

SCHEDULE 2

Regulation 11

Modifications to permits etc.

Modifications relating to hazardous waste codes

1.—(1) Any reference in a permit or standard rule to an outdated hazardous waste code is taken to be a reference to the equivalent updated code in accordance with the following correlation table—

<i>Outdated code</i>	<i>Updated code</i>
H1 (explosive)	HP1 (explosive)
H2 (oxidizing)	HP2 (oxidising)
H3-A (highly flammable)	HP3 (flammable)
H3-B (flammable)	HP3 (flammable)
H4 (irritant)	HP4 (irritant – skin irritation and eye damage)
H5 (harmful)	HP5 (specific target organ toxicity (STOT)/ aspiration toxicity); and
	HP6 (acute toxicity)
H6 (toxic)	HP5 (specific target organ toxicity (STOT)/ aspiration toxicity); and
	HP6 (acute toxicity)
H7 (carcinogenic)	HP7 (carcinogenic)
H8 (corrosive)	HP8 (corrosive)
H9 (infectious)	HP9 (infectious)
H10 (toxic for reproduction)	HP10 (toxic for reproduction)
H11 (mutagenic)	HP11(mutagenic)
H12 (waste which releases toxic or very toxic gases in contact with water, air or an acid)	HP12 (release of an acute toxic gas)
H13 (sensitizing)	HP13 (sensitising)
H14 (ecotoxic)	HP14 (ecotoxic)
H15 (waste capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics listed above)	HP15 (waste capable of exhibiting a hazardous property listed above not directly displayed by the original waste)

(2) In this paragraph—

“outdated hazardous waste code” means a code or description of a code set out in Annex III to Directive [2008/98/EC](#) of the European Parliament and of the Council on waste (properties of waste which render it hazardous), as adopted on 19th November 2008⁽¹⁾;

(1) OJ No L 312, 22.11.2008, p.3.

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“updated code” means a code or description of a code set out in Annex III to Directive [2008/98/EC](#) of the European Parliament and of the Council on waste, as amended by Commission Regulation (EU) No 1357/2014 replacing Annex III to Directive [2008/98/EC](#) of the European Parliament and of the Council on waste(2).

Modifications relating to list of wastes codes

2.—(1) Any reference in a permit or standard rule to a six-digit code in the outdated List of Wastes is taken to be a reference to the equivalent six-digit code in the updated List.

(2) In sub-paragraph (1)—

“outdated List of Wastes” means—

- (a) the EU List of Wastes, as adopted on 3rd May 2000(3);
- (b) the EU List of Wastes, as amended by Commission Decision [2001/118/EC](#) amending Decision 2000/532 as regards the list of wastes(4);
- (c) the EU List of Wastes, as last amended by Commission Decision [2001/119/EC](#) amending Decision [2000/532/EC](#) replacing Decision [94/3/EC](#) establishing a list of wastes pursuant to Article 1(a) of Council Directive [75/442/EEC](#) on waste and Council Decision [94/904/EC](#) establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive [91/689/EEC](#) on hazardous waste(5);
- (d) the EU List of Wastes, as last amended by Council Decision [2001/573/EC](#) amending Commission Decision [2000/532/EC](#) as regards the list of wastes(6); or
- (e) any of those lists as they were from time to time set out in the List of Wastes (England) Regulations 2005;

“six-digit code” means a six-digit code or a description of a six-digit code;

“updated List” means the list established by the EU List of Wastes, as last amended by Commission Decision 2014/955/EU amending Decision [2000/532/EC](#) on the list of waste pursuant to Directive [2008/98/EC](#) of the European Parliament and of the Council(7).

(3) In sub-paragraph (2), “the EU List of Wastes” means Commission Decision [2000/532/EC](#) replacing Decision [94/3/EC](#) establishing a list of wastes pursuant to Article 1(a) of Council Directive [75/442/EEC](#) on waste and Council Decision [94/904/EC](#) establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive [91/689/EEC](#) on hazardous waste.

Meaning of permit and standard rule

3. In this Schedule—

“permit” has the meaning given to “environmental permit” in regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2010(8) and includes a marine licence granted under Part 4 of the Marine and Coastal Access Act 2009(9);

“standard rule” means any rule published under regulation 26(5) of the Environmental Permitting (England and Wales) Regulations 2010.

(2) OJ No L 365, 19.12.2014, p.89.

(3) OJ No L 226, 6.9.2000, p.3.

(4) OJ No L 47, 16.2.2001, p.1.

(5) OJ No L 47, 16.2.2001, p.32.

(6) OJ No L 203, 28.7.2001, p.18.

(7) OJ No L 370, 30.12.2014, p.44.

(8) S.I. 2010/675, to which there are amendments not relevant to these Regulations.

(9) 2009 c.23.

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