

SCHEDULE 4

TRANSITIONAL PROVISIONS

Existing landfills : transitional provisions

2.—(1) Paragraph 1 does not apply to a landfill if—

- (a) a landfill permit for its operation was granted on or after 16th July 2001 and before 15th June 2002;
- (b) it falls within paragraph (b) of Part A(1) of Section 5.2 in Part 1 of Schedule 1 to the 2000 Regulations and a waste management licence for its operation was granted on or after 16th July 2001 and before 15th June 2002; or
- (c) the prescribed date determined in accordance with Schedule 3 to the 2000 Regulations for the installation at which the landfill activity is carried out is before 15th June 2002 and an application for a landfill permit was duly made (but not determined) before 15th June 2002.

(2) In any case falling within sub-paragraph (1)(b), the waste management licence shall have effect on or after 15th June 2002 as if it were a landfill permit.

(3) In any case falling within sub-paragraph (1) the Environment Agency shall exercise its power to vary the relevant authorisation (or determine the outstanding application) so that the relevant requirements of these Regulations are complied with as soon as possible in relation to the landfill in question.

(4) In any case falling within sub-paragraph (1)(c), where an application for a waste management licence is also outstanding on 15th June 2002, there shall be no obligation on the Agency to determine the application for a waste management licence.