SCHEDULE 3

Descriptions: exempt waste operations and other operations
to which section 33(1)(a) of the 1990 Act does not apply

PART 2

Other operations to which section 33(1)
(a) of the 1990 Act does not apply: descriptions

Temporary storage of ships' garbage or tank washings

49.—(1) Temporary storage of waste consisting of garbage, including any such waste which is hazardous waste, at reception facilities provided within a harbour area in accordance with the 2003 Regulations where such storage is incidental to the collection or transport of the waste if—

(a) the amount of garbage so stored does not at any time exceed 20 cubic metres for each ship from which garbage has been landed; and

(b) no garbage is so stored for more than 7 days.

(2) Temporary storage of waste consisting of tank washings, including any such waste which is hazardous waste, at reception facilities provided within a harbour area in accordance with the 2003 Regulations where such storage is incidental to the collection or transport of the waste if—

(a) the amount of tank washings consisting of dirty ballast so stored does not at any time exceed 30% of the total deadweight of the ships from which such washings have been landed; and

(b) the amount of tank washings consisting of waste mixtures containing oil so stored does not at any time exceed 1% of the total deadweight of the ships from which such washings have been landed.

(3) In this paragraph—

(a) "the 2003 Regulations" means the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003(**1**);

(b) "garbage" has the same meaning as "ship generated waste" in regulation 2 of the 2003 Regulations;

(c) "harbour area" has the same meaning as in the Dangerous Substances in Harbour Areas Regulations 1987(**2**);

(d) "ship" means a vessel of any type whatsoever operating in the marine environment including submersible craft, floating craft and any structure which is a fixed or floating platform; and

(e) "tank washings" means waste residues from the tanks (other than the fuel tanks) or holds of a ship or waste arising from the cleaning of such tanks or holds.

Storing non-liquid waste pending its management elsewhere

50. Storing non-liquid waste at any place other than the premises where it is produced if—

(a) it is stored in a secure container, does not at any time exceed 50 cubic metres in total and is not kept for a period longer than 3 months;

(**1**) S.I.2003/1809.
(**2**) S.I. 1987/37, to which there are amendments not relevant to these Regulations.

(b) the person storing the waste is the owner of the container or has the consent of the owner;

(c) the place where it is stored is not a site designed or adapted for—

(i) the reception of waste with a view to its being disposed of or recovered elsewhere, or

(ii) the recovery of scrap metal or the dismantling of waste motor vehicles; and

(d) such storage is incidental to the collection or transport of the waste.

Temporary storage of scrap rails

51. Temporary storage of scrap rails on operational land of a railway, a light railway or a tramway if the total quantity of that waste in any one place does not at any time exceed 10 tonnes and the storage is incidental to the collection or transport of the scrap rails.

Temporary storage of waste on the site where it is produced

52.—(1) Temporary storage of waste, including WEEE, pending its collection, on the site where it is produced if—

(a) the storage is not at a place designed or adapted for the recovery of scrap metal or the dismantling of vehicles;

(b) in the case of vehicles, the storage complies with—

(i) the general requirements in Article 4 of the Waste Framework Directive, and

(ii) the relevant minimum technical requirements described in Annex I of the End-of-Life Vehicles Directive; and

(c) in the case of hazardous waste it is stored on the site for no more than 12 months, and—

(i) if liquid, it is stored in a secure container and the total volume of that waste does not at any time exceed 23,000 litres, and

(ii) in any other case, either it is stored in a secure container and the total volume of that waste does not at any time exceed 80 cubic metres, or it is stored in a secure place and the total volume of that waste does not at any time exceed 50 cubic metres.

(2) In this paragraph “vehicle” means a motor vehicle of any type that is waste.