
WELSH STATUTORY INSTRUMENTS

2002 No. 1087 (W.114)

ENVIRONMENTAL PROTECTION, WALES

**The Waste Management Licensing
(Amendment) (Wales) Regulations 2002**

Made - - - - *15th April 2002*

Coming into force - - *16th April 2002*

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by section 29(10) of the Environmental Protection Act 1990⁽¹⁾, and which are now vested in it⁽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 2002 and come into force on the 16th April 2002.

(2) These Regulations apply to Wales.

Amendment of regulation 12 of the Waste Management Licensing Regulations 1994

2.—(1) Regulation 12 of the Waste Management Licensing Regulations 1994⁽³⁾ is amended as follows.

(2) Replace paragraph (1)(b) with—

“(b) plant for—

- (i) the recovery, by filtration or heat treatment, of waste oil from electrical equipment,
- (ii) the destruction by dechlorination of waste polychlorinated biphenyls or terphenyls (PCBs or PCTs), or
- (iii) the collection or storage of a controlled substance from any waste product, installation or equipment;”

(3) After paragraph (1) insert—

(1) 1990 c. 43.

(2) The functions of the Secretary of State, in so far as exercisable in relation to Wales, have been transferred to the National Assembly for Wales by Article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 1994/1056; regulation 12 was amended by S.I. 1995/288 and S.I. 1996/634.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(1A) For the purposes of paragraph (1)(b)(iii) above, “controlled substance” means any one of the following:

chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-tetrachloroethane, methyl bromide, hydrobromofluorocarbons, hydrochlorofluorocarbons.”

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

15th April 2002

Rhodri Morgan
First Minister of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

Article 16 of Council Regulation (EC) No. 2037/2000 on substances that deplete the ozone layer requires the recovery of used controlled substances (as defined in Article 2 of the Regulation) in waste refrigeration and other equipment.

Regulation 12 of the Waste Management Licensing Regulations 1994 provides for certain descriptions of plant to be treated as mobile plant for the purposes of Part II of the Environmental Protection Act 1990.

These Regulations amend regulation 12, in relation to Wales, by adding a description of plant for the collection or storage of a controlled substance from waste items. This enables the Environment Agency to authorise mobile plant for the recovery of ozone depleting substances from waste refrigeration equipment, fire extinguishers and other items.