

SCHEDULE 2

Regulation 4(1)

AMENDMENTS OF REGULATION 4 OF THE PRINCIPAL REGULATIONS COMING INTO FORCE ON 1ST DECEMBER 1994

1. For regulation 4(1)(ii) there shall be substituted the following—
 - “(ii) that it cannot result in the release into water of any substance prescribed by regulation 6(2) except—
 - (a) in a concentration which is no greater than the background concentration; or
 - (b) in a quantity which does not, in any 12 month period, exceed the background quantity by more than the amount specified in relation to the description of substance in column 2 of Schedule 5; and”.
2. In regulation 4(4) after the word “propels” there shall be inserted the words “or provides electricity for”.
3. In regulation 4(4A)(1) the words “which is designed to propel an aircraft, hovercraft, mechanically propelled road vehicle, railway locomotive or ship or other vessel” shall be omitted.
4. Regulation 4(5A)(2) shall be omitted.
5. For regulation 4(7) there shall be substituted the following—
 - “(7) In these Regulations—
 - “background concentration” means any concentration of the relevant substance which would be present in the release irrespective of any effect the process may have had on the composition of the release and, without prejudice to the generality of the foregoing, includes such concentration of the substance as is referred to in paragraph (8) below; and
 - “background quantity” means such quantity of the relevant substance as is referred to in paragraph (8) below.
 - (8) The concentration or, as the case may be, quantity mentioned in paragraph (7) above is such concentration or quantity as is present in—
 - (a) water supplied to the premises where the process is carried on;
 - (b) water abstracted for use in the process; and
 - (c) precipitation onto the premises on which the process is carried on.”.

(1) Regulation 4(4A) was inserted by S.I.1992/614, Schedule 1, paragraph 2.

(2) Regulation 4(5A) was inserted by S.I. 1992/614, Schedule 1, paragraph 3.