
STATUTORY INSTRUMENTS

2007 No. 3538

The Environmental Permitting
(England and Wales) Regulations 2007

PART 7

Miscellaneous and transitional provision, savings,
consequential amendments, revocations and repeals

Transitional provision: general

69.—(1) Except where it is the subject of a transitional application, a disposal licence, PPC permit or waste management licence which was in force at the relevant time becomes an environmental permit on the coming into force of these Regulations and must be treated as if it was granted under regulation 13(1).

(2) The holder of a waste management licence which becomes an environmental permit under these Regulations must be treated as the operator under that permit for the purposes of these Regulations.

(3) An establishment or undertaking which at the relevant time was registered in relation to an exempt activity under regulation 18 of the 1994 Regulations⁽¹⁾ is deemed to be registered in relation to an exempt waste operation under Schedule 2 on the coming into force of these Regulations.

(4) The information on any register at the relevant time which was required to be kept by—

- (a) section 20(1) or 64(1) of the 1990 Act⁽²⁾; or
- (b) regulation 29(1) of the 2000 Regulations,

is deemed to become information kept on a public register under these Regulations on their coming into force, to the extent that such keeping is required.

(5) Paragraph (6) applies where—

- (a) a PPC permit authorising the operation of an installation becomes an environmental permit by virtue of these Regulations; and
- (b) the environmental permit does not contain a condition giving effect to Article 12(1) of the IPPC Directive.

(6) If this paragraph applies, the environmental permit must be read as if it contained the following condition—

“If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change.

(1) Regulation 18 was amended by S.I.1995/288, 1996/593, 1998/606, 2000/1973, 2003/2635, 2005/1728, 2006/937, 2006/3315.

(2) Section 64(1) was amended by the Environment Act 1995, section 120 and Schedule 24.

In this condition “change in operation” means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.”.