

Statutory Instrument 2003 No. 1699

The Pollution Prevention and Control (England and Wales) (Amendment) Regulations 2003

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STATUTORY INSTRUMENTS

2003 No. 1699

ENVIRONMENTAL PROTECTION, ENGLAND AND WALES

The Pollution Prevention and Control (England and Wales) (Amendment) Regulations 2003

<i>Made</i>	<i>6th July 2003</i>
<i>Laid before Parliament</i>	<i>8th July 2003</i>
<i>Coming into force</i>	<i>30th July 2003</i>

The Secretary of State, in exercise of the powers conferred on her by section 2 of the Pollution Prevention and Control Act 1999[1], having, in accordance with subsection (4) of that section, consulted the Environment Agency, such bodies or persons appearing to her to be representative of the interests of local government, industry, agriculture and small businesses respectively as she considers appropriate and such other bodies and persons as she considers appropriate, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Pollution Prevention and Control (England and Wales) (Amendment) Regulations 2003 and shall come into force on 30th July 2003.

Amendment of the Pollution Prevention and Control (England and Wales) Regulations 2000

2. - (1) The Pollution Prevention and Control (England and Wales) Regulations 2000[2] are amended as follows.

(2) In Section 2.3 in Part 1 of Schedule 1 (Surface Treating Metals and Plastic Materials) -

(a) in paragraph (a) of Part A(1) before the word "surface" there are inserted the words "Unless falling within Part A(2) of this Section,";

(b) in Part A(2), the word "Nil" is replaced by the following paragraph -

" (a) Surface treating metals and plastic materials using an electrolytic or chemical process where the aggregated volume of the treatment vats is more than 30m³ and where the activity is carried out at the same installation as one or more activities falling within -

(i) Part A(2) or B of Section 2.1 (Ferrous Metals);

(ii) Part A(2) or B of Section 2.2 (Non-Ferrous Metals);
or

(iii) Part A(2) or B of Section 6.4 (Coating Activities, Printing and Textile Treatments)";

(c) in paragraph (a) of Part B, after the words "Part A(1)" there are inserted the words "or A(2)".

(3) In the Table in paragraph 2(2) of Part 1 of Schedule 3, after the words -

Section 2.3	
Part A(1)	1st May to 31st July 2004

there are inserted the words -

Part A(2)	1st May to 31st July 2004
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Transitional Provision

3. Where an application for a permit is made before commencement in relation to a Part A(1) installation or Part A(1) mobile plant and by virtue of

these Regulations the installation or mobile plant becomes a Part A(2) installation or Part A(2) mobile plant, anything duly done in relation to the application (including the grant of a permit) shall be treated as if it had been duly done in relation to an application for a permit made immediately after commencement.

Signed by authority of the Secretary of State for Environment, Food and Rural Affairs

Elliot Morley
Minister of State, Department for Environment, Food and Rural Affairs

6th July 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Pollution Prevention and Control (England and Wales) Regulations 2000 (the "PPC Regulations").

Regulation 2(2) inserts a new category of A(2) activity in Section 2.3 (Surface treating metals and plastic materials) of Chapter 2 of Part 1 of Schedule 1 to the PPC Regulations. The new A(2) category consists of the operation of the activity described in Part A(1) of Section 2.3 where it is carried out in conjunction with one or more of the activities specified in regulation 2(2)(b) namely -

- (i) Part A(2) or B of Section 2.1 (Ferrous Metals);
- (ii) Part A(2) or B of Section 2.2 (Non-Ferrous Metals); or
- (iii) Part A(2) or B of Section 6.4 (Coating Activities, Printing and Textile Treatments).

Regulation 2(3) prescribes the "relevant period" (which determines the period when applications for permits must be made) for existing installations or mobile plant which as a result of the Regulations fall within Part A(2) of Section 2.3.

Regulation 3 includes a transitional provision for installations and mobile plant which as a result of the Regulations fall within Part A(2) of Section 2.3.

Notes:

[1] 1999 c. 24; The Secretary of State can exercise these powers only in relation to England and Wales: *see* section 53 of the Scotland Act 1998 (c. 46) and section 5(3) of the Pollution Prevention and Control Act 1999.[back](#)

[2] S.I. 2000 No. 1973 to which there are amendments not relevant to these Regulations.

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