
STATUTORY INSTRUMENTS

2011 No. 2043

**ENVIRONMENTAL PROTECTION,
ENGLAND AND WALES**

**The Environmental Permitting (England
and Wales) (Amendment) Regulations 2011**

Made - - - - 11th August 2011

Coming into force in accordance with regulation 1(b)

These Regulations are made in exercise of the powers conferred by sections 2 and 7(9) of, and Schedule 1 to, the Pollution Prevention and Control Act 1999 ^{M1}.

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, have in accordance with section 2(4) of that Act consulted ^{M2}—

- (a) the Environment Agency;
- (b) such bodies or persons appearing to them to be representative of the interests of local government, industry, agriculture and small businesses respectively as they consider appropriate; and
- (c) such other bodies or persons as they consider appropriate.

A draft of this instrument has been approved by a resolution of each House of Parliament and by the National Assembly for Wales pursuant to section 2(8) and (9)(d) and (e) of that Act ^{M3}.

Accordingly, the Secretary of State in relation to England, and the Welsh Ministers in relation to Wales, make the following Regulations.

Marginal Citations

M1 1999 c. 24. Paragraph 9A was inserted by S.I. 2005/925, [Schedule 6](#), paragraph 2(2)(a). Paragraph 21A was inserted by section 38 of the [Waste and Emissions Trading Act 2003](#) (c. 33). Paragraph 24 was amended by S.I. 2005/925, Schedule 6, paragraph 2(2)(b). Paragraph 25 was amended by section 105(1)(a) and (b) of the [Clean Neighbourhoods and Environment Act 2005](#) (c. 16). Functions of the Secretary of State under section 2 (except in relation to offshore oil and gas exploration and exploitation), so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 3 of the National Assembly for Wales (Transfer of Functions) Order 2005 (S.I. 2005/1958). Those functions were then transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the [Government of Wales Act 2006](#) (c. 32).

M2 The requirement in that section to consult the bodies and persons mentioned was transferred from the National Assembly for Wales to the Welsh Ministers by paragraph 30 of Schedule 11 to the

Status: Point in time view as at 01/10/2011.

Changes to legislation: There are currently no known outstanding effects for the The Environmental Permitting (England and Wales) (Amendment) Regulations 2011. (See end of Document for details)

[Government of Wales Act 2006 \(c. 32\)](#). The consultation carried out by the National Assembly for Wales has effect as if it were carried out by the Welsh Ministers by virtue of paragraph 39(3) of that Schedule to that Act.

- M3** The reference in section 2(8) to approval by each House of Parliament has effect in relation to exercise of functions by the Welsh Ministers as if it were a reference to approval by the National Assembly for Wales by virtue of paragraph 33 of Schedule 11 to the [Government of Wales Act 2006 \(c. 32\)](#).

PART 1

General

Citation and commencement

Interpretation

PART 2

Amendments to the 2010 Regulations

Amendment of the Environmental Permitting (England and Wales) Regulations 2010

Amendment of regulation 2 (interpretation: general)

Amendment of regulation 5 (interpretation: exempt facilities)

Amendment of regulation 12 (requirement for an environmental permit)

Amendment of regulation 14 (content and form of an environmental permit)

Amendment of regulation 17 (Single site permits etc.)

Amendment of regulation 67 (Interpretation of Part 7)

Revocation of regulation 72 (Radioactive substances exemption orders)

Insertion of regulations 72A, 72B, 72C and 72D

Amendment to Schedule 1 (activities, installations and mobile plant)

Amendment to Schedule 5 (environmental permits)

Amendment to Schedule 22 (groundwater activities)

Substitution of Schedule 23 (radioactive substances activities)

PART 3

Consequential amendments, repeals, savings and revocation

Consequential amendments

Repeals

Savings

Revocation

Status: Point in time view as at 01/10/2011.

Changes to legislation: There are currently no known outstanding effects for the The Environmental Permitting (England and Wales) (Amendment) Regulations 2011. (See end of Document for details)

one of the Welsh Ministers
Date 11th August 2011

John Griffiths
Minister for Environment and Sustainable
Development

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SCHEDULE 1

Regulation 15

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SCHEDULE 2

Regulation 16

Consequential amendments

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SCHEDULE 3

Regulation 18

Exemption orders

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EXPLANATORY NOTE

Status:

Point in time view as at 01/10/2011.

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Permitting (England and Wales) (Amendment) Regulations 2011.