

2002 No. 2528

ENVIRONMENTAL PROTECTION, ENGLAND AND WALES

The Pollution Prevention and Control (Designation of Council Directives on Large Combustion Plants, Incineration of Waste and National Emission Ceilings) Order 2002

Made - - - - - *7th October 2002*

Coming into force - - - *9th October 2002*

The Secretary of State for Environment, Food and Rural Affairs, in exercise of the powers conferred on her by paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999(a), hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Pollution Prevention and Control (Designation of Council Directives on Large Combustion Plants, Incineration of Waste and National Emission Ceilings) Order 2002 and shall come into force on 9th October 2002.

(2) This Order extends to England and Wales only.

Designation

2. The following Directives are designated as relevant directives for the purposes of paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999:—

- (a) Council Directive 2000/76/EC on the incineration of waste(b);
- (b) Council Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants (c); and
- (c) Council Directive 2001/81/EC on national emission ceilings for certain atmospheric pollutants(d);

Michael Meacher
Minister of State,

7th October 2002

Department for Environment, Food and Rural Affairs

(a) 1999 c. 24: The Secretary of State can exercise these powers only in relation to England and Wales—see section 53 of the Scotland Act 1998 (c.46) and section 5 (3) of the Pollution Prevention and Control Act 1999.

(b) OJ No. L332, 28.12.2000, p.91.

(c) OJ No. L309, 27.11.2001, p.1.

(d) OJ No. L309, 27.11.2001, p.22.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the Directives listed below as relevant directives for the purposes of paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999 (“the Act”):

- (a) Council Directive 2000/76/EC on the incineration of waste;
- (b) Council Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants;
- (c) Council Directive 2001/81/EC on national emission ceilings for certain atmospheric pollutants.

Schedule 1 to the Act specifies particular purposes for which provision regulating polluting activities may be made under section 2 of the Act. Paragraph 20(1)(b) allows for making provision which corresponds to or is similar to any provision made, or capable of being made, under section 2(2) of the European Communities Act 1972 in connection with one of the relevant directives. The relevant directives are Council Directive 96/61/EC concerning integrated pollution prevention and control, Council Directive 75/442/EEC on waste, as amended, and any other directive of the Council of the European Communities designated by the Secretary of State for the purposes of that paragraph by order made by statutory instrument.

An Order under these powers was made on 5 November 2001 designating Council Directive 99/31/EC on the landfill of waste (S.I. No. 3585). That Order entered into force on 12 November 2001.

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