

---

STATUTORY INSTRUMENTS

---

**2010 No. 675**

**ENVIRONMENTAL PROTECTION,  
ENGLAND AND WALES**

**The Environmental Permitting  
(England and Wales) Regulations 2010**

*Made - - - - 10th March 2010  
Coming into force in accordance with  
regulation 1(1)(b)*

CONTENTS

PART 1

General

1. Citation, commencement, extent and application
2. Interpretation: general
3. Interpretation: Directives
4. Exempt facilities
5. Interpretation: exempt facilities
6. Interpretation: local authority
7. Interpretation: operate a regulated facility and operator
8. Interpretation: regulated facility and class of regulated facility
9. Interpretation: relevant function
10. Giving notices, notifications and directions, and the submission of forms

PART 2

Environmental Permits

CHAPTER 1

Application to the Crown and requirement for an environmental permit

11. Application to the Crown
12. Requirement for environmental permit

## CHAPTER 2

### Grant of an environmental permit

13. Grant of an environmental permit
14. Content and form of an environmental permit
15. Conditions in relation to certain land
16. Mobile plant operating on the site of another regulated facility: conflict of permit conditions
17. Single site permits etc.
18. Consolidation of an environmental permit
19. Subsistence of an environmental permit

## CHAPTER 3

### Variation, transfer, revocation and surrender of an environmental permit

20. Variation of an environmental permit
21. Transfer of an environmental permit
22. Revocation of an environmental permit: general
23. Revocation of an environmental permit: steps to be taken after the revocation takes effect
24. Notification of the surrender of an environmental permit
25. Application for the surrender of an environmental permit

## CHAPTER 4

### Standard rules

26. Preparation and revision of standard rules
27. Standard rules as conditions of an environmental permit
28. Notification of revisions of standard rules
29. Revocation of standard rules
30. Variation of an environmental permit: revocation of standard rules

## CHAPTER 5

### Appeals in relation to environmental permits

31. Appeals to an appropriate authority

### PART 3

#### Discharge of functions in relation to a regulated facility

32. Discharge of functions
33. Direction to a regulator: discharge of functions by a different regulator
34. Review of environmental permits and inspection of regulated facilities
35. Specific provisions applying to environmental permits

### PART 4

#### Enforcement and offences

36. Enforcement notices

- 37. Suspension notices
- 38. Offences
- 39. Penalties
- 40. Defences
- 41. Offences by bodies corporate
- 42. Enforcement by the High Court
- 43. Admissibility of evidence
- 44. Power of court to order cause of offence to be remedied

## PART 5

### Public Registers

- 45. Interpretation of this Part
- 46. Duty of the regulator to maintain a public register
- 47. Exclusion from public registers of information affecting national security
- 48. Exclusion from public registers of confidential information
- 49. Procedure if the regulator considers that information may be confidential
- 50. Duty to determine confidentiality
- 51. Determination of confidentiality
- 52. Procedure following a determination
- 53. Appeals in relation to confidentiality
- 54. Consequences of an appeal
- 55. Reconsideration of confidentiality
- 56. Directions of the appropriate authority in relation to confidentiality

## PART 6

### Powers and functions of the regulator and the appropriate authority

- 57. Power of the regulator to prevent or remedy pollution
- 58. Environment Agency: notices in relation to emissions to water
- 59. Environment Agency: public participation statement
- 60. Power to require the provision of information
- 61. Directions to regulators and exemption registration authorities: general
- 62. Reference of applications to an appropriate authority
- 63. Directions to the Agency: installations outside the United Kingdom
- 64. Guidance to regulators and exemption registration authorities
- 65. Fees and charges in relation to the exercise of regulator's functions by local authorities
- 66. Plans relating to emissions

## PART 7

### Miscellaneous provisions

#### Chapter 1

#### Interpretation

- 67. Interpretation of this Part

## Chapter 2

### Further provision – waste and extractive waste

68. Further provision in relation to waste and extractive waste

## Chapter 3

### Transitional provisions - former enactments

69. Existing permits
70. Site plans not required for existing permits
71. Review of existing groundwater permits
72. Radioactive substances exemption orders
73. Exempt water discharge activities
74. Exempt groundwater activities
75. Transitional applications
76. Transfer notices under former enactments
77. Existing notices under former enactments
78. Outstanding appeals against existing notices
79. Appeals under these Regulations against existing notices
80. Decisions under former enactments
81. Outstanding appeals against decisions under former enactments
82. Appeals under these Regulations against decisions under former enactments
83. Existing directions under former enactments
84. Public registers under former enactments
85. Recovery of expenses for disposal of radioactive waste

## Chapter 4

### Transitional provisions – the 2007 Regulations and former PPC or waste legislation

86. Existing environmental permits
87. Applications under the 2007 Regulations
88. Applications for grant of PPC permit or waste management licence
89. 2007 transitional applications for grant of PPC permit, other than in relation to landfill
90. 2007 transitional applications for grant of PPC permit in relation to landfill
91. 2007 transitional applications for grant of PPC permit in relation to landfill: applications determined under the 2007 Regulations
92. 2007 transitional applications not relating to grant of PPC permit
93. Notifications of surrender
94. Existing notices under the 2007 Regulations or former PPC or waste legislation
95. Outstanding appeals against existing notices
96. Appeals under these Regulations against existing notices
97. Decisions under the 2007 Regulations or former PPC or waste legislation
98. Outstanding appeals against decisions under the 2007 Regulations or former PPC or waste legislation
99. Appeals under these Regulations against decisions under the 2007 Regulations or former PPC or waste legislation
100. Other existing notices and instruments
101. Existing directions under the 2007 Regulations

- 102. Public registers
- 103. Existing exempt waste operations
- 104. Existing Part A(1) installations
- 105. Existing mining waste operations

## Chapter 5

### Savings and consequential provisions

- 106. Savings
- 107. Consequential amendments
- 108. Revocations
- 109. Repeals
- Signature

- 
- SCHEDULE 1 — Activities, installations and mobile plant
    - PART 1 — Interpretation and application: general
    - PART 2 — Activities
  - SCHEDULE 2 — Exempt facilities: general
  - SCHEDULE 3 — Exempt facilities: descriptions and conditions
    - PART 1 — Exempt waste operations: descriptions and conditions (specific and general)
    - PART 2 — Exempt water discharge activities: descriptions and conditions
    - PART 3 — Exempt groundwater activities: descriptions and conditions
  - SCHEDULE 4 — Application to the Crown
  - SCHEDULE 5 — Environmental permits
    - PART 1 — Grant, variation, transfer and surrender of environmental permits
    - PART 2 — Compensation in relation to conditions affecting certain interests in land
  - SCHEDULE 6 — Appeals to the appropriate authority
  - SCHEDULE 7 — Part A installations and Part A mobile plant
  - SCHEDULE 8 — Part B installations and Part B mobile plant
  - SCHEDULE 9 — Waste operations
  - SCHEDULE 10 — Landfill
  - SCHEDULE 11 — Waste motor vehicles
  - SCHEDULE 12 — Waste electrical and electronic equipment
  - SCHEDULE 13 — Waste incineration
  - SCHEDULE 14 — SED installations

SCHEDULE 15 — Large combustion plants

SCHEDULE 16 — Asbestos

SCHEDULE 17 — Titanium dioxide

SCHEDULE 18 — Petrol vapour recovery

SCHEDULE 19 — Waste batteries and accumulators

SCHEDULE 20 — Mining waste operations

SCHEDULE 21 — Water discharge activities

SCHEDULE 22 — Groundwater activities

SCHEDULE 23 — Radioactive substances activities

PART 1 — Application

PART 2 — Interpretation

PART 3 — The Basic Safety Standards Directive

PART 4 — The HASS Directive

PART 5 — Conditions in environmental permits

SCHEDULE 24 — Public registers

SCHEDULE 25 — Waste and extractive waste

PART 1 — Interpretation

PART 2 — Requirements of authorities

PART 3 — Operations to which section 33(1)(a) of the 1990 Act does not apply:  
descriptions and conditions

SCHEDULE 26 — Consequential amendments

PART 1 — Public General Acts

PART 2 — Subordinate legislation

SCHEDULE 27 — Revocations

SCHEDULE 28 — Repeals

Explanatory Note