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STATUTORY INSTRUMENTS

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**2000 No. 1973**

**ENVIRONMENTAL PROTECTION,  
ENGLAND AND WALES**

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

*Made* - - - - - *21st July 2000*

*Coming into force* *1st August 2000*

**THE POLLUTION PREVENTION AND CONTROL  
(ENGLAND AND WALES) REGULATIONS 2000**

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2. Interpretation: general
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PART 1: — ACTIVITIES

Chapter 1—Energy Industries

*Section 1.1—Combustion Activities*

Part A(1)

1. Interpretation of Part A(1)
2. Nothing in this Part applies to burning fuels in an...
3. In paragraph 2, “offshore platform” means any fixed or floating...
4. In paragraph 3, “petroleum” includes any mineral oil or relative...

Part A(2)

Part B

1. Interpretation of Part B
2. In paragraph (c), “fuel” does not include gas produced by...  
Interpretation of Section 1.1

*Section 1.2—Gasification, Liquefaction and Refining Activities*

Part A(1)

1. Interpretation of Part A(1)
2. In paragraph (j), the heat treatment of oil, other than...
3. In this Part, “carbonaceous material” includes such materials as charcoal,...

Part A(2)

Part B

1. Interpretation of Part B
2. Any other expressions used in this Part which are also...

Chapter 2—Production and Processing of Metals

*Section 2.1—Ferrous Metals*

Part A(1)

Part A(2)

Part B

Interpretation of Section 2.1

*Section 2.2—Non-Ferrous Metals*

Part A(1)

Interpretation of Part A(1)

Part A(2)

Part B

Interpretation of Part B

1. Interpretation of Section 2.2
2. Nothing in paragraphs (c) to (h) of Part A(1) or...

*Section 2.3—Surface Treating Metals and Plastic Materials*

Part A(1)

Part A(2)

Part B

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## Chapter 3—Mineral Industries

### *Section 3.1—Production of Cement and Lime*

Part A(1)  
Part A(2)  
Part B

### *Section 3.2—Activities Involving Asbestos*

Part A(1)  
Part A(2)  
Part B

1. Interpretation of Section 3.2

### *Section 3.3—Manufacturing Glass and Glass Fibre*

Part A(1)  
Part A(2)  
Part B

### *Section 3.4—Production of Other Mineral Fibres*

Part A(1)  
Part A(2)  
Part B

### *Section 3.5—Other Mineral Activities*

Part A(1)  
Part A(2)  
Part B

1. Interpretation of Part B
2. Nothing in this Part applies to any activity carried out...

### *Section 3.6—Ceramic Production*

Part A(1)  
Part A(2)  
Part B  
Interpretation of Part B

## Chapter 4—The Chemical Industry

Interpretation of Chapter 4

### *Section 4.1—Organic Chemicals*

Part A(1)  
Part A(2)  
Part B  
Interpretation of Section 4.1

*Section 4.2—Inorganic Chemicals*

Part A(1)  
Part A(2)  
Part B

*Section 4.3—Chemical Fertiliser Production*

Part A(1)  
Part A(2)  
Part B

*Section 4.4—Plant Health Products and Biocides*

Part A(1)  
Part A(2)  
Part B

*Section 4.5—Pharmaceutical Production*

Part A(1)  
Part A(2)  
Part B

*Section 4.6—Explosives Production*

Part A(1)  
Part A(2)  
Part B

*Section 4.7—Manufacturing Activities Involving Carbon Disulphide or Ammonia*

Part A(1)  
Part A(2)  
Part B

*Section 4.8—The Storage of Chemicals in Bulk*

Part A(1)  
Part A(2)  
Part B

Chapter 5—Waste Management

*Section 5.1—Disposal of Waste by Incineration*

Part A(1)  
Part A(2)  
Part B  
Interpretation of Section 5.1

*Section 5.2—Disposal of Waste by Landfill*

Part A(1)  
Part A(2)  
Part B

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*Section 5.3—Disposal of Waste Other Than by Incineration or Landfill*

Part A(1)

1. Interpretation of Part A(1)
2. Paragraph (b) shall be interpreted in accordance with Article 1...
3. Nothing in this Part applies to the treatment of waste...
4. The reference to a D paragraph number in brackets at...

Part A(2)

Part B

*Section 5.4—Recovery of Waste*

Part A(1)

1. Interpretation of Part A(1)
2. Nothing in this Part applies to the treatment of waste...
3. The reference to a R paragraph number in brackets at...

Part A(2)

Part B

*Section 5.5—The Production of Fuel from Waste*

Part A(1)

Part A(2)

Part B

Chapter 6—Other Activities

*Section 6.1—Paper, Pulp and Board Manufacturing Activities*

Part A(1)

Interpretation of Part A(1)

Part A(2)

Part B

*Section 6.2—Carbon Activities*

Part A(1)

Part A(2)

Part B

*Section 6.3—Tar and Bitumen Activities*

Part A(1)

Part A(2)

Part B

Interpretation of Part B

*Section 6.4—Coating Activities, Printing and Textile Treatments*

Part A(1)

Part A(2)

Part B

1. Interpretation of Part B
2. The amount of organic solvents used in an activity shall...

*Section 6.5—The Manufacture of Dyestuffs, Printing Ink and Coating Materials*

Part A(1)

Part A(2)

Part B

1. Interpretation of Part B
2. The amount of organic solvents used in an activity shall...

*Section 6.6—Timber Activities*

Part A(1)

Part A(2)

Part B

Interpretation of Part B

*Section 6.7—Activities Involving Rubber*

Part A(1)

Part A(2)

Part B

*section 6.8—the treatment of animal and vegetable matter and food industries*

Part A(1)

Part A(2)

Part B

Interpretation of Section 6.8

*Section 6.9—Intensive Farming*

Part A(1)

Part A(2)

Part B

**PART 2: — INTERPRETATION OF PART 1**

1. The following rules apply for the interpretation of Part 1...
2. (1) Subject to sub-paragraph (2), an activity shall not be...
3. An activity shall not be taken to be an activity...
4. The running on or within an aircraft, hovercraft, mechanically propelled...
5. The running of an engine in order to test it...
6. (1) The use of a fume cupboard shall not be...
7. An activity shall not be taken to fall within Part...
8. References in Part 1 to related activities are references to...
9. (1) This paragraph applies for the purpose of determining whether...
10. (1) Where an activity falls within a description in Part...
11. In Part 1 of this Schedule— “background quantity” means, in...
12. References to, or to the release into the air of,...
13. References to, or to the release into water of, a...
14. (1) References to a substance listed in this paragraph are...

**PART 3: — INTERPRETATION OF “PART A INSTALLATION” ETC**

15. For the purpose of these Regulations, subject to paragraph 17—...
16. For the purpose of these Regulations— “Part A mobile plant”...
17. (1) An installation where a Part A(2) activity is carried...
18. A Part B installation where an activity within Part B...
19. A Part B installation where an activity falling within paragraph...
20. A Part B installation where an activity falling with paragraph...

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21. A Part B installation where an activity falling within Part...
22. Where an installation is a Part A(1) installation, a Part...
23. Where an installation is authorised by a permit granted under...
24. In this Part, “Part A(1) activity”, “Part A(2) activity” and...

#### SCHEDULE 2 — BEST AVAILABLE TECHNIQUES

1. Subject to paragraph 2, in determining best available techniques special...
2. Sub-paragraphs (1) to (3) and (9) to (12) shall not...

#### SCHEDULE 3 — PRESCRIBED DATE AND TRANSITIONAL ARRANGEMENTS

##### PART 1: — PART A INSTALLATIONS AND MOBILE PLANT

1. The prescribed date for a new Part A installation or...
2. (1) Subject to paragraph 4, the prescribed date for an...
3. For the purpose of paragraphs 1 and 2, where separate...
4. (1) Where there is a substantial change in the operation...
5. (1) Subject to sub-paragraph (2), an application for a permit...
6. In this Part of this Schedule— “determination date” means— for...  
PART 2: — PART B INSTALLATIONS AND MOBILE PLANT
7. The prescribed date for a new Part B installation or...
8. The prescribed date for an existing Part B installation or...
9. (1) Subject to the following provisions of this paragraph, no...
10. (1) For the purpose of this Part of this Schedule...
11. In this Part of this Schedule— “determination date” means— for...

#### SCHEDULE 4 — GRANT OF PERMITS

##### PART 1: — APPLICATIONS FOR PERMITS

1. (1) An application to a regulator for a permit under...
2. Paragraph 1(1)(f), (j) and (p) shall not apply in relation...
3. (1) Paragraph 1(1) shall apply in relation to an application...
4. The regulator may, by notice to the applicant, require him...
5. Subject to paragraph 23, the applicant shall, within a period...
6. An advertisement required by paragraph 5 shall:
7. Where an application is for a permit to operate more...
8. Paragraph 5 shall not apply in relation to an application...

##### PART 2: — DETERMINATION OF APPLICATIONS

9. (1) Subject to paragraph 23, the regulator shall, within 14...
10. Paragraph 9 shall not apply in relation to an application...
11. (1) If the regulator proposes to grant a permit subject...
12. (1) Any representations made by any persons within the period...
13. In the case of an application for a permit to...
14. (1) The Secretary of State may give directions to the...
15. (1) Except in a case where an application has been...
16. If the regulator fails to give notice of its determination...
17. Where the Secretary of State is aware that the operation...
18. (1) Where an application is forwarded to another member State...
19. In paragraphs 17 and 18, “member state” shall be taken...

##### PART 3: — NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

20. The requirements of paragraph 5 of this Schedule shall not...
21. Subject to paragraph 22, the requirements of paragraph 9(1)(b)(ii), (iii)...
22. Paragraph 21 does not apply in so far as—
23. Where a matter falls to be determined under regulation 30...
24. For the purpose of paragraph 23, the matters to be...



#### SCHEDULE 5 — POLLUTANTS

1. AIR
2. Oxides of nitrogen and other nitrogen compounds.
3. Carbon monoxide.
4. Volatile organic compounds.
5. Metals and their compounds.
6. Dust.
7. Asbestos (suspended particulates, fibres).
8. Chlorine and its compounds.
9. Fluorine and its compounds.
10. Arsenic and its compounds.
11. Cyanides.
12. Substances and preparations which have been proved to possess carcinogenic...
13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans.
1. WATER
2. Organophosphorus compounds.
3. Organotin compounds.
4. Substances and preparations which have been proved to possess carcinogenic...
5. Persistent hydrocarbons and persistent and bioaccumulable organic toxic substances.
6. Cyanides.
7. Metals and their compounds.
8. Arsenic and its compounds.
9. Biocides and plant health products.
10. Materials in suspension.
11. Substances which contribute to eutrophication (in particular, nitrates and phosphates)...
12. Substances which have an unfavourable influence on the oxygen balance...

#### SCHEDULE 6 — COMPENSATION IN RELATION TO OFF-SITE CONDITIONS

1. (1) This Schedule applies in any case where—
2. In a case where this Schedule applies, any person who...
3. Subject to paragraph 6(3) and (5)(b), compensation shall be payable...
4. (1) Subject to sub-paragraph (2), an entitlement to compensation under...
5. (1) An application for compensation under this Schedule shall be...
6. (1) The amount to be paid by way of compensation...
7. (1) Compensation payable under this Schedule in respect of an...
8. (1) Compensation payable under this Schedule shall carry interest at...

#### SCHEDULE 7 — VARIATION OF CONDITIONS

##### PART 1: — APPLICATIONS FOR VARIATION OF CONDITIONS

1. An application under regulation 17(2) for the variation of the...
2. If a proposed change in the operation of a Part...
3. The regulator may, by notice to the operator, require him...

##### PART 2: — DETERMINATION OF APPLICATIONS FOR VARIATIONS AND VARIATION NOTICES

4. (1) Subject to sub-paragraphs (3) and (4), this paragraph applies...
5. (1) If the regulator proposes to serve a variation notice...
6. (1) The Secretary of State may give directions to the...
7. (1) Except in a case where an application has been...
8. If the regulator fails to give notice of its determination...

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9. Where the Secretary of State is aware that an application...
10. Where an application or proposal to serve a variation notice...
11. In determining an application or before serving a variation notice...
12. In paragraphs 9 to 11, “member State” shall be taken...

PART 3: — NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

13. The requirements of paragraph 4(8) of this Schedule shall not...
14. Paragraphs 21 and 22 of Schedule 4 shall apply in...
15. Where a matter falls to be determined under regulation 30...
16. Paragraph 24 of Schedule 4 shall apply for the purpose...

SCHEDULE 8 — APPEALS TO THE SECRETARY OF STATE

1. (1) A person who wishes to appeal to the Secretary...
2. (1) Subject to sub-paragraph (2), notice of appeal in accordance...
3. (1) Subject to sub-paragraph (4), the regulator shall, within 14...
4. (1) Before determining an appeal under regulation 27, the Secretary...
5. (1) Where the appeal is to be disposed of on...
6. (1) The Secretary of State shall give notice to the...
7. Where a determination of the Secretary of State on an...

SCHEDULE 9 — REGISTERS

1. A register maintained by a regulator under regulation 29 shall...
2. Where an application is withdrawn by the applicant at any...
3. Where, following the amendment of Schedule 1, these Regulations cease...
4. Nothing in paragraph 1 shall require a regulator to keep...
5. Any details of a formal caution included in a register...

SCHEDULE 10 — CONSEQUENTIAL AMENDMENTS

PART 1: — PUBLIC GENERAL ACTS

*Income and Corporation Taxes Act 1988*

1. In section 91A(6) of the Income and Corporation Taxes Act...

*Environmental Protection Act 1990*

2. The Environmental Protection Act 1990 has effect subject to the...
3. In section 6 (authorisations: general provisions)— (a) at the beginning...
4. In section 34(1) (duty of care as respects waste)—
5. In section 35 (waste management licences : general)—
6. In section 78YB (interaction of contaminated land provisions with other...
7. In section 79(10) (restrictions on taking proceedings for statutory nuisance),...

*Water Industry Act 1991*

8. In section 138 of the Water Industry Act 1991 (meaning...

*Water Resources Act 1991*

9. In section 88(1) of the Water Resources Act 1991 (defence...

*Clean Air Act 1993*

10. The Clean Air Act 1993 has effect subject to the...
11. In section 31 (regulations about sulphur content of oil fuel...

12. In section 36 (notices requiring information about air pollution), after...
13. After section 41 (relation to the Environment Protection Act 1990)...

*Environment Act 1995*

14. The Environment Act 1995 has effect subject to the following...
15. In section 56(1) (interpretation of Part I of the 1995...
16. In section 108(15) (powers of entry—interpretation)— (a) in the definition...
17. In section 113(5) (definitions relating to disclosure of information), after...
18. In section 114(2)(a) (power of Secretary of State to delegate...
19. In Schedule 20, in paragraph 4(3) (holding of local inquiries...

*Finance Act 1996*

20. The Finance Act 1996 has effect subject to the following...
  21. In section 43A (contaminated land)— (a) omit “or” at the...
  22. In section 67 (operator of landfill sites), after paragraph (b)...
- PART 2: — SUBORDINATE LEGISLATION

*The Radioactive Substances (Hospitals) Exemption Order 1990*

23. In the definition of “site licence” in article 2(1) of...

*The Environmental Protection (Prescribed Processes and Substances) Regulations 1991*

24. After regulation 3 of the Environmental Protection (Prescribed Processes and...

*The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991*

25. At the end of Schedule 1 to the Controlled Waste...

*The Environmental Protection (Duty of Care) Regulations 1991*

26. In the Table in regulation 2 of the Environmental Protection...

*The Waste Management Licensing Regulations 1994*

27. The Waste Management Licensing Regulations 1994 have effect subject to...
28. In regulation 1 (interpretation etc), after the definition of “the...
29. At the end of regulation 3 (relevant offences) insert—
30. In regulation 10 (public registers)— (a) after paragraph (3) insert—...
31. In regulation 11 (information to be excluded or removed from...
32. In regulation 16 (exclusion from waste management licensing)—
33. In regulation 18(10) (registration in connection with exempt activities)—
34. In regulation 20(2) (registration of brokers), in paragraph (a), after...
35. In Schedule 3 (exempt activities)— (a) after paragraph 1 insert—...
36. In Schedule 4— (a) in paragraph 1, after “under Part...

*The Conservation (Natural Habitats, &c.) Regulations 1994*

37. After regulation 84 of the Conservation (Natural Habitats, &c.) Regulations...

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*The Special Waste Regulations 1996*

38. The Special Waste Regulations 1996 have effect subject to the...
39. In regulation 15 (registers)— (a) after paragraph (6) insert—
40. In regulation 17(2) (restrictions on mixing special waste), in paragraph...

*The Landfill Tax Regulations 1996*

41. In Regulation 33(4) of the Landfill Tax Regulations 1996, after...

*The Specified Risk Material Regulations 1997*

42. The Specified Risk Material Regulations 1997 have effect subject to...
43. In regulations 24(9)(a)(i) and (b)(i), after “1990” insert— “or a...
44. In regulation 24(10), after “1990” insert— “or the Pollution Prevention...
45. In the second column of the table in Schedule 2,...

*The Groundwater Regulations 1998*

46. The Groundwater Regulations 1998 have effect subject to the following...
47. In the definition of “authorisation” in regulation 1(3), delete “and”...
48. After “(integrated pollution control)” in regulation 3 insert— “and the...

*The Contaminated Land (England) Regulations 2000*

49. The Contaminated Land (England) Regulations 2000 have effect subject to...
50. In regulation 2— (a) after paragraph (1)(d) insert—
51. In paragraph 14 of Schedule 3— (a) after “section 78YB(1)”...

Explanatory Note