not satisfied as to the particulars to be verified pursuant to the third paragraph of Article 6(2) of the WEEE Directive;
(d) in the case of a waste operation which involves crushing described in the paragraph numbered T7 of Chapter 2 of Part 2 of Schedule 3, the exemption registration authority considers that the operation no longer meets one of the conditions specified in paragraph 6(4)(a) and (b).

(2) The exemption registration authority must notify the establishment or undertaking in question without delay if it removes an entry from the register pursuant to sub-paragraph (1) (b), (c) or (d).

Record keeping

8.—(1) This paragraph applies to every exempt waste operation falling within a description in the paragraphs numbered U11 or U12 of Chapter 1 of Part 2 of Schedule 3.
(2) But it does not apply in relation to an exempt waste operation falling within a description in those paragraphs if it is carried out on land subject to an action programme under the Action Programme for Nitrate Vulnerable Zones (England and Wales) Regulations 1998(a).

(3) An establishment or undertaking which carries out an exempt waste operation to which this paragraph applies must—
(a) keep records of the quantity, nature, origin and, where relevant, the destination and treatment method of all waste disposed of or recovered in the course of that activity;
(b) keep those records for a period of 2 years; and
(c) during that period make those records available to the exemption registration authority on request.

Periodic inspections

9.—(1) Every exemption registration authority must carry out appropriate periodic inspections of establishments and undertakings carrying out exempt waste operations in respect of which it is the exemption registration authority.

(2) If an exempt waste operation involves the treatment of WEEE, the exemption registration authority must discharge the duty in sub-paragraph (1) by carrying out an inspection that complies with the third and fourth paragraphs of Article 6(2) of the WEEE Directive.

**Changes to relevant particulars**

10.—(1) A registered establishment or undertaking must notify the exemption registration authority without delay of any changes to the following—

(a) any of the relevant particulars; and

(b) any of the information specified in paragraph 4(3).

(2) If an establishment or undertaking does not comply with sub-paragraph (1), the exemption registration authority may remove the entry made in respect of the establishment or undertaking from the register.

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**SCHEDULE 2**

**Regulation 11**

**SCHEDULES 3 AND 3A TO THE ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2007**

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"**SCHEDULE 3**

Exempt waste operations : descriptions and conditions

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**PART 1**

Interpretation

1.—(1) In this Schedule—

“the 1991 Act” means the Water Resources Act 1991(a);

“agricultural land” has the meaning given in section 109(1) of the Agriculture Act 1947(b);

“Animal By-Products Regulations” means—

(a) in relation to England, the Animal By-Products Regulations 2005(c),

(b) in relation to Wales, the Animal By-Products (Wales) Regulations 2006(d);

“construction” includes the repair, alteration, maintenance or improvement of an existing work;

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(a) 1991 c. 57.

(b) 1947 c. 48.

(c) S.I. 2005/2347.

(d) S.I. 2006/1293 (W.127).
“finished goods” means goods that are ready for use by an end consumer without any further processing;
“inland waters” has the meaning given by section 221(1) of the 1991 Act;
“place of production” means in relation to any waste, the place where the waste was originally produced;
“net thermal rate” means the rate at which fuel can be burned at the maximum continuous rating of the appliance multiplied by the net calorific value of the fuel and expressed as megawatts thermal.
“relevant waste”, where it appears in any paragraph in Part 2 of this Schedule, means waste that is—
(a) covered by a code specified in the first column of the table in the paragraph, and
(b) of a type specified in the second column of the table;
“scrap metal” has the meaning given by section 9(2) of the Scrap Metal Dealers Act 1964(a);
“sealed drainage” means a drainage system with an impermeable surface which ensures that—
(a) no liquid will run off the surface otherwise than via the system, and
(b) except where they may be lawfully discharged, all liquids entering the system are collected in a sealed sump;
“secondary containment” has the meaning given in regulation 1(2) of the Control of Pollution (Oil Storage) (England) Regulations 2001(b); and
“work” includes preparatory work.
(2) In this Schedule, a 6 digit code used to refer to a waste is a reference to that waste as specified by the 6 digit code—
(a) in England, in the List of Wastes (England) Regulations 2005(c); and
(b) in Wales, in the List of Wastes (Wales) Regulations 2005(d).
(3) The waste operations described in chapters 1, 2 and 3 of Part 2 of this Schedule include associated storage of the waste on site and for these purposes, the quantity limits specified in relation to the operation apply so as to include associated storage.
(4) References to “on site” or “the site” in this Schedule mean the site where the waste operation is carried out, unless otherwise indicated.
(5) Where a specific condition requires a bund or that a container or area is bunded, the bund must—
(a) be kept free of debris and liquid,
(b) have an impermeable lining, and
(c) have a capacity of 110%.
(6) When interpreting this Schedule, a container, lagoon or other place is secure in relation to waste kept in it if—
(a) all reasonable precautions are taken to ensure that the waste cannot escape from it; and
(b) members of the public are unable to gain access to the waste.

(a) 1964 c. 69.
(b) S.I. 2001/2954.
(c) S.I. 2005/895, amended by S.I. 2005/1673.
(d) S.I. 2005/1820 (W.148).
PART 2

Exempt waste operations: descriptions and conditions (specific and general)

Chapter 1 – Use of Waste

1.—(1) The descriptions in this Chapter are set out in the first sub-paragraph of the paragraphs numbered U1 to U13.

(2) The specific conditions for each waste operation described in this Chapter are set out in the third sub-paragraph of the paragraphs numbered U1 to U13.

(3) The general conditions for all descriptions in this Chapter are as follows—

(a) the operation is for the purposes of recovering or reusing the waste;

(b) the waste used is suitable for the purposes of the operation; and

(c) no more waste is used than is necessary to carry out the operation.

Use of waste in construction work

U1.—(1) The use of relevant waste in construction work.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>010408</td>
<td>Waste gravel and crushed rock other than those mentioned in 010407</td>
</tr>
<tr>
<td>010409</td>
<td>Waste sand and clays</td>
</tr>
<tr>
<td>020203</td>
<td>Mollusc or crustacean shells from which the flesh has been completely removed</td>
</tr>
<tr>
<td>020401</td>
<td>Soil from cleaning and washing beet</td>
</tr>
<tr>
<td>101208</td>
<td>Waste ceramics, bricks, tiles and construction products (after thermal processing)</td>
</tr>
<tr>
<td>101314</td>
<td>Waste concrete and concrete sludge</td>
</tr>
<tr>
<td>170101</td>
<td>Concrete</td>
</tr>
<tr>
<td>170102</td>
<td>Bricks</td>
</tr>
<tr>
<td>170103</td>
<td>Tiles and ceramics</td>
</tr>
<tr>
<td>170107</td>
<td>Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 170106</td>
</tr>
<tr>
<td>170302</td>
<td>Bituminous mixtures other than those mentioned in 170301</td>
</tr>
<tr>
<td>170508</td>
<td>Track ballast other than those mentioned in 170507</td>
</tr>
<tr>
<td>170506</td>
<td>Dredging spoil other than those mentioned in 170505</td>
</tr>
<tr>
<td>191209</td>
<td>Minerals, for example sand and stones</td>
</tr>
<tr>
<td>200202</td>
<td>Soil and stones</td>
</tr>
<tr>
<td>170504</td>
<td>Soil and stones other than those mentioned in 170503</td>
</tr>
<tr>
<td>010102</td>
<td>Wastes from mineral non-metalliferous excavation</td>
</tr>
<tr>
<td>191302</td>
<td>Solid wastes from soil remediation other than those mentioned in 191301</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste used or stored during the construction work does not exceed 500 tonnes;

(b) no waste is stored for longer than 3 months;
(c) any relevant waste to which code 170506 applies (dredging spoil) is used only for
  drainage work carried out for the purposes of the Land Drainage Act 1991(a), the
  1991 Act or the 1995 Act; and

(d) any relevant waste to which code 170302 applies (bituminous mixtures) is only
  used for the construction of roads.

Use of baled end-of-life tyres in construction work

U2.—(1) The use of relevant waste in above ground construction work and in above
  ground structural foundations or supports that are necessary for the work.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out
  below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>160103</td>
<td>Baled end-of-life tyres</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste used or stored during the construction work does not
    exceed 500 tonnes of baled tyres;

(b) the waste is not used more than once;

(c) the bales comply with standard PAS108(b);

(d) the total quantity of waste stored prior to use at any one time does not exceed 90
    bales; and

(e) no waste is stored for longer than 1 month prior to use.

Use of waste in the construction of tracks, paths, bridleways or car parks

U3.—(1) The use of relevant waste in the construction of—

(a) tracks, paths or bridleways, or

(b) the surface layer of car parks.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out
  below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020107</td>
<td>Wastes from forestry</td>
</tr>
<tr>
<td>020203</td>
<td>Mollusc or crustacean shells from which the flesh has been completely removed</td>
</tr>
<tr>
<td>030101</td>
<td>Waste bark, cork and wood</td>
</tr>
<tr>
<td>030105</td>
<td>Sawdust, shavings, cuttings, wood but excluding particle board and veneer</td>
</tr>
<tr>
<td>191207</td>
<td>Untreated wood other than those mentioned in 191206</td>
</tr>
<tr>
<td>170506</td>
<td>Clean river gravel free of fines</td>
</tr>
<tr>
<td>200138</td>
<td>Untreated wood other than those mentioned in 200137</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste used or stored during the construction work does not
    exceed 500 tonnes; and

(b) the waste has been processed into chipped form prior to use, but excluding relevant waste—

(i) to which code 170506 applies (clean river gravel free of fines); or

(ii) that is wood sawdust or wood shavings to which code 030105 applies.

(a) 1991 c. 59.

Use of waste in the construction of entertainment or educational installations etc

U4.—(1) The use of relevant waste in the construction of installations, exhibits, sets or demonstrations for entertainment or educational purposes.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>170102</td>
<td>Bricks</td>
</tr>
<tr>
<td>170103</td>
<td>Tiles and ceramics</td>
</tr>
<tr>
<td>170201</td>
<td>Wood</td>
</tr>
<tr>
<td>170203</td>
<td>Plastic</td>
</tr>
<tr>
<td>170401 to</td>
<td>Metals including their alloys</td>
</tr>
<tr>
<td>170407, 170411</td>
<td></td>
</tr>
<tr>
<td>200102</td>
<td>Paper and cardboard</td>
</tr>
<tr>
<td>200111</td>
<td>Textiles</td>
</tr>
<tr>
<td>200137</td>
<td>Wood other than that mentioned in 200137</td>
</tr>
<tr>
<td>200139</td>
<td>Plastics</td>
</tr>
<tr>
<td>200140</td>
<td>Metals</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific condition is that the total quantity of waste used or stored prior to use does not exceed 20 tonnes at any one time.

Burning of waste as a fuel in a small appliance

U5.—(1) The burning of relevant waste as a fuel in an appliance which meets the requirements in sub-paragraph (4).

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020103</td>
<td>Plant tissue waste</td>
</tr>
<tr>
<td>020304</td>
<td>Materials unsuitable for consumption or processing (vegetable waste)</td>
</tr>
<tr>
<td>030101</td>
<td>Waste bark and cork</td>
</tr>
<tr>
<td>030105</td>
<td>Untreated sawdust, wood shavings other than those mentioned in 030104</td>
</tr>
<tr>
<td>030301</td>
<td>Waste bark and wood</td>
</tr>
<tr>
<td>030310</td>
<td>Fibre rejects (fibrous vegetable waste from virgin pulp preparation or paper pulp production)</td>
</tr>
<tr>
<td>020107</td>
<td>Wastes from forestry (untreated wood only)</td>
</tr>
<tr>
<td>030107</td>
<td>Waste bark and cork</td>
</tr>
<tr>
<td>030108</td>
<td>Untreated sawdust, wood shavings other than those mentioned in 030104</td>
</tr>
<tr>
<td>150103</td>
<td>Wooden packaging</td>
</tr>
<tr>
<td>170201</td>
<td>Untreated wood</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste burned per hour is less than 50kg;

(b) the total quantity of waste stored does not exceed 10 tonnes at any one time; and

(c) the waste is stored in a secure place.

(4) The requirements in this sub-paragraph are that—

(a) the appliance has a net rated thermal input of less than 0.4 megawatts; or

(b) the appliance is used together with other appliances (whether or not it is operated simultaneously with such other appliances) and the aggregate net rated thermal input of all the appliances is less than 0.4 megawatts.
Use of waste derived biodiesel as fuel in a motor vehicle and storage at a relevant site

U6.—(1) The use of biodiesel derived from relevant waste as a fuel in a motor vehicle and the storage of such biodiesel—
   (a) in or on a motor vehicle;
   (b) at a relevant site.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>190210</td>
<td>Combustible wastes other than those mentioned in 190208 and 190209</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) where the biodiesel is stored in or on a motor vehicle, the total quantity stored does not exceed 500 litres any one time;
   (b) where the biodiesel is stored at a relevant site, the total quantity stored at the site does not exceed 5000 litres at any one time; and
   (c) the biodiesel is stored in a bunded area or container inside a building or with secondary containment.

(4) In this paragraph, “relevant site” means a site that is owned or occupied by the owner or user of motor vehicles using the biodiesel.

Use of sludge for the purposes of re-seeding a waste water treatment plant

U7.—(1) The use of relevant waste at a waste water treatment plant for the purposes of re-seeding the plant.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>190805</td>
<td>Sludges from treatment of urban waste water</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste used or stored at the plant in any 12 month period does not exceed 1000 tonnes; and
   (b) the waste is not produced at the plant.

Use of sewage to clean a contained gravel bed

U8.—(1) The use of relevant waste from a sewage works or from a waste water treatment plant to clean a contained gravel bed.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>190899</td>
<td>Wastes not otherwise specified</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste used in any 24 hour period does not exceed 10m$^3$;
   (b) the operation is carried out at a location with sealed drainage;
   (c) any residual waste is collected after the cleaning is complete; and
   (d) the waste meets the terms of the discharge or trade effluent consent issued in respect of the works from which the waste arose.

Direct and beneficial use of waste for a specified purpose

U9.—(1) The direct and beneficial use of relevant waste for a specified purpose.
(2) For the purposes of this paragraph—

(a) the table specifying relevant waste and the limits referred to in sub-paragraph (3)(b) and (c) is set out below;

(b) “specified purpose” is a purpose specified in the third column of the table which includes associated storage.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Specified purpose</th>
<th>Operation</th>
<th>Quantity limit at any one time</th>
</tr>
</thead>
<tbody>
<tr>
<td>030105, 191207</td>
<td>Wood shavings</td>
<td>Use as animal bedding</td>
<td>Use and storage</td>
<td>50 tonnes</td>
</tr>
<tr>
<td>020203</td>
<td>Mollusc or crustacean shells</td>
<td>Use for ornamental purposes</td>
<td>Use and storage</td>
<td>50 tonnes</td>
</tr>
<tr>
<td></td>
<td>from which the flesh has been completely removed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>191201</td>
<td>Shredded paper</td>
<td>Use as animal bedding</td>
<td>Use and storage</td>
<td>50 tonnes</td>
</tr>
<tr>
<td>160103</td>
<td>End-of-life tyres</td>
<td>Use on a silage clamp</td>
<td>Use and storage</td>
<td>30 tonnes</td>
</tr>
<tr>
<td>170302</td>
<td>Roadstone</td>
<td>Use in the construction of roads</td>
<td>Use and storage</td>
<td>50,000 tonnes</td>
</tr>
<tr>
<td>110105*, 110107*</td>
<td>Aluminium hydroxide and ferric chloride</td>
<td>Use in treating waste water effluent</td>
<td>Storage Use</td>
<td>5000 litres</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1000 litres</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the waste is not treated or required to be treated prior to its use;

(b) in relation to any operation described in the fourth column of the table, the total amount of waste subject to that operation does not exceed the quantity limit specified in the fifth column at any one time;

(c) in relation to any relevant waste to which code 160103 applies (end-of-life tyres), within the quantity limit specified for that waste type, not more than 10 tonnes is stored together; and

(d) in relation to any relevant waste to which codes 110105* (aluminium hydroxide) or 110107* (ferric chloride) applies, the waste is stored—

(i) in a bunded area or container inside a building or with secondary containment, and

(ii) in a location with sealed drainage.

**Use of waste to manufacture finished goods**

**U10.**—(1) The use of relevant waste to manufacture finished goods.

(2) For the purposes of this paragraph, the table specifying relevant waste and the quantity limits referred to in sub-paragraph (3)(a) is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Quantity limit at any one time</th>
<th>Additional specific conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>030105, 030301,</td>
<td>Wood</td>
<td>100 tonnes</td>
<td>B</td>
</tr>
<tr>
<td>150103, 191207,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>200138,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>040221, 040222,</td>
<td>Textiles</td>
<td>1000 tonnes</td>
<td>B</td>
</tr>
<tr>
<td>150109, 191208,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>200110, 200111</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101112, 150107,</td>
<td>Glass</td>
<td>5000 tonnes</td>
<td>A</td>
</tr>
</tbody>
</table>

16
(3) For the purposes of this paragraph, the specific conditions are that —
(a) the total quantity of waste used or stored any one time does not exceed the quantity limit specified in the third column of the table in sub-paragraph (2);
(b) the waste is stored—
   (i) at the site where the manufacturing takes place, and
   (ii) in a secure place at that site;
(c) the operation does not involve any activity falling within a description in Part A(1) or Part A(2) of Part 2 of Schedule 1; and
(d) the operation complies with such of the following additional specific conditions as are specified in the fourth column of the table—
   A  the waste is stored at a location with sealed drainage,
   B  the waste is stored indoors or in a secure container,
   C  the total quantity of waste stored together does not exceed 10 tonnes,
   D  the waste is not subject to heat treatment.

### Spreading waste on agricultural land to confer agricultural benefit

**U11.**—(1) The spreading of relevant waste on agricultural land to confer agricultural benefit to the land.

(2) For the purposes of this paragraph, the table specifying relevant waste and the quantity limits referred to in sub-paragraph (3)(a) is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Quantity limit</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>020106</td>
<td>Farmyard and horse manure</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>020401</td>
<td>Soil from cleaning and washing beet</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>020399</td>
<td>Soil from cleaning and washing vegetables</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>020199</td>
<td>Milk</td>
<td>50 litres of diluted milk per hectare</td>
<td>24 hours</td>
</tr>
<tr>
<td>170506</td>
<td>Dredged spoil (other than those)</td>
<td>150 tonnes per hectare</td>
<td>12 months</td>
</tr>
</tbody>
</table>
containing dangerous substances) from farm ditches or from ponds within fields or forests

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Quantity limit</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>190599</td>
<td>Compost produced pursuant to a treatment described in paragraphs numbered T23, T24 or T25 of Chapter 2</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>190699</td>
<td>Compost produced pursuant to a treatment described in paragraphs numbered T23, T24 or T25 of Chapter 2</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>190812</td>
<td>Agricultural waste consisting of biobed material</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste spread does not exceed the limit specified in the third column of the table in sub-paragraph (2) for the period specified in the fourth column;

(b) the total quantity of waste stored prior to spreading does not exceed 200 tonnes;

(c) any waste intended to be spread is stored in a secure location;

(d) at the time the spreading begins—

(i) the land has not been frozen for 12 hours or more in the preceding 24 hours; and

(ii) the land is not waterlogged, frozen or snow-covered;

(e) the land is spread not more than once in any 4 week period;

(f) the land which is spread is at least—

(i) 10 metres from a watercourse, and

(ii) 50 metres from a spring, well or borehole;

(g) in relation to any relevant waste specified to which code 170506 applies (dredged spoil), the waste is spread adjacent to the land from which it was dredged; and

(h) in relation to any relevant waste to which code 020199 applies (milk), prior to spreading, the waste is diluted with not less than an equal quantity of water or slurry.

**Spreading waste on land to improve soil structure or add nutrients or biomass**

**U12.**—(1) The spreading of relevant waste on land for the purposes of providing, maintaining or improving the soil’s ability to provide a growing medium by adding nutrients or biomass.

(2) For the purposes of this paragraph, the table specifying relevant waste and the quantity limits referred to in sub-paragraph (3) is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Quantity limit</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>020106</td>
<td>Farmyard and horse manure</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>020401</td>
<td>Soil from cleaning and washing beet</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>020399</td>
<td>Soil from cleaning and washing vegetables</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>030399</td>
<td>Pulp from virgin timber</td>
<td>50 tonnes per hectare</td>
<td>12 months</td>
</tr>
<tr>
<td>170506</td>
<td>Dredging spoil from non controlled</td>
<td>150 tonnes per hectare</td>
<td>12 months</td>
</tr>
</tbody>
</table>
waters generated from the creation or maintenance of habitats and dredged spoil (other than those containing dangerous substances) from farm ditches or from ponds within fields or forests

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>200108</td>
<td>Coffee grounds</td>
</tr>
<tr>
<td>190599</td>
<td>Compost produced pursuant to a treatment described in paragraphs numbered T23, T24 or T25 of Chapter 2</td>
</tr>
<tr>
<td>190699</td>
<td>Compost produced pursuant to a treatment described in paragraphs numbered T23, T24 or T25 of Chapter 2</td>
</tr>
<tr>
<td>190812</td>
<td>Agricultural waste consisting of biobed material</td>
</tr>
<tr>
<td>020203</td>
<td>Mollusc or crustacean shells from which the flesh has been completely removed</td>
</tr>
</tbody>
</table>

3) For the purposes of this paragraph, the specific conditions are that—
   
   (a) the total quantity of waste used does not exceed the limit specified in the third column of the table in sub-paragraph (2) over the period specified in the fourth column;
   
   (b) the total quantity of waste stored prior to spreading does not exceed 200 tonnes at any one time;
   
   (c) the waste is stored in a secure location prior to spreading; and
   
   (d) in relation to any relevant waste to which code 170506 applies (dredge spoil), the waste is spread adjacent to the land from which it was dredged.

**Spreading waste on land for the purposes of mulching**

**U13.**—(1) The spreading of relevant waste on land for the purposes of mulching.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>191207</td>
<td>Wood chip (bark, cork and untreated wood)</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

   (a) the total quantity of waste stored or used does not exceed 100 tonnes during any period of 1 month; and
   
   (b) the waste is stored in a secure location.

(4) For the purposes of this paragraph, “mulching” means spreading waste around or over a plant to protect the plant or to enrich the soil.

**Chapter 2 – Treatment of waste**

1.——(1) The descriptions in this Chapter are set out in the first sub-paragraph of the paragraphs numbered T1 to T31.

(2) The specific conditions for each description in this Chapter are set out in the third sub-paragraph of the paragraphs numbered T1 to T31.
(3) The general condition for all descriptions in this Chapter is that, except where otherwise indicated, the operation is for the purposes of recovering or reusing the waste.

**Cleaning, washing, spraying or coating relevant waste**

T1.—(1) The cleaning, washing, spraying or coating of relevant waste.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>070213, 150102, 160119, 170203, 200139</td>
<td>Plastic</td>
</tr>
<tr>
<td>160120, 150107, 170202, 191205, 200102</td>
<td>Glass</td>
</tr>
<tr>
<td>150101</td>
<td>Paper and cardboard packaging</td>
</tr>
<tr>
<td>150105</td>
<td>Composite packaging</td>
</tr>
<tr>
<td>150109</td>
<td>Textile packaging</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste treated over any 7 day period or stored at any one time does not exceed 300 tonnes,

(b) the treatment is carried out at a location with sealed drainage;

(c) no waste is stored for longer than 3 months prior to treatment;

(d) where the waste consists of containers that have been used to contain a dangerous substance, the total quantity of waste stored does not exceed 1 tonne over any 7 day period;

(e) the waste is not contaminated by more than 1% of its original volume prior to treatment;

(f) the waste is stored and treated in a location with sealed drainage; and

(g) the operation is for the purposes of reusing the waste.

(4) The description in sub-paragraph (1) does not include cleaning, washing, spraying or coating of any waste if this falls within Part B of section 6.4 (coating activities and printing) of Part 2 of Schedule 1.

(5) In this paragraph, “dangerous substance”—

(a) in England, has the meaning given in regulation 2(3)(d) of the List of Wastes (England) Regulations 2005(a);

(b) in Wales, has the meaning given in regulation 2(3)(d) of the List of Wastes (Wales) Regulations 2005(b).

(6) References in this paragraph to weight limits includes the weight of any contamination.

**Recovery of textiles**

T2.—(1) The recovery of relevant waste by laundering or otherwise cleaning it.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>191208</td>
<td>Textiles</td>
</tr>
</tbody>
</table>

(a) S.I. 2005/895.
(b) S.I. 2005/1820.
(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste stored or treated does not exceed 20,000 tonnes at any one time; and
   (b) the operation is carried out at a location with sealed drainage.

Treatment of waste metals and metal alloys by heating for the purposes of removing grease etc

T3.—(1) The treatment of relevant waste for the purposes of removing grease, oil or any other non-metallic contaminant by heating it in an appliance which meets the requirements of sub-paragraph (4) but excluding any of the heating processes referred to in sub-paragraph (5).

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>160117</td>
<td>Ferrous metal</td>
</tr>
<tr>
<td>160118</td>
<td>Non ferrous metal</td>
</tr>
<tr>
<td>191001</td>
<td>Iron and steel waste</td>
</tr>
<tr>
<td>191002</td>
<td>Non ferrous waste</td>
</tr>
<tr>
<td>191202</td>
<td>Ferrous metal</td>
</tr>
<tr>
<td>191203</td>
<td>Non ferrous metal</td>
</tr>
<tr>
<td>200140</td>
<td>Metals</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste treated or stored at any one time does not exceed 10 tonnes; and
   (b) the waste is stored in a secure location with sealed drainage

(4) The requirements in this sub-paragraph are that—
   (a) the appliance has a net rated thermal input of less than 0.2 megawatts; or
   (b) the appliance is used together with other appliances (whether or not it is operated simultaneously with such other appliances) and the aggregate net rated thermal input of all the appliances is less than 0.2 megawatts.

(5) The heating processes that are excluded for the purposes of sub-paragraph (1) are—
   (a) the removal by heat of plastic or rubber covering from scrap cable, or any asbestos contaminant;
   (b) a process that is an activity described in Section 2.1 (other than paragraph (d) of Part B) of Part 2 of Schedule 1 involving the heating of iron, steel or ferrous-alloy;
   (c) a process that is an activity described in Part A(1) or A(2) of Section 2.2 of Part 2 of Schedule 1 involving the heating of any non-ferrous metal or non-ferrous metal alloy.

Preparatory treatments (baling, sorting, shredding etc)

T4.—(1) The treatment of relevant waste by baling, sorting, shredding, pulverising, densifying, crushing or compacting it.

(2) For the purposes of this paragraph, the table specifying relevant waste and the quantity limits referred to in sub-paragraph (3)(a) is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Quantity limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>070213, 150102,</td>
<td>Food and drink cartons</td>
<td>100 tonnes where treatment is carried out outdoors</td>
</tr>
</tbody>
</table>
070213, 150102, 160119, 170203, 200139, 020104 | Plastic | 100 tonnes where treatment is carried out outdoors
| | | 3000 tonnes where treatment is carried out indoors

150107, 160120, 170202, 191205, 200102 | Glass | 5000 tonnes

150104, 200140 | Metals | 100 tonnes where treatment is carried out outdoors
| | | 5000 tonnes where treatment is carried out indoors

030308, 030307, 150101, 191201, 200101 | Paper (excluding food and drink cartons) | 500 tonnes where treatment is outdoors
| | | 3000 tonnes where treatment is indoors

150109, 191208, 200111, 040222 | Textiles | 100 tonnes where treatment is carried out outdoors
| | | 3000 tonnes where treatment is carried out indoors

(3) For the purposes of this paragraph, the specific conditions are that—

(a) subject to sub-paragraph (b), the total quantity of waste treated over any 7 day period or stored at any one time does not exceed the limit specified in the third column of the table;

(b) where the treatment involves pulverising waste—

(i) the total quantity of waste treated over any 7 day period does not exceed 5 tonnes; and

(ii) the treatment is carried out indoors;

(c) where the treatment involves densifying waste, the treatment does not involve the application of heat;

(d) the treatment is carried out in a secure place;

(e) the waste arrives onsite in an unmixed state; and

(f) the waste is treated and stored in an unmixed state.

(4) In this paragraph, “unmixed state” means unmixed with other waste types, which includes waste types covered by this paragraph.

Screening and blending of waste

T5.—(1) The treatment of relevant waste by screening and blending it for the purpose of producing an aggregate or a growing medium.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>010408</td>
<td>Waste gravel and crushed rocks other than those mentioned in 010407</td>
</tr>
<tr>
<td>010409</td>
<td>Waste sand and clays</td>
</tr>
</tbody>
</table>
| 020203    | Mollusc or crustacean shells from which the flesh has been completely
removed

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>030101</td>
<td>Waste bark and cork</td>
</tr>
<tr>
<td>030301</td>
<td>Waste bark and wood</td>
</tr>
<tr>
<td>100101</td>
<td>Bottom ash, slag and boiler dust (excluding boiler dust mentioned in 100104)</td>
</tr>
<tr>
<td>100115</td>
<td>Bottom ash, slag and boiler dust from co-incineration other than those mentioned in 100114</td>
</tr>
<tr>
<td>170101</td>
<td>Concrete</td>
</tr>
<tr>
<td>170102</td>
<td>Bricks</td>
</tr>
<tr>
<td>170103</td>
<td>Tiles and ceramics</td>
</tr>
<tr>
<td>170107</td>
<td>Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 170106</td>
</tr>
<tr>
<td>170201</td>
<td>Wood</td>
</tr>
<tr>
<td>170302</td>
<td>Bituminous mixtures other than those mentioned in 170301</td>
</tr>
<tr>
<td>170504</td>
<td>Soil and stones other than those mentioned in 170503</td>
</tr>
<tr>
<td>170506</td>
<td>Dredging spoil other than those mentioned in 170505</td>
</tr>
<tr>
<td>170508</td>
<td>Track ballast other than those mentioned in 170507</td>
</tr>
<tr>
<td>170802</td>
<td>Gypsum based construction materials other than those mentioned in 170801</td>
</tr>
<tr>
<td>191302</td>
<td>Solid wastes from soil remediation other than those mentioned in 191301</td>
</tr>
<tr>
<td>191304</td>
<td>Sludges from remediation other than those mentioned in 191303</td>
</tr>
<tr>
<td>200202</td>
<td>Soil and stone</td>
</tr>
<tr>
<td>190902</td>
<td>Sludges from water clarification</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the treatment is carried out at—
   (i) the place of production, or
   (ii) the place where the treated waste is to be used;

(b) except in relation to a waste type referred to in sub-paragraph (c), the total quantity of waste treated over 12 month period or on site at any one time does not exceed 500 tonnes; and

(c) in relation to any relevant waste to which code 170302 applies (bituminous mixtures other than those mentioned in 170301)—
   (i) the total quantity of waste treated over any 12 month period or on site any one time does not exceed 50,000 tonnes, and
   (ii) the treatment is for the purpose of manufacturing roadstone.

Treatment of waste wood and waste plant matter by chipping, shredding, cutting or pulverising

T6.—(1) The treatment of relevant waste by chipping, shredding, cutting or pulverising it.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020103, 200201</td>
<td>Plant tissue waste</td>
</tr>
<tr>
<td>030101, 030301, 170201</td>
<td>Wood</td>
</tr>
<tr>
<td>150103</td>
<td>Wooden packaging</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste treated or stored over any 7 day period does not exceed 500 tonnes; and

(b) no waste is stored for longer than 3 months after treatment.

Treatment of waste bricks, tiles and concrete by crushing, grinding or reducing in size

T7.—(1) The treatment of relevant waste by crushing, grinding or reducing it in size but not including any treatment which is a Part B activity.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>170101</td>
<td>Concrete</td>
</tr>
<tr>
<td>170102</td>
<td>Bricks</td>
</tr>
<tr>
<td>170103</td>
<td>Tiles and ceramics</td>
</tr>
<tr>
<td>170107</td>
<td>Mixtures of concrete, bricks, tiles and ceramics (other than those mentioned in 170106*)</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the treatment is carried out—

(i) at the place of production, or

(ii) at the place where the treated waste is to be used;

(b) the total quantity of waste treated does not exceed 20 tonnes in any period of 1 hour;

(c) the total quantity of waste stored does not exceed 200 tonnes at any one time; and

(d) the waste is stored in a secure place prior to treatment.

Mechanical treatment of end-of-life tyres

T8.—(1) The treatment of end-of-life tyres, including tyres in a shredded or granulated form, that are relevant waste by a relevant treatment activity.

(2) For the purposes of this paragraph, the table specifying—

(a) relevant waste and relevant treatment activities;

(b) the quantity limits referred to in sub-paragraph 3(a) and

(c) the additional specific conditions referred to in sub-paragraph (3)(e),

is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Relevant treatment activity</th>
<th>Quantity limits</th>
<th>Additional specific conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>160103</td>
<td>End-of-life tyres</td>
<td>Baling, peeling, shaving, shredding or granulating</td>
<td>300 tonnes in any 12 month period</td>
<td>A</td>
</tr>
<tr>
<td>191204</td>
<td>Shredded or granulated end-of-life tyres</td>
<td>Granulating</td>
<td>300 tonnes in any 12 month period</td>
<td></td>
</tr>
<tr>
<td>160103</td>
<td>End-of-life tyres</td>
<td>Re-treading</td>
<td>300 tonnes in any 12 month period</td>
<td>B</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste treated does not exceed the limit specified in the fourth column of the table;

(b) the total quantity of waste stored does not exceed 30 tonnes at any one time;
(c) within the limit in sub-paragraph (b), the total quantity stored together does not exceed 10 tonnes;
(d) the treatment is carried out indoors; and
(e) the operation complies with such of the following additional conditions as are specified in the fifth column of the table—

A any resultant bales that are to be used in construction work comply with standard PAS108(a);
B the operation is for the purposes of reusing the waste.

Recovery of scrap metal

T9.—(1) The recovery of scrap metal consisting of relevant waste by—
(a) sorting, grading, shearing by manual feed, compacting or crushing it; or
(b) cutting it with hand-held equipment.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020110</td>
<td>Waste metal</td>
</tr>
<tr>
<td>150104</td>
<td>Metallic packaging</td>
</tr>
<tr>
<td>160117, 191202</td>
<td>Ferrous metal</td>
</tr>
<tr>
<td>160118, 191203</td>
<td>Non ferrous metal</td>
</tr>
<tr>
<td>170401</td>
<td>Copper, bronze, brass</td>
</tr>
<tr>
<td>170402</td>
<td>Aluminium</td>
</tr>
<tr>
<td>170403</td>
<td>Lead</td>
</tr>
<tr>
<td>170404</td>
<td>Zinc</td>
</tr>
<tr>
<td>170405</td>
<td>Iron and steel</td>
</tr>
<tr>
<td>170406</td>
<td>Tin</td>
</tr>
<tr>
<td>170407</td>
<td>Mixed metals</td>
</tr>
<tr>
<td>170411</td>
<td>Cables other than those mentioned in 170410</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste stored does not exceed 15,000 tonnes at any one time;
(b) within the limit in sub-paragraph (a)—
   (i) the total quantity of any swarf stored does not exceed 500 tonnes, and
   (ii) the total quantity of any cables stored does not exceed 50 tonnes;
(c) the total quantity of waste treated in any 7 day period does not exceed 275 tonnes;
(d) the operation is carried out at a place used for the recovery of scrap metal;
(e) no waste is stored for longer than 24 months;
(f) the recovery is carried out at a location with sealed drainage;
(g) the height of any pile or stack of waste does not exceed 5 metres; and
(h) any swarf is stored in a secure container to prevent ingress of water.

(4) For the purposes of this paragraph, “swarf” means turnings, shavings or chippings of any relevant waste consisting of metals or alloys.

---

Sorting mixed waste

T10.—(1) The sorting of one type of relevant waste from one or more other types of relevant waste.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>150101</td>
</tr>
<tr>
<td>150102</td>
</tr>
<tr>
<td>150104</td>
</tr>
<tr>
<td>150105</td>
</tr>
<tr>
<td>150106</td>
</tr>
<tr>
<td>150107</td>
</tr>
<tr>
<td>150109</td>
</tr>
<tr>
<td>200101</td>
</tr>
<tr>
<td>200102</td>
</tr>
<tr>
<td>200111</td>
</tr>
<tr>
<td>200139</td>
</tr>
<tr>
<td>200140</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste sorted at any one time or stored in any 7 day period does not exceed 10 tonnes; and

(c) the waste is stored in a secure place.

Repair or refurbishment of WEEE

T11.—(1) The treatment of WEEE that is relevant waste by repairing or refurbishing it, including any prior dismantling.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>160214</td>
</tr>
<tr>
<td>200136</td>
</tr>
<tr>
<td>160211*</td>
</tr>
<tr>
<td>200123*</td>
</tr>
<tr>
<td>160213*</td>
</tr>
<tr>
<td>200135*</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste treated does not exceed 1000 tonnes in any 12 month period;

(b) the best available treatment, recovery and recycling techniques are used when treating the waste;

(c) the operation meets the technical requirements specified in Annex III of the WEEE Directive;

(d) in relation to any relevant waste to which codes 160211* or 200123* apply (WEEE containing CFCs, HCFCs and HFCs and WEEE containing CFCs), the waste is stored in a manner so as to prevent the release of CFCs, HCFCs and HFCs;

(e) the waste is stored in such a manner that its environmentally sound reuse or recycling is not hindered; and
the operation is for the purposes of—

(i) re-using the WEEE for its original purpose; or
(ii) re-using any dismantled components for their original purpose.

(4) In this paragraph—

(a) “best available treatment, recovery and recycling techniques” has the meaning given in the document published jointly by the Department for Environment, Food and Rural Affairs, the Welsh Assembly Government and the Scottish Executive on 27th November 2006, entitled “Guidance on Best Available Treatment, Recovery and Recycling Techniques (BATRRT) and Treatment of Waste Electrical and Electronic Equipment (WEEE)” (a);

(b) “treatment” does not include the degassing or capture of ozone depleting substances.

Manual treatment of waste

T12.—(1) The manual treatment of relevant waste by a relevant treatment activity.

(2) For the purposes of this paragraph, the table specifying—

(a) relevant waste and relevant treatment activities;
(b) the quantity limits referred to in sub-paragraph 3(a) and
(c) the additional specific conditions referred to in sub-paragraph (3)(e),

is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Relevant activity</th>
<th>Quantity limits</th>
<th>Additional specific conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>200199</td>
<td>Footwear</td>
<td>Sorting, repairing or refurbishing</td>
<td>100 tonnes</td>
<td></td>
</tr>
<tr>
<td>200307</td>
<td>Furniture</td>
<td>Sorting, repairing or refurbishing</td>
<td>100 tonnes</td>
<td></td>
</tr>
<tr>
<td>150103</td>
<td>Wooden pallets</td>
<td>Sorting, repairing or refurbishing</td>
<td>100 tonnes</td>
<td></td>
</tr>
<tr>
<td>200138, 200139, 200140</td>
<td>Garden tools</td>
<td>Sorting, repairing or refurbishing</td>
<td>100 tonnes</td>
<td></td>
</tr>
<tr>
<td>200199</td>
<td>Bicycles</td>
<td>Sorting, repairing or refurbishing</td>
<td>100 tonnes</td>
<td></td>
</tr>
<tr>
<td>170201, 170202, 170203, 200102, 200138, 200139, 200140</td>
<td>Windows, doors</td>
<td>Sorting, repairing or refurbishing</td>
<td>100 tonnes</td>
<td></td>
</tr>
<tr>
<td>170904, 170102, 200138, 170201</td>
<td>Stone, bricks, timber</td>
<td>Sorting, repairing or refurbishing</td>
<td>500 tonnes</td>
<td></td>
</tr>
<tr>
<td>200110, 200111</td>
<td>Clothing, fabrics</td>
<td>Sorting, repairing or refurbishing</td>
<td>100 tonnes</td>
<td></td>
</tr>
<tr>
<td>200139, 200140</td>
<td>Lock gates</td>
<td>Sorting and dismantling</td>
<td>100 tonnes</td>
<td>A</td>
</tr>
<tr>
<td>170201, 170202, 170203, 200102, 200138, 200139, 200140</td>
<td>Windows, doors</td>
<td>Sorting and dismantling</td>
<td>10 tonnes</td>
<td>A</td>
</tr>
<tr>
<td>200137, 200138, 200140</td>
<td>Telegraph poles</td>
<td>Sorting and dismantling</td>
<td>100 tonnes</td>
<td>A</td>
</tr>
</tbody>
</table>

(a) Available at the Defra website, www.defra.gov.uk.
<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Quantity</th>
<th>EWC Codes</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>200307</td>
<td>Mattresses</td>
<td>Sorting and dismantling</td>
<td>5 tonnes</td>
<td>A, B</td>
</tr>
<tr>
<td>200138, 200139, 200140</td>
<td>Coat hangers</td>
<td>Sorting and dismantling</td>
<td>100 tonnes</td>
<td>A</td>
</tr>
<tr>
<td>200307</td>
<td>Furniture</td>
<td>Sorting and dismantling</td>
<td>100 tonnes</td>
<td>A</td>
</tr>
<tr>
<td>150103</td>
<td>Wooden pallets</td>
<td>Sorting and dismantling</td>
<td>100 tonnes</td>
<td>A</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste treated or stored at any one does not exceed the limit specified in the fourth column of the table in sub-paragraph (2);
(b) no waste is stored for longer than 18 months unless otherwise specified;
(c) the operation is for the purposes of reusing the waste; and
(d) the operation complies with such of the following additional conditions as are specified in the fifth column of the table—

A no waste is stored for longer than 6 months;
B treatment and storage is carried out indoors.

**Treatment of waste food**

T13.—(1) The treatment of waste food that is relevant waste by—

(a) decanting or unwrapping it;
(b) bulking it up,
and sorting it.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020601</td>
<td>Materials unsuitable for consumption or processing</td>
</tr>
<tr>
<td>200199</td>
<td>Non liquid foods unsuitable for consumption or processing but excluding foods covered by the Animal By-Products Regulations</td>
</tr>
<tr>
<td>020203, 020501</td>
<td>Milk</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste stored or treated does not exceed 10 tonnes at any one time;
(b) the treatment and storage is carried out in a secure indoor place;
(c) in relation to relevant waste to which codes 020501 or 020203 apply (milk), the operation is carried out in a dairy with sealed drainage;
(d) any resultant waste packaging is bulked up for the purposes of recovery; and
(e) the operation is for the purposes of recovering the waste.

**Crushing and emptying waste vehicle oil filters**

T14.—(1) The treatment of waste vehicle oil filters consisting of relevant waste by crushing and emptying them.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>150202*</td>
<td>Absorbents, filter materials including oil filters not otherwise specified, wiping cloths, protective clothing contaminated by dangerous substances</td>
</tr>
<tr>
<td>150203</td>
<td>Absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 150202</td>
</tr>
</tbody>
</table>
(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste stored after treatment at any one time does not exceed—
      (i) 400 litres of oil,
      (ii) 1 tonne of crushed and emptied oil filters;
   (b) the treatment is carried out at the place of production;
   (c) the equipment used to treat the waste is—
      (i) designed for the purposes of crushing oil filters,
      (ii) designed and maintained to ensure that oil does not escape during treatment;
   (d) the treatment takes places as soon as practical after the oil filter is removed from the vehicle; and
   (e) the operation is for the purposes of recovering the waste.

Crushing empty waste aerosol cans

T15.—(1) The crushing of empty waste aerosol cans consisting of relevant waste.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>150104</td>
<td>Metal packaging</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste crushed or stored in any 12 month period does not exceed 1500 cans;
   (b) the waste is stored indoors in a secure location prior to crushing;
   (c) the crushing is carried out—
      (i) at the place of production, and
      (ii) in a well-ventilated indoor area,
   (d) the equipment used to crush the waste is designed for that purpose; and
   (e) the operation is for the purposes of recovering the waste.

Treatment of waste toner cartridges by sorting, dismantling, cleaning or refilling

T16.—(1) The treatment of waste toner cartridges consisting of relevant waste by sorting, dismantling, cleaning or refilling them.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>080318</td>
<td>Waste toner</td>
</tr>
<tr>
<td>150102</td>
<td>Plastic packaging</td>
</tr>
<tr>
<td>160216</td>
<td>Cartridges taken from discarded equipment other than those mentioned in 160213</td>
</tr>
<tr>
<td>200139</td>
<td>Plastics</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste treated or stored at any one time does not exceed 5000 cartridges; and
   (b) the treatment is carried out in an indoor area with sealed drainage.
Crushing waste fluorescent tubes

T17.—(1) The crushing of relevant waste for the purposes of volume reduction prior to collection.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>200121*</td>
<td>Fluorescent tubes</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste crushed does not exceed 3 tonnes in any period of 24 hours;
(b) the crushing is carried out in equipment designed for the purposes of volume reduction;
(c) the mercury concentration in any resultant emissions does not exceed 25 microgrammes per \( \text{m}^3 \); and
(d) any glass or mercury released after crushing is stored in a secure container under weatherproof covering.

Dewatering using flocculants

T18.—(1) The treatment of relevant waste by dewatering using flocculants.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>010409</td>
<td>Clay effluent resulting from the manufacture of ceramics</td>
</tr>
<tr>
<td>080120</td>
<td>Water based paint wash waters</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste stored or treated at any one time does not exceed not 30,000 litres of water/clay suspension; and
(b) the waste is stored in a secure tank with a bund.

Physical treatment of waste edible oil and fat to produce biodiesel

T19.—(1) The physical treatment of relevant waste for the purposes of producing biodiesel.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>200125</td>
<td>Edible oil and fat</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste treated or stored at any one time does not exceed 5000 litres;
(b) the waste is treated in a bunded area;
(c) the waste is stored in a secure tank with a bund; and
(d) no waste is stored for no longer than 3 months.

Treatment of waste at a water treatment works

T20.—(1) The treatment of relevant waste at a water treatment works.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.
### EWC codes | Waste types
--- | ---
190902 | Sludges from water clarification
190903 | Sludges from decarbonisation
190906 | Solutions and sludges from regeneration of ion exchangers
190999 | Waste water and bore hole flushings

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste treated at the works does not exceed 10,000 litres in any period of 12 months;
   (b) the waste is stored in a secure location; and
   (c) the operation is carried out on an area with sealed drainage.

### Treatment of waste at a sewage works

**T21.**—(1) The recovery of relevant waste at a sewage treatment works but excluding the recovery of any relevant waste consisting of sewage, sludge or septic tank sludge where this is an integral part of the operation of the works.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

| EWC codes | Waste types |
--- | ---
190801 | Screenings from other sewage treatment works
190805 | Sludges from treatment of urban waste water from other treatment works
200304 | Septic tank sludge
200399 | Cesspool waste and other sewage sludge
200306 | Waste from sewage cleaning
190902 | Sludges from water clarification
190903 | Sludges from decarbonation
190906 | Solutions and sludges from regeneration of ion exchangers

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste brought to the works does not exceed 100,000 litres in any period of 12 months;
   (b) the waste is stored in a secure location; and
   (c) the operation is carried out on an area with sealed drainage.

### Treatment of animal by-product waste at a collection centre

**T22.**—(1) The treatment of animal by-products consisting of relevant waste at a collection centre.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

| EWC codes | Waste types |
--- | ---
020102, 020202 | Animal tissue waste
020203 | Materials unsuitable for consumption or processing

(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste stored or treated does not exceed 10 tonnes at any one time;
   (b) the operation is carried out in accordance with an authorisation under regulation 27 of the Animal By-Products Regulations; and
   (c) the operation is for the purposes of recovering the waste.

(4) In this paragraph—
(a) “animal by-product” has the same meaning as in regulation 2(1)(a) of Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption(a);

(b) “collection centre” has the same meaning as in paragraph 18 of Annex 1 to that Regulation.

Aerobic composting and associated prior treatment


(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020103</td>
<td>Plant tissue waste</td>
</tr>
<tr>
<td>020107</td>
<td>Wastes from forestry</td>
</tr>
<tr>
<td>170506</td>
<td>Plant tissue waste from inland waters</td>
</tr>
<tr>
<td>200201</td>
<td>Biodegradable waste plant matter</td>
</tr>
<tr>
<td>020106</td>
<td>Horse manure and farmyard manure</td>
</tr>
<tr>
<td>200101</td>
<td>Paper and cardboard</td>
</tr>
<tr>
<td>200108</td>
<td>Biodegradable kitchen and canteen waste</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste treated or stored does not exceed 40 tonnes at any one time where—
   (i) the operation is carried out at the place of production, and
   (ii) the treated waste is being or is to be used on site;

(b) within the quantity limit in sub-paragraph (a), the waste does not consist of more than the following quantities—
   (i) 5 tonnes of paper or cardboard,
   (ii) 10 tonnes of biodegradable kitchen and canteen waste,
   (iii) 10 tonnes of manure;

(c) within the quantity limit in sub-paragraph (a), the total quantity of waste treated or stored on the site at any one time does not exceed 25 tonnes where—
   (i) the waste is produced off-site, or
   (ii) the treated waste is being or is to be removed from the site;

(d) no waste is stored for longer than 1 month prior to composting;

(e) no waste is stored for a period of longer than 12 months after treatment;

(f) the treatment results in stable sanitised material that can be applied to land for the benefit of agriculture or to improve the soil structure or nutrients in land; and

(g) the operation is for the purposes of recovering the waste.

(4) In this paragraph—

“aerobic composting” means the autothermic and thermophilic biological decomposition and stabilisation of biodegradable waste under controlled conditions that are aerobic;

“associated prior treatment” means chipping, shredding, cutting, pulverising or storing waste for the purposes of aerobic composting.

Anaerobic digestion and burning of resultant biogas

T24.—(1) The treatment by anaerobic digestion of—
   
   (a) manure, slurry or green waste consisting of relevant waste on premises used for agriculture; and
   
   (b) catering, manure or green waste consisting of relevant waste on any other premises,

   and the burning of any resultant biogas.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020103</td>
<td>Plant tissue waste</td>
</tr>
<tr>
<td>020107</td>
<td>Wastes from forestry</td>
</tr>
<tr>
<td>170506</td>
<td>Plant tissue waste from inland waters</td>
</tr>
<tr>
<td>200201</td>
<td>Biodegradable waste plant matter</td>
</tr>
<tr>
<td>020106</td>
<td>Horse and farmyard manure</td>
</tr>
<tr>
<td>200101</td>
<td>Paper and cardboard</td>
</tr>
<tr>
<td>200108</td>
<td>Biodegradable kitchen and canteen waste</td>
</tr>
<tr>
<td>190699</td>
<td>Biogas</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
   
   (a) the total quantity of waste referred to in sub-paragraph (1)(a) that is treated or stored does not exceed 1000 tonnes at any one time;
   
   (b) the total quantity of waste referred to in sub-paragraph (1)(b) that is treated or stored does not exceed 50 tonnes at any one time;
   
   (c) any gas resulting from the operation is collected; and
   
   (d) where any such gas is burned, the burning takes places in an appliance which meets the requirements of sub-paragraph (5).

(4) In this paragraph,—
   “anaerobic digestion” means the mesophilic and thermophilic biological decomposition and stabilisation of biodegradable waste which—
   
   (a) is carried out under controlled anaerobic conditions, and
   
   (b) results in stable sanitised material that can be applied to land for the benefit of agriculture or to improve the soil structure or nutrients in land.
   “treatment” includes associated prior treatment which has the same meaning given in the paragraph numbered T23(4).

(5) The requirements in this sub-paragraph are that—
   
   (a) the appliance has a net rated thermal input of less than 1.5 megawatts; or
   
   (b) the appliance is used together with other appliances (whether or not it is operated simultaneously with such other appliances) and the aggregate net rated thermal input of all the appliances is less than 1.5 megawatts.

Treatment of kitchen waste in a wormery

T25.—(1) The treatment in a wormery of relevant waste originating from a kitchen.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>200101</td>
<td>Paper and cardboard</td>
</tr>
<tr>
<td>200108</td>
<td>Biodegradable kitchen and canteen waste</td>
</tr>
</tbody>
</table>
For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste treated does not exceed 6 tonnes over any 12 month period;
(b) the treatment results in a stable sanitised vermicompost that can be applied to land for the benefit of agriculture or to improve the soil structure or nutrients in land; and
(c) the operation is for the purposes of recovering the waste.

Treatment of sheep dip for disposal
T26.—(1) The treatment of used organo-phosphate sheep dip consisting of relevant waste for the purposes of its disposal.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020109</td>
<td>Other agrochemical wastes</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste treated does not exceed 8000 litres in any 24 hour period;
(b) the waste is treated using organophosphate-degrading enzyme in accordance with the enzyme manufacturer’s instructions;
(c) the operation is carried out at the place of production; and
(d) the treatment is carried out in a secure sheep dip bath.

Sorting and de-naturing of non-hazardous medicines and drugs for disposal
T27.—(1) The treatment of non-hazardous medicines and drugs consisting of relevant waste by sorting and de-naturing them prior to their disposal.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>180109</td>
<td>Medicines other than those mentioned in 180108 (wastes from natal care, diagnosis, treatment or prevention of disease in humans)</td>
</tr>
<tr>
<td>200132</td>
<td>Medicines other than those mentioned in 200131</td>
</tr>
<tr>
<td>180208</td>
<td>Medicines other than those mentioned in 180207</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste on site at any one time does not exceed not 1m$^3$;
(b) the operation is carried out at the place of production, and
(c) no waste is stored for longer than 6 months.

Treatment of non-hazardous pesticide waste waters for disposal
T28.—(1) The treatment of non-hazardous pesticide waste waters that are relevant waste by carbon filtration for the purposes of disposal.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020109</td>
<td>Agrochemical waste other than those mentioned in 020108</td>
</tr>
<tr>
<td>200119, 200203</td>
<td>Non-hazardous pesticide waste waters</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) the total quantity of waste treated does not exceed 8000 litres in any 24 hour period;
(b) the operation is carried out at the place of production; and
(c) the treatment is carried out in a sealed unit with sealed drainage.

**Recovery of silver**

T29.—(1) The recovery of silver from relevant waste produced in connection with printing or photographic processes.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>090107</td>
<td>Photographic film or paper containing silver or silver compounds</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific condition is that the total quantity of waste stored or treated does not exceed 1000 litres at any one time.

**Recovery of monopropylene glycol from aircraft antifreeze fluids**

T30.—(1) The recovery at an airport of monopropylene glycol by filtering and distilling relevant waste collected during de-icing of aircraft.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>160105</td>
<td>Antifreeze fluids other than those mentioned in 160114</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste treated over any 7 day period does not exceed 250 m³;
(b) the waste is stored and treated in a location with sealed drainage;
(c) the treatment takes place at the place where the waste is produced;
(d) the treatment is carried out in a bunded area; and
(e) the operation is for the purposes of reusing the waste.

**Treatment of waste in a biobed**

T31.—(1) The treatment of relevant waste in a lined biobed.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>200119</td>
<td>Pesticides</td>
</tr>
<tr>
<td>020109</td>
<td>Other agrochemical wastes</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the biobed is located at a secure place at least—

(i) 10 metres from a watercourse; and

(ii) 50 metres from a spring, well or borehole,

(b) the lining of the biobed is impermeable,

(c) the biobed is suitable for the treatment,

(d) the biobed is covered with turf,

(e) the total quantity of waste treated over any 12 month period does not exceed 15,000 litres, and

(f) the treatment is carried out at the place of production.
Chapter 3 – Disposal of waste

1.—(1) The descriptions in this Chapter are set out in the first sub-paragraph of the paragraphs numbered D1 to D8.

(2) The specific conditions for each description in this Chapter are set out in the third sub-paragraph of the paragraphs numbered D1 to D8.

(3) The general condition for all descriptions in this Chapter is that the operation is carried out at the place of production.

Deposit of waste from dredging of inland waters

D1.—(1) The deposit of relevant waste arising from dredging of inland waters.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>170506</td>
<td>Dredging spoil other than those mentioned in 170505</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste deposited in any 12 month period does not exceed 20 tonnes for each metre of land on which the waste is deposited; and

(b) the waste is deposited on—

(i) the bank of the waters from which the waste was dredged, or

(ii) on such width of land adjoining the waters so as to enable the waste to be removed and deposited by mechanical means in one operation, at the closest possible point to where the waste was dredged from.

(4) In this paragraph, “bank” mean a bank, wall or embankment adjoining or confining, or constructed for the purposes of or in connection with, any channel and includes all land between the bank and low-watermark.

Deposit of waste from a railway sanitary convenience or sink

D2.—(1) The deposit of relevant waste on to a railway track.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>200399</td>
<td>Wastes from railway sanitary conveniences or sinks</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific condition is that the total quantity of waste deposited at any one time does not exceed 25 litres.

(4) In this paragraph, “railway sanitary convenience” means a sanitary convenience or sink forming part of a vehicle used for the carriage of passengers on a railway.

Deposit of waste from a portable sanitary convenience

D3.—(1) The deposit of relevant waste by burying it.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>200399</td>
<td>Waste from portable sanitary conveniences</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste deposited over any 12 month period does not exceed 1m$^3$; and
(a) no waste is deposited within 50 metres of any water source, spring, well or borehole.

Deposit of agricultural waste consisting of plant tissue

D4.—(1) The deposit of agricultural waste that is relevant waste.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020103</td>
<td>Plant tissue</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—
(a) where waste is deposited into a pile, the pile—
   (i) does not exceed 250 tonnes; and
   (ii) is not immediately adjacent to another pile of the same type of waste;
(b) at the time the deposit is made—
   (i) the land has not been frozen for 12 hours or more in the preceding 24 hours,
   (ii) the land is not waterlogged, frozen or snow-covered; and
(c) no waste is deposited within 50 metres of any water source, spring, well or borehole.

Depositing samples of waste for the purposes of testing or analysing them

D5.—(1) The deposit and subsequent storage of relevant samples of waste at any place where the samples are being or are to be tested or analysed.
(2) For the purposes of sub-paragraph (1), “relevant samples of waste” means samples of waste that are taken—
(a) in the exercise of any power under—
   (i) the Radioactive Substances Act 1993(a),
   (ii) the Control of Pollution Act 1974(b),
   (iii) the 1990 Act,
   (iv) the 1991 Act, or
   (v) the Water Industry Act 1991(c);
   (vi) the Waste Electrical and Electronic Equipment Regulations 2006(d); or
   (vii) the Producer Responsibility Obligations (Packaging Waste) Regulations 2007(e).
(b) by or on behalf of the holder of an environmental permit;
(c) by or on behalf of a person carrying on in relation to the waste—
   (i) an operation described in this Part, or
   (ii) an excluded waste operation;
(d) by or on behalf of the owner or occupier of the land from which the samples are taken;
(e) by or on behalf of any person to whom section 34(1) of the 1990 Act(f) applies in connection with that person’s duties under that section,

(a) 1993 c. 12.
(b) 1974 c. 40.
(c) 1991 c. 56.
(d) S.I. 2006/3289.
(e) S.I. 2007/871.
(f) Section 34(1) was amended by S.I. 2000/1973 and is amended by these Regulations.
(f) by or on behalf of any person to whom the Transfrontier Shipment of Waste Regulations 2007(a) applies in connection with that person’s duties under those regulations, or

(g) for the purposes of research.

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste deposited at any one time does not exceed 10 tonnes; and

(b) the waste is not stored for longer than 12 months or such other period as may be ordered in Court proceedings.

Disposal by incineration

D6.—(1) The disposal by incineration of the waste described in sub-paragraph (2) in an incinerator which meets the requirements of sub-paragraph (4).

(2) The waste described in this paragraph is the waste mentioned in Article 2(2)(a)(i) to (viii) of the Waste Incineration Directive, but excluding the waste mentioned in sub-paragraph (iv) (radioactive waste) of that Article.

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste stored prior to incineration does not exceed 5 tonnes at any one time;

(b) the operation is carried out by the person who produced the waste; and

(c) where the waste consists of animal carcasses, the incinerator is approved in accordance with the Animal By-Products Regulations.

(4) The requirements in this sub-paragraph are—

(a) the incinerator has a capacity of less than 50kg per hour and a net rated thermal input of less than 0.4 megawatts; or

(b) when used together with other incinerators (whether or not it is operated simultaneously with such other incinerators), the aggregate net rated thermal input of all the incinerators is less than 0.4 megawatts.

Burning waste in the open

D7.—(1) The burning of relevant waste on open land.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>020103</td>
<td>Plant tissue</td>
</tr>
<tr>
<td>030105</td>
<td>Sawdust, shavings and cuttings from untreated wood and excluding particle board and veneer</td>
</tr>
<tr>
<td>030301</td>
<td>Waste bark and wood</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste burned does not exceed 10 tonnes in any period of 24 hours;

(b) the total quantity of waste stored does not exceed 20 tonnes at any one time; and

(c) no waste is stored for longer than 1 month.

(a) S.I. 2007/1711.
Incorporating ash into soil

D8.—(1) The incorporation into soil of ash resulting from a qualifying operation.
(2) For the purposes of this paragraph, a “qualifying operation” is one that—
   (a) involves the burning of cereal straw or cereal stubble;
   (b) falls within a description in the paragraph numbered D7 in this Chapter; and
   (c) complies with the conditions specified in that paragraph.
(3) For the purposes of this paragraph, the specific conditions are that—
   (a) the total quantity of waste incorporated into soil does not exceed 10 tonnes per hectare; and
   (b) ashes of burnt cereal, straw or cereal stubble shall not, without reasonable excuse, be allowed to remain on the soil for longer than 24 hours after the time of commencement of the burning, but shall be incorporated into the soil—
      (i) within that period, or
      (ii) in a case where to do so would be likely, having regard to wind conditions, to cause nuisance, as soon as conditions allow.

Chapter 4 – Storage of waste other than at the place of production pending its recovery

1.—(1) The descriptions in this Chapter are set out in the first sub-paragraph of the paragraphs numbered S1 to S3.
(2) The specific conditions for each of the descriptions in this Chapter are set out in the third sub-paragraph of the paragraphs numbered S1 to S3.
(3) The general conditions for all descriptions in this Chapter is that the storage is carried out—
   (a) at a place other than the place of production, and
   (b) pending the recovery of the waste.

Storage of waste in secure containers

S1.—(1) The storage of relevant waste in a secure container or containers.
(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>130109 to 130701 but excluding 130301 to 130310 and 130501 to 130508</td>
<td>Waste oils</td>
</tr>
<tr>
<td>150101 and 200101</td>
<td>Cartons</td>
</tr>
<tr>
<td>150102 and 200139</td>
<td>Plastics and plastic packaging</td>
</tr>
<tr>
<td>150104 and 200140</td>
<td>Cans and foil</td>
</tr>
<tr>
<td>150101 and 200101</td>
<td>Paper and cardboard</td>
</tr>
<tr>
<td>150107 and 200102</td>
<td>Glass</td>
</tr>
<tr>
<td>150109, 200110 and 200211</td>
<td>Textiles and clothes</td>
</tr>
<tr>
<td>150202</td>
<td>Absorbants, filter materials (including oil filters not otherwise specified) wiping cloths, protective clothing contaminated by dangerous substances</td>
</tr>
<tr>
<td>150203</td>
<td>Absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 150202</td>
</tr>
<tr>
<td>160107</td>
<td>Oil filters</td>
</tr>
</tbody>
</table>
(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste stored does not exceed 400 m³ at any one time;
(b) the total storage capacity of any container used to store a waste type that is waste oil or any waste to which codes 150202 (absorbants, filter materials (including oil filters not otherwise specified) wiping cloths, protective clothing contaminated by dangerous substances), 150203 (absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 150202) and 160107 (oil filters) apply does not exceed 3 m³;
(c) the total quantity of storage containers on site at any one time does not exceed 20;
(d) no waste is stored for longer than 12 months;
(e) the person storing the waste is the owner of the container or has the consent of the owner; and
(f) in respect of any waste oil and waste to which code 160107 applies, the waste is stored in a secure double-skinned tank with a bund.

Storage of waste in a secure place

S2.—(1) The storage of relevant waste in a secure place.

(2) For the purposes of this paragraph, the table specifying relevant waste and the quantity limits referred to in sub-paragraph (3) is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
<th>Quantity limit</th>
<th>Period</th>
<th>Additional specific conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>020102</td>
<td>Mammalian protein</td>
<td>60,000 tonnes</td>
<td>12 months</td>
<td>D</td>
</tr>
<tr>
<td>020202</td>
<td>Mammalian tallow</td>
<td>45,000 tonnes</td>
<td>12 months</td>
<td>D</td>
</tr>
<tr>
<td>101112, 150107, 160120, 170202, 191205, 200102</td>
<td>Glass</td>
<td>5,000 tonnes</td>
<td>12 months</td>
<td>B</td>
</tr>
<tr>
<td>140601</td>
<td>CFCs, HCFCs and HFCs</td>
<td>18 tonnes</td>
<td>6 months</td>
<td>A, C</td>
</tr>
<tr>
<td>140602, 140603, 200113</td>
<td>Solvents and solvent mixtures</td>
<td>5 m³</td>
<td>6 months</td>
<td>A, B, C</td>
</tr>
<tr>
<td>150101, 191201, 200101</td>
<td>Paper and cardboard</td>
<td>15,000 tonnes either stored inside and baled or in a secure container</td>
<td>12 months</td>
<td></td>
</tr>
<tr>
<td>150105</td>
<td>Cartons</td>
<td>500 tonnes</td>
<td>12 months</td>
<td></td>
</tr>
<tr>
<td>150102, 200139</td>
<td>Plastic</td>
<td>500 tonnes</td>
<td>12 months</td>
<td></td>
</tr>
<tr>
<td>150104, 200140</td>
<td>Cans and foil</td>
<td>500 tonnes</td>
<td>12 months</td>
<td></td>
</tr>
<tr>
<td>020104</td>
<td>Non packaging farm plastics</td>
<td>500 tonnes</td>
<td>12 months</td>
<td>D</td>
</tr>
<tr>
<td>170201, 200138, 030105, 170101 to 170802 (but excluding 170302, 170505, 170506 and 170508)</td>
<td>Non hazardous construction and demolition waste to be used for construction work and capable of being used in its existing state</td>
<td>100 tonnes</td>
<td>12 months</td>
<td></td>
</tr>
<tr>
<td>191207, 200137, 170204</td>
<td>Hazardous wood including telegraph poles and sleepers and non hazardous wood</td>
<td>100 tonnes</td>
<td>12 months</td>
<td></td>
</tr>
<tr>
<td>150109, 191208, 200110, 200111</td>
<td>Textiles and clothes</td>
<td>1000 tonnes</td>
<td>12 months</td>
<td></td>
</tr>
<tr>
<td>200125</td>
<td>Edible oil</td>
<td>5000 tonnes</td>
<td>12 months</td>
<td>A, B, C</td>
</tr>
<tr>
<td>200127*, 200128,</td>
<td>Paints (excluding specialist</td>
<td>10,000 litres</td>
<td>6 months</td>
<td>A, B, C</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
<td>Volume</td>
<td>Duration</td>
<td>Categories</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-----------</td>
<td>----------</td>
<td>------------</td>
</tr>
<tr>
<td>080111*, 080112</td>
<td>and industrial paints, wood preservatives, aerosol and spray paints, inks, adhesives and resins) pending reuse as paints</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>161002</td>
<td>Aqueous paint related waste</td>
<td>1000 litres</td>
<td>6 months</td>
<td>A, C</td>
</tr>
<tr>
<td>160601, 160602, 160604, 200133, 200134</td>
<td>Batteries</td>
<td>5 tonnes for automotive batters, 10 tonnes for portable batteries</td>
<td>6 months</td>
<td>A, B</td>
</tr>
<tr>
<td>160211*, 160213*, 160214, 200121*, 200123*, 200135*, 200136,</td>
<td>WEEE</td>
<td>400 m3</td>
<td>3 months</td>
<td></td>
</tr>
<tr>
<td>090101, 090111*, 090112</td>
<td>Single use cameras</td>
<td>400 m3</td>
<td>3 months</td>
<td></td>
</tr>
<tr>
<td>100207*</td>
<td>Electric arc furnace dust</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>160103, 191204</td>
<td>Tyres, tyre chip and crumb</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>020401, 020399</td>
<td>Soils, tyre chip and crumb</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>170301*, 170302</td>
<td>Road planings, waste road chippings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>090107, 090108</td>
<td>Photographic films and papers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>200307</td>
<td>Mattresses</td>
<td></td>
<td></td>
<td>D</td>
</tr>
<tr>
<td>150102</td>
<td>Wine bottle corks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>150102, 080318</td>
<td>Printer cartridges</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>020304</td>
<td>Olive pulp/pellet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>010408, 191209</td>
<td>Marble chips</td>
<td></td>
<td></td>
<td>B, D, E</td>
</tr>
<tr>
<td>020110, 160117, 160118, 191203, 170401, 170402, 170403, 170404, 170405, 170406, 170407, 170202, 170411</td>
<td>Scrap metal</td>
<td>15000 tonnes</td>
<td>3 months</td>
<td>B, E</td>
</tr>
<tr>
<td>100101, 101002, 100105, 100115</td>
<td>Synthetic gypsum and pulverised fuel ash</td>
<td>2500 tonnes</td>
<td>3 months</td>
<td>D, E, F</td>
</tr>
<tr>
<td>100316, 100405*, 100504, 100511, 100604, 100811, 100899</td>
<td>Solder metal, skimmings, ashes and residues</td>
<td>100 tonnes</td>
<td>3 months</td>
<td>G</td>
</tr>
<tr>
<td>110113*, 120301*, 160708*</td>
<td>Waste cleaning solution containing 2% sodium metasilicate and 1-2% waste oil</td>
<td>3 tonnes</td>
<td>3 months</td>
<td></td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the total quantity of waste stored at any one time does not exceed the limit specified in the third column of the table in sub-paragraph (2)
(b) no waste is stored for longer than the period specified in the fourth column of the table;

(c) each type of waste is stored separately,

(d) the operation complies with such of the following additional conditions as are specified in the fifth column of the table—
   
   A the waste is stored in a container;
   
   B the storage site has sealed drainage;
   
   C any container used for storage must have a bund;
   
   D the waste is stored indoors;

   E the waste is stored at a dock;

   F the waste must arrive at the storage site in bags and must be stored on site in bags;

   G the waste must be stored on site in bags or in drums; and

(e) the requirements in paragraph 1 of Annex III to the WEEE Directive must be complied with in respect of WEEE;

(f) in relation to any relevant waste to which codes 150101, 191201, 200101 (paper and cardboard) or 090107, 090108 (photographic films and papers) apply, the waste is stored—
   
   (i) indoors in a baled form, or
   
   (ii) outdoors in a secure container;

(g) in relation to any relevant waste to which codes 160103 or 191204 apply (tyres, tyre chip and crumb), within the quantity limit specified for that waste type, not more than 10 tonnes is stored together.

Storage of sludge and waste from sewage cleaning

S3.—(1) The storage of sludge and waste from sewage cleaning that is relevant waste.

(2) For the purposes of this paragraph, the table specifying relevant waste is set out below.

<table>
<thead>
<tr>
<th>EWC codes</th>
<th>Waste types</th>
</tr>
</thead>
<tbody>
<tr>
<td>190805</td>
<td>Residual sludge from sewage plants treating domestic or urban waste waters and from other sewage plants treating waste waters of a composition similar to domestic and urban waste waters</td>
</tr>
<tr>
<td>200304</td>
<td>Residual sludge from septic tanks and other similar installations for the treatment of sewage</td>
</tr>
<tr>
<td>200306</td>
<td>Waste from sewage cleaning</td>
</tr>
</tbody>
</table>

(3) For the purposes of this paragraph, the specific conditions are that—

(a) the waste is stored at the place where it is to be used;

(b) no waste is stored for longer than 12 months;

(c) the total quantity of waste stored at any one time does not exceed 1250 tonnes;

(d) the waste is stored at least—
   
   (i) 10 metres from any watercourse,
   
   (ii) 50 metres from any spring or well or from any borehole not used to supply water for domestic or food production purposes,
   
   (iii) 250 metres from any borehole used to supply water for domestic or food production purposes;

(e) no waste is stored—
(i) within a zone defined by a 50 day travel time for groundwater to reach a groundwater source used to supply water for domestic or food production purposes, or
(ii) within 0.3 metres of the top of an open storage container or within 0.75 metres of the top of an earthbank tank or lagoon; and
(f) after storage, the waste is to be used for the purposes of and in accordance with the Sludge (Use in Agriculture) Regulations 1989(a).

SCHEDULE 3A

Descriptions and conditions: other waste operations to which section 33(1)(a) of the 1990 Act does not apply

PART 1

Interpretation

1.—(1) In this Schedule—
“collection” has the meaning given in article 1(g) of the Waste Framework Directive and excludes the disposal or recovery of the waste;
“collection point” means a place which is used for the collection of waste by an establishment or undertaking where the establishment or undertaking does not—
(a) receive payment for collecting the waste, or
(b) collect waste as its main business activity; and
“place of production” has the meaning given in paragraph 1(1) of Part 1 of Schedule 3.
(2) When interpreting this Schedule, a container, lagoon or other place is secure in relation to waste kept in it if—
(a) all reasonable precautions are taken to ensure that the waste cannot escape from it; and
(b) members of the public are unable to gain access to the waste.

PART 2

Other waste operations to which section 33(1)(a) of the 1990 Act does not apply: descriptions and conditions

CHAPTER 1
Temporary storage of waste pending collection

Temporary storage at the place of production
1.—(1) The temporary storage of any waste at the place of production, pending its collection.
   (2) For the purposes of this paragraph, the conditions are—
      (a) no waste is stored for longer than 12 months; and
      (b) the waste is stored in a secure place.

Temporary storage of waste on a site controlled by the producer
2.—(1) The temporary storage of any waste, pending its collection, on a site controlled by the producer of the waste.
   (2) For the purposes of this paragraph, the conditions are—
      (a) the producer has control over the waste and the storage site;
      (b) the waste does not contain or consist of—
         (i) asbestos; or
         (ii) any substance with a flash point of less than 21 degrees celsius;
      (c) the operation is not carried out in the course of providing a waste management service to another person;
      (d) the waste is stored in a secure place;
      (e) where more than one type of waste is stored, the types are not mixed;
      (f) in relation to non-liquid waste—
         (i) the total quantity stored at any one time does not exceed 50m$^3$,
         (ii) the waste is stored securely,
         (iii) no waste is stored for longer than 3 months; and
      (g) in relation to liquid waste—
         (i) the total quantity stored at any one time does not exceed 1m$^3$,
         (ii) the waste is stored in a secure container; and
         (iii) no waste is stored for longer than 3 months.

Temporary storage at a collection point
3.—(1) The temporary storage of waste at a collection point for the purposes of recovering or disposing the waste elsewhere.
   (2) For the purposes of this paragraph, the conditions are that—
      (a) the waste does not contain or consist of—
         (i) asbestos; or
         (ii) any substance with a flash point of less than 21 degrees celsius;
      (b) the waste is stored in a secure container;
      (c) where more than one type of waste is stored, the types are not mixed;
      (d) except in relation to WEEE, the total quantity of waste stored at any one time does not exceed 5m$^3$; and
      (e) in relation to WEEE, the total quantity of waste stored at any one time does not exceed 30m$^3$.\)