

## SCHEDULE 11

### CONSEQUENTIAL MODIFICATIONS

#### PART 1

#### PUBLIC GENERAL ACTS

##### ***The Environmental Protection Act 1990***

- 1.—(1) The 1990 Act is amended in accordance with sub-paragraphs (2) to (5).
- (2) In section 6 (authorisations: general provisions), for subsections (6A) and (6B) substitute—
  - “(6A) Subsection (6) does not require a review of the conditions of an authorisation to be carried out if the prescribed process covered by the authorisation is—
    - (a) a Part A activity,
    - (b) a Part B activity,
    - (c) a solvent emission activity, or
    - (d) carried out using mobile plant.
  - (6B) In subsection (6A), “Part A activity”, “Part B activity”, “solvent emission activity” and “mobile plant” have the meanings given in the Pollution Prevention and Control (Scotland) Regulations 2012.”.
- (3) In section 34(1) (duty of care etc. as respects waste), for paragraph (aa) substitute—
  - “(aa) to prevent a contravention by any other person of regulation 11 of the Pollution Prevention and Control (Scotland) Regulations 2012, or of a condition of a permit granted under those Regulations;”.
- (4) In section 35(11A)(waste management licences: general), for “license” substitute “licence”.
- (5) In section 78YB (2C) (interaction of this Part with other enactments), for the definition of “enforcement action” substitute—
  - ““enforcement action” means action under regulation 55 (SEPA: enforcement notices) or regulation 57(2) (SEPA: power to prevent or remedy pollution) of the Pollution Prevention and Control (Scotland) Regulations 2012.”.