

SCHEDULE 26

Consequential amendments

PART 2

Subordinate legislation

The Regulations as to Cremation (1930)

1. In the definitions in the Regulations as to Cremation (1930)(1)—
 - (a) in the definition of “Incinerated”, for “2007” substitute “2010”; and
 - (b) in the definition of “Permit”, for “2007” substitute “2010”.

The Deposits in the Sea (Exemptions) Order 1985

2. In article 4(2) of the Deposits in the Sea (Exemptions) Order 1985 (exemptions involving waste)(2), for “2007” substitute “2010”.

The Town and Country Planning (Use Classes) Order 1987

3. In article 3 of the Town and Country Planning (Use Classes) Order 1987 (use classes)(3), for paragraph (8) substitute—
 - “(8) For the purpose of paragraph (7), “radioactive material” and “radioactive waste” have the same meaning as in the Environmental Permitting (England and Wales) Regulations 2010.”.

The Civil Jurisdiction (Offshore Activities) Order 1987

- 4.—(1) The Civil Jurisdiction (Offshore Activities) Order 1987(4) is amended as follows.
 - (2) In article 4 (the title to which becomes “Application of the Wireless Telegraphy Act 1949, the Radioactive Substances Act 1993 and the Environmental Permitting (England and Wales) Regulations 2010”)—
 - (a) for “the Radioactive Substances Act 1960 and” substitute “the Radioactive Substances Act 1993,”; and
 - (b) after “therein”, insert “and the Environmental Permitting (England and Wales) Regulations 2010 (to the extent those Regulations apply to radioactive substances activities within the meaning of Schedule 23 to those Regulations),”.

The Radioactive Substances (Hospitals) Exemption Order 1990

5. In article 2(1) of the Radioactive Substances (Hospitals) Exemption Order 1990 (interpretation)(5), in the definition of “site licence”, for “2007” substitute “2010”.

(1) S.I. 1930/1016; relevant amending instruments are S.I. 2006/92 and 2007/3538.

(2) S.I. 1985/1699; relevant amending instruments are S.I. 1994/1056 and 2007/3538.

(3) S.I. 1987/764, amended, in relation to Wales, by S.I. 2002/1875; there are other amending instruments but none is relevant.

(4) S.I. 1987/2197.

(5) S.I. 1990/2512, amended by S.I. 2000/1973; there are other amending instruments but none is relevant.

Status: This is the original version (as it was originally made).

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

6.—(1) The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991(6) are amended as follows.

(2) In regulation 6(1)(g) (registration as a carrier), for “2007” substitute “2010”.

(3) In the list in Schedule 1 (prescribed offences: relevant enactments), for “The Environmental Permitting (England and Wales) Regulations 2007” substitute “The Environmental Permitting (England and Wales) Regulations 2010”.

The Environmental Protection (Duty of Care) Regulations 1991

7.—(1) The Environmental Protection (Duty of Care) Regulations 1991(7) are amended as follows.

(2) In regulation 1(2) (interpretation), for the definition of “the 2007 Regulations” substitute—
 ““the Environmental Permitting Regulations” means the Environmental Permitting (England and Wales) Regulations 2010;”.

(3) For the table in regulation 2(2) (transfer notes) substitute—
 “TABLE

<i>Category of person</i>	<i>Additional information</i>
A waste collection authority for the purposes of Part 2 of the 1990 Act	
The holder of an environmental permit in respect of a waste operation under the Environmental Permitting Regulations, excluding the holder of such a permit in respect of a Part A activity or Part B activity which is not a specified waste management activity within the meaning of paragraph 3 of Schedule 9 to those Regulations	If the waste is to be kept, treated or disposed of by that person, the relevant permit number and the name of the permitting regulator.
A person carrying on an exempt waste operation under the Environmental Permitting Regulations	
A person carrying on an operation to which section 33(1)(a) of the 1990 Act does not apply by virtue of regulation 68(2) of the Environmental Permitting Regulations	
A person registered as a carrier of controlled waste under Regulations made under section 2 of the Control of Pollution (Amendment) Act 1989	The name of the waste regulation authority with whom the person is registered and the person’s registration number
A person who is not required to be so registered by virtue of Regulations made under section 1(3) of that Act”	

(6) S.I. 1991/1624, amended by S.I. 2000/1973; there are other amending instruments but none is relevant.

(7) S.I. 1991/2839; relevant amending instruments are S.I. 1996/972, 2000/1973, 2002/1559, 2005/894, 2005/895, 2005/1806 (W. 138), 2005/1820 (W. 148) and 2007/3538.

The Controlled Waste Regulations 1992

- 8.**—(1) The Controlled Waste Regulations 1992(**8**) are amended as follows.
- (2) In regulation 1(2) (interpretation), for “2007” substitute “2010”.
- (3) In paragraph 18(2) of Schedule 3 (waste to be treated as industrial waste), for the definition of “tank washings” substitute—
- ““tank washings” means waste residues from the tanks (other than the fuel tanks) or holds of a ship or waste arising from the cleaning of such tanks or holds;”.

The Waste Management Licensing Regulations 1994

- 9.**—(1) The Waste Management Licensing Regulations 1994(**9**) are amended as follows.
- (2) In regulation 20(2) (registration of brokers)—
- (a) in sub-paragraph (a), for “the Environmental Permitting (England and Wales) Regulations 2007, a consent under Chapter 2 of Part 3 of the Water Resources Act 1991” substitute “the Environmental Permitting (England and Wales) Regulations 2010”; and
- (b) in sub-paragraph (b)(i), for “the Environmental Permitting (England and Wales) Regulations 2007” substitute “the Environmental Permitting (England and Wales) Regulations 2010”.
- (3) In paragraph 1 of Part 1 of Schedule 4 (waste framework directive etc), for the definition of “permit” substitute—
- ““permit” means an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010 or a licence under Part 2 of the Food and Environment Protection Act 1985;”.
- (4) In paragraph 1 of Part 1 of Schedule 5 (registration of brokers of controlled waste), in the definition of “relevant offence”, for “2007” substitute “2010”.

The Urban Waste Water Treatment Regulations 1994

- 10.**—(1) The Urban Waste Water Treatment Regulations 1994(**10**) are amended as follows.
- (2) In regulation 2 (interpretation), at the appropriate place, insert—
- ““environmental permit” has the same meaning as in the Environmental Permitting Regulations;
- “Environmental Permitting Regulations” means the Environmental Permitting Regulations (England and Wales) Regulations 2010;”.
- (3) In regulation 6 (discharges of treated urban waste water)—
- (a) in paragraph (2), for “Chapter II of Part III of the Water Resources Act 1991 (pollution offences)” substitute “the Environmental Permitting Regulations”;
- (b) in paragraph (2)(d)(ii), for “consents under the said Chapter II is controlled by such consents” substitute “environmental permits under the Environmental Permitting Regulations is controlled by such permits”;
- (c) omit paragraph (4); and

(8) S.I. 1992/588; relevant amending instruments are S.I. 1994/1056, 1996/972, 2006/937 and 2007/3538.

(9) S.I. 1994/1056, amended by S.I. 1995/288, 1995/1950, 1996/593, 1996/634, 1996/972, 1996/1279, 1997/2203, 1998/606, 1998/2746, 2000/1973, 2002/674, 2002/1087 (W. 114), 2002/1559, 2002/2980, 2003/595, 2003/780 (W. 91), 2003/2635, 2004/70 (W. 6), 2004/3276, 2005/894, 2005/1728, 2005/1806 (W. 138), 2005/2900, 2006/937, 2006/3315, 2007/1156, 2007/2596 and 2007/3476.

(10) S.I. 1994/2841, amended by the Environment Act 1995 (c. 25), section 120 and Schedule 22, paragraph 233(1).

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

- (d) in paragraph (5), for “section 85 of that Act (offences of polluting controlled waters) insofar as that section relates” substitute “the Environmental Permitting Regulations insofar as they relate”.
- (4) In regulation 8 (discharges of certain industrial waste water)—
 - (a) for paragraph (2) substitute—
 - “(2) The Environment Agency must impose, in every environmental permit with respect to any discharge on or after 31st December 2000 to which this regulation applies, conditions which are appropriate to the nature of the industry concerned for the discharge of such waste water.”;
 - (b) omit paragraph (3); and
 - (c) in paragraph (4), for “paragraphs (2) and (3)” substitute “paragraph (2)”.
- (5) In regulation 10 (samples and records)—
 - (a) in paragraph (1)(a), for “a consent under Chapter II of Part III of the Water Resources Act 1991” substitute “an environmental permit”;
 - (b) for paragraph (1)(b) substitute—
 - “(b) “the operator” has the meaning given in the Environmental Permitting Regulations”;
 - (c) in paragraph (3), for “Chapter II of Part III of the Water Resources Act 1991” substitute “the Environmental Permitting Regulations”;
 - (d) in paragraph (5), after “(evidence of samples and abstractions)” insert “and the Environmental Permitting Regulations”; and
 - (e) in paragraph (6), after “section 209” insert “and the Environmental Permitting Regulations”.

The Landfill Tax Regulations 1996

- 11.** In regulation 33(4) (bodies eligible for approval) of the Landfill Tax Regulations 1996(**11**)—
 - (a) omit paragraph (f); and
 - (b) in paragraph (h), for “2007” substitute “2010”.

Control of Pollution (Applications, Appeals and Registers) Regulations 1996

- 12.**—(1) The Control of Pollution (Applications, Appeals and Registers) Regulations 1996(**12**) are amended as follows.
 - (2) In regulation 1(2) (interpretation), omit the definition of “discharge consent”.
 - (3) Omit the following regulations—
 - (a) regulation 2 (advertisements);
 - (b) regulation 3 (timing of advertisements);
 - (c) regulation 4 (exemption from advertising requirements);
 - (d) regulation 5 (consultation);
 - (e) regulation 6 (transmitted applications);
 - (f) regulation 7 (discharge consents without applications).
 - (4) In regulation 8(1) (appeals), omit—

(11) [S.I. 1996/1527](#); relevant amending instruments are [S.I. 2000/1973](#) and [2007/3538](#).

(12) [S.I. 1996/2971](#).

- (a) “91 or”; and
 - (b) “appeals in respect of consents under Chapter II of Part III and”.
- (5) In regulation 9 (time limit for bringing appeal), omit—
- (a) paragraph (1)(a), (b) and (d); and
 - (b) paragraph (3)(a), (b) and (c).
- (6) Omit regulation 10 (action on receipt of notice of appeal).
- (7) In regulation 11 (written representations)—
- (a) omit paragraph (1)(a);
 - (b) in paragraph (1)(b), omit “in all other cases”;
 - (c) omit paragraph (3); and
 - (d) in paragraph (4)(b), for “(1) to (3)” substitute “(1) and (2)”.
- (8) In regulation 12 (hearings)—
- (a) in paragraph (1)—
 - (i) omit “91 or”, and
 - (ii) omit “appeals in respect of consents under Chapter II of Part III and”;
 - (b) omit paragraphs (2) and (5);
 - (c) in paragraph (3), for “paragraphs (1) and (2)” substitute “paragraph (1)”; and
 - (d) in paragraph (6), for sub-paragraphs (a) to (c) substitute—
 - “(a) the appellant; and
 - (b) the Agency.”.
- (9) In regulation 13(2) (notification of determination)—
- (a) in sub-paragraph (a), omit “and to any persons required under regulation 10(1)(b)(ii) to be notified of the appeal;” and
 - (b) in sub-paragraph (b), omit “to any other person who made representations to the Secretary of State under regulation 10 and”.
- (10) Omit regulation 14 (consents for discharges by the Agency).
- (11) In regulation 15 (pollution control registers)—
- (a) omit paragraphs (b), (c), (f), (g), (h), (k) and (l); and
 - (b) in paragraph (i)—
 - (i) omit “notices of appeal under section 91 of that Act,” and
 - (ii) omit “representations made under regulation 10,”.
- (12) In regulation 16 (particulars on register)—
- (a) in paragraph (1), omit “and paragraph (2) below”; and
 - (b) omit paragraphs (1)(a) and (b) and (2).
- (13) In regulation 17(2) (period after which information may be removed from register), for “, (e) or (l)” substitute “or (e)”.
- (14) Omit Schedule 1 (discharge consents without applications) and Schedule 2 (discharge consents for the Agency).

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

13. In Schedule 2 to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999(13), in paragraph 3(g) of the table, in column 2, for the words from “an authorisation” to the end substitute “the grant of an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010 in relation to a radioactive substances activity described in paragraph 5(2)(b), (2)(c) or (4) of Part 2 of Schedule 23 to those Regulations, or the variation of such a permit”.

The Water Protection Zone (River Dee Catchment) Designation Order 1999

14. In article 2 of the Water Protection Zone (River Dee Catchment) Designation Order 1999 (interpretation)(14), in paragraph (ii) of the definition of “controlled substance”, for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The Ionising Radiations Regulations 1999

15.—(1) The Ionising Radiations Regulations 1999(15) are amended as follows.

(2) In regulation 30 (notification of certain occurrences), for paragraph (2) substitute—

“(2) Paragraph (1) shall not apply where such release—

- (a) was in accordance with an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010 in respect of mobile radioactive apparatus within the meaning of those Regulations;
- (b) was in a manner specified in such an environmental permit in respect of radioactive waste within the meaning of those Regulations; or
- (c) did not, under regulation 12 of those Regulations, require an environmental permit.”.

(3) In Schedule 1 (work not required to be notified under regulation 6)—

- (a) in paragraph 1, for “the appropriate Agency” wherever it appears substitute “the Environment Agency”; and
- (b) omit paragraph 2.

The Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000

16. In Schedule 3 to the Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000 (accuracy classes for filling instruments)(16), for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The Non-automatic Weighing Instruments Regulations 2000

17.—(1) The Non-automatic Weighing Instruments Regulations 2000(17) are amended as follows.

(13) [S.I. 1999/293](#).
(14) [S.I. 1999/915](#).
(15) [S.I. 1999/3232](#).
(16) [S.I. 2000/388](#).
(17) [S.I. 2000/3236](#).

(2) In regulation 28(7) (restrictions on use of instruments for trade), for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The Control of Pollution (Oil Storage) (England) Regulations 2001

18. In regulation 2(2)(a) of the Control of Pollution (Oil Storage)(England) Regulations 2001 (application of Regulations)(**18**), for “2007” substitute “2010”.

The Weighing Equipment (Automatic Rail-weighbridges) Regulations 2003

19. In Schedule 3 to the Weighing Equipment (Automatic Rail-weighbridges) Regulations 2003 (requirements relating to use)(**19**), for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The End-of-Life Vehicles Regulations 2003

20. In regulation 2 of the End-of-Life Vehicles Regulations 2003 (interpretation)(**20**), in the definition of “authorised treatment facility”, for “2007” substitute “2010”.

The Weighing Equipment (Automatic Catchweighing Instruments) Regulations 2003

21.—(1) The Weighing Equipment (Automatic Catchweighing Instruments) Regulations 2003(**21**) are amended as follows.

(2) In Schedule 3 (requirements in respect of manner of use), under “Definition of waste”, for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003

22. Schedule 2 to the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 (enactments to which duties in regulation 3 apply)(**22**) is amended as follows—

(a) for paragraph 4 substitute—

“**4.** Parts 2 and 2A of the Environmental Protection Act 1990 (waste on land and contaminated land).”;

(b) omit paragraph 22;

(c) for paragraph 28 substitute—

“**28.** The Environmental Permitting (England and Wales) Regulations 2010.”.

The Hazardous Waste (England and Wales) Regulations 2005

23.—(1) The Hazardous Waste (England and Wales) Regulations 2005(**23**) are amended as follows.

(2) In regulation 5(1) (general interpretation)—

(18) [S.I. 2001/2954](#), amended by [S.I. 2007/3538](#); there are other amending instruments but none is relevant.

(19) [S.I. 2003/2454](#).

(20) [S.I. 2003/2635](#), amended by [S.I. 2007/3538](#); there are other amending instruments but none is relevant.

(21) [S.I. 2003/2761](#).

(22) [S.I. 2003/3242](#), amended by [S.I. 2007/3538](#); there are other amending instruments but none is relevant.

(23) [S.I. 2005/894](#), amended by [S.I. 2009/507](#); there are other amending instruments but none is relevant.

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

- (a) for the definition of “the 2007 Regulations”, substitute—
 - ““the Environmental Permitting Regulations” means the Environmental Permitting (England and Wales) Regulations 2010;”;
 - (b) in the definition of “environmental permit”, for “the 2007 Regulations” substitute “the Environmental Permitting Regulations”;
 - (c) for the definition of “registered exemption” substitute—
 - ““registered exemption” means an exempt waste operation within the meaning of the Environmental Permitting Regulations;”;
 - (d) for the definition of “waste permit” substitute—
 - ““waste permit” means a licence under Part 2 of the Food and Environment Protection Act 1985 or an environmental permit”; and
 - (e) at the appropriate place, insert—
 - ““radioactive substances activity” has the meaning given in Schedule 23 to the Environmental Permitting Regulations;
 - “radioactive waste” has the meaning given in Schedule 23 to the Environmental Permitting Regulations;”.
- (3) For paragraph (1) of regulation 15 (radioactive waste) substitute—
- “(1) This regulation applies to radioactive waste where—
 - (a) a radioactive substances activity in relation to that radioactive waste does not require an environmental permit by virtue of section 15 of the Radioactive Substances Act 1993; and
 - (b) that radioactive waste has one or more hazardous properties arising other than from its radioactive nature.”.
- (4) In regulation 26(4)(d) (common provisions on notifications), for “the 2007 Regulations” substitute “the Environmental Permitting Regulations”.
- (5) In regulation 42(8) (duty of consignee not accepting delivery), for “the Environmental Permitting (England and Wales) Regulations 2007” substitute “the Environmental Permitting Regulations”.

The Greenhouse Gas Emissions Trading Scheme Regulations 2005

24. In regulation 8(3)(b)(i) of the Greenhouse Gas Emissions Trading Scheme Regulations 2005 (applications for greenhouse gas emissions permits)(**24**), for “2007” substitute “2010”.

The Hazardous Waste (Wales) Regulations 2005

25.—(1) The Hazardous Waste (Wales) Regulations 2005(**25**) are amended as follows.

- (2) In regulation 5(1)(general interpretation)—
 - (a) for the definition of “the 2007 Regulations” substitute—
 - ““the Environmental Permitting Regulations” means the Environmental Permitting (England and Wales) Regulations 2010;”;
 - (b) in the definition of “environmental permit”, for “the 2007 Regulations” substitute “the Environmental Permitting Regulations”;
 - (c) for the definition of “registered exemption” substitute—

(24) S.I. 2005/925, amended by S.I. 2007/3538.

(25) S.I. 2005/1806 (W. 138), amended by S.I. 2007/3538.

““registered exemption” (*“esemptiad cofrestredig”*) means an exempt waste operation within the meaning of the Environmental Permitting Regulations;”;

(d) for the definition of “waste permit” substitute—

““waste permit” (*“trwydded gwastraff”*) means a licence under Part 2 of the Food and Environment Protection Act 1985 or an environmental permit”; and

(e) at the appropriate place, insert—

““radioactive substances activity” has the meaning given in Schedule 23 to the Environmental Permitting Regulations;

“radioactive waste” has the meaning given in Schedule 23 to the Environmental Permitting Regulations;”.

(3) For paragraph (1) of regulation 15 (radioactive waste) substitute—

“(1) This regulation applies to radioactive waste where—

(a) a radioactive substances activity in relation to that radioactive waste does not require an environmental permit by virtue of section 15 of the Radioactive Substances Act 1993; and

(b) that radioactive waste has one or more hazardous properties arising other than from its radioactive nature.”.

(4) In regulation 26(4)(d) (common provisions on notifications), for “the 2007 Regulations” substitute “the Environmental Permitting Regulations”.

(5) In regulation 42(8) (duty of consignee not accepting delivery), for “the Environmental Permitting (England and Wales) Regulations 2007” substitute “the Environmental Permitting Regulations”.

The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2005

26. In regulation 3(4) of the Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2005 (scope)(**26**), in paragraph (i) of the definition of “SED Activity”, for “2007” substitute “2010”.

The Railways Infrastructure (Access and Management) Regulations 2005

27. In regulation 3(1) of the Railways Infrastructure (Access and Management) Regulations 2005 (interpretation)(**27**), in the definition of “nuclear site”, for “Radioactive Substances Act 1993” substitute “Environmental Permitting (England and Wales) Regulations 2010”.

The Waste Management (England and Wales) Regulations 2006

28. In the Waste Management (England and Wales) Regulations 2006(**28**), omit the following—

(a) regulation 6 (amendment of Waste Management Licensing Regulations 1994);

(b) regulation 7 (amendment of Waste Management Regulations 1996);

(c) regulation 8 (amendment of Groundwater Regulations 1998);

(d) regulation 9 (amendment of Landfill (England and Wales) Regulations 2002).

(26) S.I. 2005/2773, amended by S.I. 2007/3538; there are other amending instruments but none is relevant.

(27) S.I. 2005/3049.

(28) S.I. 2006/937.

The Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006

29. In regulation 16(3) of the Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006 (accuracy class)(29), for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The Measuring Instruments (Automatic Catchweighers) Regulations 2006

30. In regulation 18(5) of the Measuring Instruments (Automatic Catchweighers) Regulations 2006 (use for trade)(30), for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006

31. In Part 1 of Schedule 5 to the Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (requirements for use for trade: accuracy classes)(31), for “section 2 of the Radioactive Substances Act 1993” substitute “Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010”.

The Contaminated Land (England) Regulations 2006

32.—(1) The Contaminated Land (England) Regulations 2006(32) are amended as follows.

(2) In regulation 2(4) (land required to be designated as a special site), for “2007” substitute “2010”.

(3) In paragraph 16 of Schedule 3 (particulars to be contained in a register)—

(a) for “a consent given under Chapter 2 of Part 3 of the Water Resources Act 1991 (pollution offences)” substitute “an environmental permit granted under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010”; and

(b) in sub-paragraph (a), for “consent” substitute “environmental permit”.

The Contaminated Land (Wales) Regulations 2006

33.—(1) The Contaminated Land (Wales) Regulations 2006(33) are amended as follows.

(2) In regulation 2(4) (land required to be designated as a special site), for “2007” substitute “2010”.

(3) In paragraph 16 of Schedule 3 (particulars to be contained in a register)—

(a) for “a consent given under Chapter 2 of Part 3 of the Water Resources Act 1991 (pollution offences)” substitute “an environmental permit granted under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010”; and

(b) in sub-paragraph (a), for “consent” substitute “environmental permit”.

The Waste Electrical and Electronic Equipment Regulations 2006

34. In regulation 2(1) of the Waste Electrical and Electronic Equipment Regulations 2006 (interpretation)(34), in the definition of “relevant authorisation”, for each reference to “the

(29) S.I. 2006/1256.

(30) S.I. 2006/1257.

(31) S.I. 2006/1258.

(32) S.I. 2006/1380.

(33) S.I. 2006/2989 (W. 278), amended by S.I. 2007/3538.

(34) S.I. 2006/3289, amended by S.I. 2007/3538.

Environmental Permitting (England and Wales) Regulations 2007” substitute “the Environmental Permitting (England and Wales) Regulations 2010”.

The Producer Responsibility Obligations (Packaging Waste) Regulations 2007

35. In regulation 2(2) of the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (interpretation)(**35**), in the definition of “relevant authorisation”, for each reference to “the Environmental Permitting (England and Wales) Regulations 2007” substitute “the Environmental Permitting (England and Wales) Regulations 2010”.

The Transfrontier Shipment of Waste Regulations 2007

36. For regulation 16 of the Transfrontier Shipment of Waste Regulations 2007(**36**), substitute—

“Environmental Permitting (England and Wales) Regulations 2010

16. The definition of “waste management plan” in paragraph 1 of Part 1 of Schedule 25 to the Environmental Permitting (England and Wales) Regulations 2010 has effect as if the reference in that paragraph to a plan made under the plan-making provisions includes a reference to a waste management plan made under this Part.”.

The Large Combustion Plants (National Emission Reduction Plan) Regulations 2007

37.—(1) The Large Combustion Plants (National Emission Reduction Plan) Regulations 2007(**37**) are amended as follows.

(2) In regulation 3(1)(a) (meaning of “participating plant”), for “2007” substitute “2010”.

(3) In paragraph 1 of Schedule 1 (the register), in paragraph (a) of the definition of “cumulative in-year mass emissions”, for “2007” substitute “2010”.

The Persistent Organic Pollutants Regulations 2007

38.—(1) Regulation 4 of the Persistent Organic Pollutants Regulations 2007(**38**) is amended as follows—

(a) regulation 4 is renumbered as paragraph (1) of that regulation;

(b) in paragraph (1)(b) (as re-numbered), for “the Pollution Prevention and Control (England and Wales) Regulations 2000” substitute “the Environmental Permitting (England and Wales) Regulations 2010”;

(c) after paragraph (1)(b) (as re-numbered), insert—

“(2) In paragraph (1)(b), “permit” in relation to the Environmental Permitting (England and Wales) Regulations 2010 means environmental permit within the meaning of those Regulations.”.

The Environmental Damage (England) Regulations 2009

39.—(1) The Environmental Damage (England) Regulations 2009(**39**) are amended as follows.

(35) [S.I. 2007/871](#), amended by [S.I. 2007/3538](#).

(36) [S.I. 2007/1711](#).

(37) [S.I. 2007/2325](#), amended by [S.I. 2007/3538](#).

(38) [S.I. 2007/3106](#).

(39) [S.I. 2009/153](#).

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

- (2) In regulation 10 (the title to which becomes “Enforcing authorities under the Environmental Permitting (England and Wales) Regulations 2010”), in paragraph (1), for “2007” substitute “2010”.
- (3) In regulation 11 (enforcing authorities in other cases), for “2007” substitute “2010”.
- (4) In paragraph 1 of Schedule 3 (permits etc)—
 - (a) in sub-paragraph (a), for “2007” substitute “2010”;
 - (b) in sub-paragraph (c), omit “a water discharge consent,”; and
 - (c) omit sub-paragraph (d).

The Waste Batteries and Accumulators Regulations 2009

- 40.**—(1) The Waste Batteries and Accumulators Regulations 2009(**40**) are amended as follows.
- (2) In paragraph 12 of Schedule 4 (approval of battery treatment operators and exporters), for each reference to “the Environmental Permitting (England and Wales) Regulations 2007” substitute “the Environmental Permitting (England and Wales) Regulations 2010”.
 - (3) In Schedule 8 (amendments to other enactments), omit paragraph 2(3) and (6).

(40) S.I. 2009/890.