SCOTTISH STATUTORY INSTRUMENTS

2011 No. 228

ENVIRONMENTAL PROTECTION

The Waste Management Licensing (Scotland) Regulations 2011

Made - - - - 16th March 2011
Coming into force 27th March 2011

THE WASTE MANAGEMENT LICENSING (SCOTLAND) REGULATIONS 2011

- 1. Citation, commencement and extent
- 2. Interpretation
- 3. Relevant Offences
- 4. Notice of Appeal
- 5. Time limit for making an appeal
- 6. Reports of hearings
- 7. Notification of determination
- 8. Particulars to be entered in public registers
- 9. Information to be excluded or removed from a register
- 10. Mobile plant
- 11. Conditions of site licences: treatment of WEEE
- 12. Conditions of site licences: treatment and storage of batteries
- 13. Conditions of site licences: incineration of waste industrial and automotive batteries
- 14. Health at work
- 15. Waste oils
- 16. Exclusion of activities under other control regimes from waste management licensing
- 17. Exemptions from waste management licensing
- 18. Exemptions from waste management licensing: controlled activities
- 19. Exempt activities: registration requirement
- 20. Register of exempt activities
- 21. Register of exempt activities: registration of information
- 22. Register of exempt activities: removal of information
- 23. Register of exempt activities: requirements in respect of recovery and storage of scrap metal or waste motor vehicles
- 24. Annual requirements in respect of recovery and storage of scrap metal or waste motor vehicles

- 25. Register of exempt activities: requirements in relation to certain exempt activities
- 26. Annual requirements in respect of certain exempt activities
- 27. Annual requirements in respect of WEEE
- 28. Registration obligations
- 29. Waste Framework Directive
- 30. Registration of brokers and dealers
- 31. Any exempt activity within the meaning of the 1994 Regulations...
- 32. Where an activity which was not an exempt activity under...
- 33. Savings
- 34. Revocation and consequential amendments Signature

SCHEDULE 1 ACTIVITIES EXEMPT FROM WASTE MANAGEMENT LICENSING

- 1. (1) The use, under a permit granted under the 2000...
- 2. (1) The operation, under a permit granted under the 2000...
- 3. The carrying on of any of the following operations—
- 4. (1) The cleaning, washing, spraying or coating of waste consisting...
- 5. (1) Burning waste as a fuel in a plant which...
- 6. (1) Burning waste oil listed in Table 1 (including waste...
- 7. (1) The treatment with any of the wastes listed in...
- 8. (1) The storage in a secure container or lagoon (or,...
- 9. (1) Subject to the following provisions of this paragraph—
- 10. (1) Subject to sub paragraph (4)—(a) the reception and...
- 11. (1) Carrying on at any place, in respect of waste...
- 12. (1) Subject to sub paragraph (3)—(a) composting biodegradable waste...
- 13. (1) The manufacture from—(a) waste which arises from demolition...
- 14. (1) The manufacture of finished goods from any of the...
- 15. (1) The beneficial use of waste if—
- 16. The dry screening of any of the wastes listed in...
- 17. (1) The storage in a secure place on any premises...
- 18. (1) The secure storage on any premises of waste of...
- 19. (1) The storage on a site of any of the...
- 20. (1) Laundering or otherwise cleaning waste textiles with a view...
- 21. (1) Chipping, shredding, cutting or pulverising waste plant matter (including...
- 22. (1) The recovery at any premises of silver from waste...
- 23. (1) The recovery of waste consisting of animal by-products at...
- 24. (1) Crushing, grinding or other size reduction of waste bricks,...
- 25. (1) The deposit of waste arising from dredging inland waters...
- 26. (1) The recovery or disposal of waste, at the place...
- 27. (1) Baling, compacting, crushing, shredding or pulverising waste at the...
- 28. The use of autoclaves to sterilise waste, including special waste,...
- 29. (1) The disposal of waste at the place where it...
- 30. (1) Burning waste on land in the open if—
- 31. The discharge of waste onto the track of a railway...
- 32. The burial on premises of waste arising from the use...
- 33. (1) The keeping or deposit of waste consisting of excavated...
- 34. (1) The keeping or deposit on land at the place...
- 35. (1) The deposit of waste consisting of excavated material from...

Status: This is the original version (as it was originally made).

- 36. (1) The temporary secure storage of waste to which sub-paragraphs...
- 37. (1) The burial of a dead domestic pet in the...
- 38. The deposit or storage of samples of waste, including samples...
- 39. (1) The secure storage at a pharmacy or at the...
- 40. (1) The secure storage of non-liquid waste, including WEEE, at...
- 41. (1) The temporary storage of waste, including WEEE, pending its...
- 42. (1) The disposal of waste consisting of pesticide solution or...
- 43. (1) The crushing of waste gas discharge lamps (including fluorescent...
- 44. (1) Heating iron, steel or any ferrous-alloy, non ferrous metal...
- 45. (1) The carrying on, at any secure place designed or...
- 46. (1) The burning at a dock of waste consisting of—...
- 47. (1) The repair or refurbishment or both at a secure...
- 48. (1) The storage at any secure place of WEEE of...
- 49. The treatment of waste organophosphate sheep dip (including such waste...
- 50. (1) The mixing of ash from the incineration of pig...
- 51. (1) The anaerobic digestion of biodegradable waste which is agricultural...

SCHEDULE 2 ASSESSMENT OF BENEFIT TO AGRICULTURE OR ECOLOGICAL IMPROVEMENT

- 1. In assessing benefit to agriculture or ecological improvement for the...
- 2. In assessing benefit to agriculture, regard shall be had to...
- 3. In assessing ecological improvement, regard shall be had to the...

SCHEDULE 3 PLANS AND DOCUMENTS REQUIRED FOR REGISTRATION

SCHEDULE 4 WASTE FRAMEWORK DIRECTIVE PART 1 GENERAL

- 1. Interpretation of Schedule 4
- 2. Duties of the waste regulation authority
- 3. Duties of planning authorities
- 4. Duties of other competent authorities
- 5. Meaning of "competent authority" etc.
- 6. Relevant objectives
- 7. Exceptions to duties
- 8. Matters to be covered by permits
- 9. Modification of provisions relating to development plans
- 10. Modifications of Part I of the 1990 Act
- 11. Modifications of Part II of the 1990 Act
- 12. Registration of professional collectors and transporters of waste
- 13. Duty to carry out appropriate periodic inspections
- 14. Record keeping

PART II WASTE DISPOSAL OPERATIONS PART III WASTE RECOVERY OPERATIONS REGISTRATION OF BROKERS AND DEALERS

1. Interpretation

- 2. Registers
- 3. Applications for registration

SCHEDULE 5

- 4. Registration as a broker or dealer and amendment of entries
- 5. Revocation of registration
- 6. Appeals
- 7. Duration of registration
- 8. Cessation of registration

SCHEDULE 6 Consequential Amendments

1. The Deposits in the Sea (Exemption) Order 1985

- 2. The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991
- 3. The Controlled Waste Regulations 1992
- 4. The Special Waste Regulations 1996
- 5. The Waste Management (Miscellaneous Provisions) Regulations 1997
- 6. The Waste Incineration (Scotland) Regulations 2003
- 7. The Water Environment (Water Framework Directive) (Solway Tweed River Basin District) Regulations 2004
- 8. The Rural Development Contracts (Rural Priorities) (Scotland) Regulations 2008
- 9. The Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008
- 10. The Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2008
- 11. The Chemicals (Hazard Information and Packaging for Supply)
 Regulations 2009
 Explanatory Note