
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

The Waste Management Licensing (Scotland) Regulations 2011

Exclusion of activities under other control regimes from waste management licensing

16.—(1) Section 33(1)(a), (b) and (c) does not apply in relation to the carrying on of any of the following activities—

- (a) the deposit in or on land, recovery or disposal of waste under an authorisation granted under Part I of the 1990 Act where the activity is or forms part of a process designated for central control under section 2(4);
- (b) the disposal of waste under an authorisation granted under Part I of the 1990 Act where the activity is or forms part of a process within paragraph (a) of Part B of Section 5.1 (incineration) of Schedule 1 to the 1991 Regulations insofar as the activity results in the release of substances into the air;
- (c) the deposit in or on land, recovery or disposal of waste under a permit granted under the 2000 Regulations to operate a Part A installation;
- (d) the disposal of waste under a permit granted under the 2000 Regulations where the activity is or forms part of an activity within Part A of Section 5.1 (incineration) of Part 1 of Schedule 1 to those Regulations;
- (e) the disposal of waste under a permit granted under the 2000 Regulations where the activity is or forms part of an activity within paragraph (a) or (b) of Part B of Section 5.1 (incineration) of Part 1 of Schedule 1 to those Regulations insofar as the activity results in the release of substances into the air;
- (f) the disposal of liquid waste under an authorisation granted or deemed to have been granted under the 2005 Regulations or the 2011 Regulations;
- (g) the recovery or disposal of waste where the activity is or forms part of an operation which is for the time being the subject of a licence under Part II of the Food and Environment Protection Act 1985;
- (h) the recovery or disposal of waste where the activity is for the time being the subject of a licence under Part 4 of the Marine (Scotland) Act 2010; and
- (i) the disposal of agricultural waste under an authorisation granted or deemed to have been granted under the 2005 Regulations or the 2011 Regulations.

(2) Paragraph (1)(a), (b) and (e) does not apply insofar as the activity involves the final disposal of waste by deposit in or on land.

(3) In paragraph (1)(c), “Part A installation” has the meaning given by regulation 2(1) of the 2000 Regulations.