

Welsh Statutory Instrument 2004 No. 70 (W.6)

The Waste Management Licensing (Amendment) (Wales) Regulations 2004

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STATUTORY INSTRUMENTS

2004 No. 70 (W.6)

ENVIRONMENTAL PROTECTION, WALES

The Waste Management Licensing (Amendment) (Wales) Regulations 2004

Made

14th January 2004

Coming into force

31st January 2004

The National Assembly for Wales, in exercise of the powers conferred upon the

Secretary of State by sections 29(10) and 64(1) of the Environmental Protection Act 1990[1] and now vested in the National Assembly for Wales[2], hereby makes the following Regulations:

Citation, commencement and application

1. - (1) These Regulations may be cited as the Waste Management Licensing (Amendment) (Wales) Regulations 2004 and come into force on 31 January 2004.

(2) These Regulations apply to Wales.

Amendment of the Waste Management Licensing Regulations 1994

2. The Waste Management Licensing Regulations 1994[3] are amended as follows.

Amendment of regulation 10: public registers

3. In regulation 10 (particulars to be entered in public registers), at the end of paragraph (1)(g) insert:

" (iv) the scores which result from any risk appraisal relating to a site which is the subject of a waste management licence;"

Amendment of regulation 12: mobile plant

4. - (1) In regulation 12 (mobile plant) -

(a) in paragraph (1) -

(i) for sub-paragraph (d), substitute -

" (d) plant for the treatment of clinical waste;"

(ii) after sub-paragraph (e), insert -

" (f) plant for the dewatering of muds, sludges, soils and dredgings;

(g) plant for the treatment by lime stabilisation of sludge;

(h) plant for the treatment of contaminated material, substances or products, for the purpose of remedial action with respect to land or controlled waters;" and

(b) after paragraph (2), insert -

" (3) For the purposes of paragraph (1)(h), "controlled waters" has the meaning given by section 104 of the Water Resources Act 1991[4]."

Signed on behalf of the National Assembly for Wales under section 66(1) of

the Government of Wales Act 1998^[5]

D. Elis-Thomas

The Presiding Officer of the National Assembly

14th January 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Waste Management Licensing Regulations 1994 ("the 1994 Regulations") in relation to Wales.

Regulation 10 of the 1994 Regulations prescribes the particulars which each waste regulation authority must enter in the public register which it maintains under section 64(1) of the Environmental Protection Act 1990. Regulation 3 of these Regulations adds to those particulars a further category, namely the scores which result from any risk appraisal for a site to which a waste management licence relates.

Regulation 12 of the 1994 Regulations prescribes descriptions of plant which are to be treated as being mobile plant for the purposes of Part II of the Environmental Protection Act 1990. Regulation 4 of these Regulations amends the description of the plant prescribed in regulation 12(1)(d) of the 1994 Regulations and adds the following descriptions:

- (a) plant for the dewatering of muds, sludges, soils and dredgings;
- (b) plant for the treatment of sludge by lime stabilisation; and
- (c) plant for the treatment of contaminated material, substances or products, for the purpose of remedial action with respect to land or controlled waters.

Notes:

[1] 1990 c.43. "Prescribed" is defined, for the purposes of section 64(1), in section 64(8).[back](#)

[2] The functions of the Secretary of State were transferred to the National Assembly for Wales, in relation to Wales, by virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).[back](#)

[3] S.I. 1994/1056; relevant amending instruments are S.I. 1995/288 and 1996/634.[back](#)

[4] 1991 c.57; section 104(1) was modified by S.I. 1996/3001, S.I. 1997/1331 and S.I. 1997/1332.[back](#)

[5] 1998 c.38.[back](#)

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ISBN 0 11090852 X

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Prepared 20 January 2004