
STATUTORY INSTRUMENTS

1993 No. 2405

The Environmental Protection (Prescribed Processes and Substances) (Amendment) (No. 2) Regulations 1993

Amendment of Schedule 2 to the 1991 Regulations

3. In Schedule 2 to the 1991 Regulations (rules for the interpretation of Schedule 1), for paragraphs 2 and 3 there shall be substituted the following paragraphs:

“**2.**—(1) Any description of a process includes any other process carried on at the same location by the same person as part of that process; but this rule does not apply in relation to any two or more processes described in different Sections of Schedule 1 which, accordingly, require distinct authorisation.

(2) For the purposes of this paragraph, two or more processes which are described in Part A of different Sections of Chapter 4 of Schedule 1 shall be treated as if they were described in the same Section.

2A. Notwithstanding the rule set out in paragraph 2, where a combustion process described in Part A of Section 1.3 of Schedule 1(a) is operated, or where one or more boilers, furnaces or other combustion appliances which are operated as part of a process so described are operated, as an inherent part of and primarily for the purpose of a process described in Part A of Section 1.1, Part A of Section 1.4 or Part A of any Section of Chapter 4 of that Schedule (“the other process”), that combustion process or, as the case may be, the operation of those boilers, furnaces or appliances shall be treated as part of the other process and not as, or as part of, a separate combustion process.

3. Where a person carries on a process which includes two or more processes described in the same Section of Schedule 1 those processes shall be treated as requiring authorisation as a single process; and if the processes involved are described in both Part A and Part B of the same Section, they shall all be regarded as part of a Part A process and so subject to central control.

3A. Where a person carries on a process which includes two or more processes described in Part A of different Sections of Chapter 4 of Schedule 1, those processes shall be treated as a single process falling within a description determined in accordance with the rule set out in paragraph 4.

3B.—(1) Where paragraph 3A does not apply, but—

(a) two or more processes falling within descriptions in Part A of any Sections of Chapter 4 of Schedule 1 are carried on at the same location by the same person; and

(b) the carrying on of both or all of those processes at that location by that person is not likely to produce more than 250 tonnes of relevant products in any 12 month period,

those processes shall be treated as a single process falling within the description in whichever relevant Section is first mentioned in the sequence set out in paragraph 4.

(2) In sub-paragraph (1), “relevant products” means any products of the processes in question, other than—

(a) solid, liquid or gaseous waste;

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- (b) by-products, if the total value of all such by-products is insignificant in comparison to the total value of the output of the processes; or
- (c) any substance or material retained in or added to the final product formulation, not as an active ingredient, but as a diluent, stabiliser or preservative or for a similar purpose.”.