

## SCHEDULE 10

### SAVINGS AND TRANSITIONAL PROVISIONS

#### PART 2

##### Specific installations and activities

###### Landfill

7.—(1) Where a landfill falls within paragraph (a) of Part A of Section 5.2 of Part 1 of Schedule 1, and a waste management licence was granted for its operation in the period beginning on 16th July 2011 and ending on 10 April 2003, the licence has effect from 11th April 2003 as if it were a landfill permit.

(2) In this paragraph, “landfill permit” means a permit required under these Regulations for the carrying out of the disposal of waste in a landfill.

###### Solvent emission activities: risk phrases and hazard statements

8.—(1) This paragraph applies where, on 1st June 2015, a permit refers to a substance that is a volatile organic compound or a halogenated volatile organic compound that is assigned or needs to carry a risk phrase(1).

(2) A reference in a permit to a risk phrase described in column 1 of Table 2 is to be read as a reference to the hazard statement in the corresponding entry in column 2 of the Table.

**Table 2**

<i>Risk phrase</i>	<i>Hazard statement</i>
R40	H341
R45	H340
R46	H350
R49	H350i
R60	H360D
R61	H360F
R68	H351

(3) In this paragraph, “permit” includes an authorisation under section 6 of the 1990 Act.

###### Solvent installations: first use of risk phrase or hazard statement substances

9.—(1) The operator of a solvents installation who proposes to begin using—

- (a) in the period to 31st May 2015, a risk phrase or hazard statement substance or mixture, or
- (b) in the period from 1st June 2015, to a hazard statement substance or mixture,

must make an application for variation under regulation 46, and may not begin using the substance or mixture until after the determination date.

(1) See Regulation (EC) No 1272/2008 as defined in regulation 2(1) for the meaning of ‘hazard statements’ and ‘risk phrases’.

(2) The operator of a solvents installation must make an application for variation under regulation 46 within the period of four months beginning—

- (a) in the period to 31st May 2015, on the date on which a risk phrase or hazard statement, or
- (b) in the period from 1st June 2015, on the date a hazard statement,

is assigned to a substance or mixture used in the installation.

(3) Where an operator fails to comply with a requirement under this paragraph SEPA must serve a notice on the operator requiring compliance, and specifying the period for doing so.

(4) A notice under sub-paragraph (3) is deemed to be an enforcement notice under regulation 55.

(5) In this paragraph, “determination date” means the date on which the permit is varied.

### **Refuelling activities**

**10.**—(1) Regulation 11 applies, in respect of an installation at which an activity described in paragraph (c) of Part B of Section 1.2 of Part 1 of Schedule 1 is carried out, as specified in sub-paragraphs (2) and (3).

(2) It applies from the date of coming into force of these Regulations in respect of an existing service station with a throughput in any 12 month period of more than 3500 m<sup>3</sup>.

(3) It applies in the period beginning on 31st December 2018 in respect of an existing service station with a throughput in any such period of more than 3000 m<sup>3</sup>.

(4) In this paragraph, “existing service station” has the same meaning as in Section 1.2 of Part 1 of Schedule 1.