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STATUTORY INSTRUMENTS

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**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: conversion of permits and licences subject to certain applications**

**70.**—(1) Each of the following becomes an environmental permit on the determination date and must be treated as if it was granted under regulation 13(1)—

- (a) a PPC permit which was the subject of an application for grant, outstanding at the relevant time, except an application to which regulation 71 applies;
- (b) a waste management licence which was the subject of an application for grant, outstanding at the relevant time;
- (c) a PPC permit which was the subject of an application, outstanding at the relevant time, for variation, transfer or surrender under, respectively, regulation 17, 18 or 19 of the 2000 Regulations;
- (d) a waste management licence which was the subject of an application, outstanding at the relevant time, for modification, surrender or transfer under, respectively, section 37, 39 or 40 of the 1990 Act.

(2) In this regulation, “determination date” means—

- (a) if an application is refused and the applicant appeals against that refusal, the date the appeal is determined or withdrawn;
- (b) if an application is granted and the applicant appeals against the imposition of conditions, the date the appeal is determined or withdrawn;
- (c) in any other case, the day following the last day on which an appeal against—
  - (i) the refusal of an application, or
  - (ii) the imposition of conditions pursuant to an application,

could be made, determined in accordance with the applicable provisions of the 1990 Act or the 2000 Regulations, as the case may be.