WELSH STATUTORY INSTRUMENTS

2005 No. 1806

The Hazardous Waste (Wales) Regulations 2005

PART 4

MIXING HAZARDOUS WASTE

Meaning of mixing hazardous waste

18.—(1) For the purposes of these Regulations, hazardous waste of any description is considered to have been mixed if it has been mixed with—

(a) a different category of hazardous waste;

(b) a non-hazardous waste; or

(c) any other substance or material.

Prohibition on mixing hazardous waste without a permit

19.—(1) Subject to paragraphs (2) and (3), no establishment or undertaking which carries out the disposal or recovery of hazardous waste, or which produces, collects or transports hazardous waste, may mix any hazardous waste.

(2) Paragraph (1) does not apply so as to prohibit a process by which waste is produced and which results in the production of mixed wastes, being a process other than one which mixes a waste with any other waste, substance or material, resulting in—

(a) a change in the nature or composition of that waste; or

(b) the production of another waste.

(3) Paragraph (1) does not apply to the extent that the mixing is part of a disposal or recovery operation and is authorised by, and is conducted in accordance with, the requirements (howsoever expressed) of a waste permit or a registered exemption.

Duty to separate mixed wastes

20.—(1) This regulation applies to the holder where—

(a) the hazardous waste has been mixed other than under and in accordance with a waste permit or a registered exemption, whether by the holder or a previous holder; and

(b) separation is both—

(i) technically and economically feasible; and

(ii) necessary in order to comply with the Waste Directive conditions.

(2) The holder must make arrangements for separation of the waste to be carried out in accordance with a waste permit or registered exemption as soon as reasonably practicable.

(3) In this Regulation "separation" means separation of a waste from any other waste, substance, or material with which it has been mixed.