
STATUTORY INSTRUMENTS

2000 No. 1973

**The Pollution Prevention and Control
(England and Wales) Regulations 2000**

PART I

GENERAL

Interpretation: general

2.—(1) In these Regulations, except in so far as the context otherwise requires—

“change in operation” means, in relation to an installation or mobile plant, a change in the nature or functioning or an extension of the installation or mobile plant which may have consequences for the environment; and “substantial change in operation” means, in relation to an installation or mobile plant, a change in operation which, in the opinion of the regulator, may have significant negative effects on human beings or the environment;

“the Directive” means Council Directive [96/61/EC](#) concerning integrated pollution prevention and control⁽¹⁾;

“emission” means—

- (i) in relation to Part A installations, the direct or indirect release of substances, vibrations, heat or noise from individual or diffuse sources in an installation into the air, water or land;
- (ii) in relation to Part B installations, the direct release of substances or heat from individual or diffuse sources in an installation into the air;
- (iii) in relation to Part A mobile plant, the direct or indirect release of substances, vibrations, heat or noise from the mobile plant into the air, water or land;
- (iv) in relation to Part B mobile plant, the direct release of substances or heat from the mobile plant into the air;

“emission limit value” means the mass, expressed in terms of specific parameters, concentration or level of an emission, which may not be exceeded during one or more periods of time;

“enforcement notice” has the meaning given by regulation 24(1);

“general binding rules” has the meaning given by regulation 14(1);

“installation” means—

- (i) a stationary technical unit where one or more activities listed in Part 1 of Schedule 1 are carried out; and
- (ii) any other location on the same site where any other directly associated activities are carried out which have a technical connection with the activities carried out in the stationary technical unit and which could have an effect on pollution,

(1) OJNo. L 257, 10.10.96, p. 26.

and, other than in Schedule 3, references to an installation include references to part of an installation;

“mobile plant” means plant which is designed to move or to be moved whether on roads or otherwise and which is used to carry out one or more activities listed in Part 1 of Schedule 1;

“off-site condition” has the meaning given by regulation 12(12);

“operator”, subject to paragraph (2), means, in relation to an installation or mobile plant, the person who has control over its operation;

“Part A installation”, “Part A(1) installation”, “Part A(2) installation” and “Part B installation” shall be interpreted in accordance with Part 3 of Schedule 1;

“Part A mobile plant”, “Part A(1) mobile plant”, “Part A(2) mobile plant” and “Part B mobile plant” shall be interpreted in accordance with Part 3 of Schedule 1;

“permit” means a permit granted under regulation 10;

“pollution” means emissions as a result of human activity which may be harmful to human health or the quality of the environment, cause offence to any human senses, result in damage to material property, or impair or interfere with amenities and other legitimate uses of the environment; and “pollutant” means any substance, vibration, heat or noise released as a result of such an emission which may have such an effect;

“regulator” means, in relation to the exercise of functions under these Regulations, the authority by whom, under regulation 8, the functions are exercisable; and “local authority regulator” means a regulator which is a local authority as defined in regulation 8(15) and (16);

“revocation notice” has the meaning given by regulation 21(1);

“specified waste management activity” means any one of the following activities—

- (a) the disposal of waste in a landfill, whether or not the disposal falls within Section 5.2 of Part 1 of Schedule 1;
- (b) the disposal of waste falling within Section 5.3 of that Part of that Schedule;
- (c) the recovery of waste falling within paragraphs (i), (ii), (v) or (vii) of paragraph (c) of Part A(1) of Section 5.4 of that Part of that Schedule;

“substance” includes any chemical element and its compounds and any biological entity or micro-organism, with the exception of radioactive substances within the meaning of Council Directive 80/836/Euratom(2), genetically modified micro-organisms within the meaning of Council Directive 90/219/EEC(3) and genetically modified organisms within the meaning of Council Directive 90/220/EEC(4);

“suspension notice” has the meaning given by regulation 25(1);

“variation notice” has the meaning given by regulation 17(5).

(2) For the purposes of these Regulations—

- (a) where an installation or mobile plant has not been put into operation, the person who will have control over the operation of the installation or mobile plant when it is put into operation shall be treated as the operator of the installation or mobile plant;
- (b) where an installation or mobile plant has ceased to be in operation, the person who holds the permit which applies to the installation or mobile plant shall be treated as the operator of the installation or mobile plant.

(3) In these Regulations—

(2) OJ No. L 246, 17.9.80, p. 1, as amended by Council Directive 84/467/Euratom (OJ L 265, 5.10.84, p. 4).

(3) OJ No. L 117, 8.5.90, p. 1.

(4) OJ No. L 117, 8.5.90, p. 15.

- (a) a reference to a release into water includes a release into a sewer (within the meaning of section 219(1) of the Water Industry Act 1991⁽⁵⁾);
 - (b) a reference to a Council Directive is a reference to that Directive together with any amendment made before the date on which these Regulations are made.
- (4) Part 1 of Schedule 1 shall be interpreted in accordance with the provisions as to interpretation in Part 1 and 2 of that Schedule.
- (5) Parts 1 and 2 of Schedule 3 shall be interpreted in accordance with Part 3 of that Schedule.

⁽⁵⁾ 1991 c. 56.