



# Planning Act 2008

## 2008 CHAPTER 29

### PART 3

#### NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

##### *Waste*

### **30 Hazardous waste facilities**

- (1) The construction of a hazardous waste facility is within section 14(1)(p) only if—
  - (a) the facility (when constructed) will be in England,
  - (b) the main purpose of the facility is expected to be the final disposal or recovery of hazardous waste, and
  - (c) the facility is expected to have the capacity specified in subsection (2).
- (2) The capacity is—
  - (a) in the case of the disposal of hazardous waste by landfill or in a deep storage facility, more than 100,000 tonnes per year;
  - (b) in any other case, more than 30,000 tonnes per year.
- (3) The alteration of a hazardous waste facility is within section 14(1)(p) only if—
  - (a) the facility is in England,
  - (b) the main purpose of the facility is the final disposal or recovery of hazardous waste, and
  - (c) the alteration is expected to have the effect specified in subsection (4).
- (4) The effect is—
  - (a) in the case of the disposal of hazardous waste by landfill or in a deep storage facility, to increase by more than 100,000 tonnes per year the capacity of the facility;
  - (b) in any other case, to increase by more than 30,000 tonnes per year the capacity of the facility.

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*Changes to legislation: Planning Act 2008, Section 30 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (5) The following terms have the same meanings as in the Hazardous Waste (England and Wales) Regulations 2005 (S.I. 2005/894) (see regulation 5 of those regulations)—
- “disposal”;
  - “hazardous waste”;
  - “recovery”.
- (6) “Deep storage facility” means a facility for the storage of waste underground in a deep geological cavity.

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**Commencement Information**

**II** S. 30 in force at 1.10.2011 by [S.I. 2011/2054](#), **art. 2(a)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 10A inserted by [2023 c. 55 Sch. 12 para. 1](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 223(1)(za) inserted by [2023 c. 55 s. 139\(6\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)