
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 541

**The Waste Management Licensing
Amendment (Scotland) Regulations 2006**

Amendment of the Waste Management Licensing Regulations 1994

3. In regulation 1(3) (citation, commencement, interpretation and extent)–

(a) after the definition of “agricultural waste” insert–

““co-incineration” means the use of wastes as a regular or additional fuel in a co-incineration plant or the thermal treatment of waste for the purposes of disposal in a co-incineration plant;

“co-incineration plant” means any stationary or mobile plant whose main purpose is the generation of energy or production of material products and–

— which uses wastes as a regular or additional fuel, or

— in which waste is thermally treated for the purpose of disposal,

if co-incineration takes place in such a way that the main purpose of the plant is not the generation of energy or production of material products but rather the thermal treatment of waste, the plant shall be regarded as an incineration plant; this definition covers the site and the entire plant including all co-incineration lines, waste reception, storage, on site pre treatment facilities, waste-, fuel- and air supply systems, boiler, facilities for the treatment of exhaust gases, on site facilities for treatment or storage of residues and waste water, stack devices and systems for controlling incineration operations, recording and monitoring incineration conditions;”;

(b) for the definition of “the Directive” substitute–

““the Directive” means Directive [2006/12/EC](#) of the European Parliament and of the Council of 5th April 2006 on waste⁽¹⁾,”

(c) in the definition of “European Waste Catalogue”, for “the Directive” substitute “Directive [75/442/EEC](#) on waste”;

(d) after the definition of “exempt activity” insert–

““incineration” means the thermal treatment of wastes with or without recovery of the combustion heat generated;

“incineration plant” means any stationary or mobile technical unit and equipment dedicated to the thermal treatment of wastes with or without recovery of the combustion heat generated. This includes the incineration by oxidation of waste as well as other thermal treatment processes such as pyrolysis, gasification or plasma processes in so far as the substances resulting from the treatment are subsequently incinerated. This definition covers the site and the entire incineration

(1) O.J. No. L 114, 27.04.2006, p.21. This Directive codifies Council Directive [75/442/EEC](#) (O.J. No. L 194, 25.07.1965, p.39) as amended by Council Directive [91/156/EEC](#) (O.J. No. L 78, 26.03.1991, p.32), Council Directive [91/156/EEC](#) (O.J. No. L 377, 31.12.1991, p.48), Commission Decision [96/350/EC](#) (O.J. No. L 135, 06.06.1996, p.32) and Regulation (EC) No. [1882/2003](#) of the European Parliament and of the Council (O.J. No. L 284, 31.10.2003, p.1).

plant including all incineration lines, waste reception, storage, on site pre treatment facilities, waste-, fuel- and air-supply systems, boiler, facilities for the treatment of exhaust gases, on site facilities for treatment or storage of residues and waste water, stack devices and systems for controlling incineration operations recording and monitoring incineration conditions;”;

(e) after the definition of “the water environment”⁽²⁾ insert–

““WEEE” means electrical or electronic equipment which is waste including all components, subassemblies and consumables which are part of the product at the time of discarding;

“the WEEE Directive” means Directive [2002/96/EC](#) of the European Parliament and of the Council of 27th January 2003 on waste electrical and electronic equipment (WEEE)⁽³⁾ as amended by Directive [2003/108/EC](#)⁽⁴⁾”.

(2) The definition of “the water environment” was inserted by [S.I. 2006/128](#), regulation 3.

(3) O.J. No. L 37, 13.02.2003, p.24.

(4) O.J. No. L 345, 31.12.2003, p.106.