

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.”.

Changes to legislation:

There are currently no known outstanding effects for the The Pollution Prevention and Control (Scotland) Regulations 2012, Paragraph 1.