

## SCHEDULE 3

Exempt facilities and waste operations to which section 33(1)  
(a) of the 1990 Act does not apply: descriptions and conditions

## PART 5

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

### **General and interpretation**

- 1.—(1) The descriptions in this Part are set out in the first sub-paragraph of each paragraph.
- (2) The conditions for each description are set out in the second sub-paragraph of each paragraph.
- (3) In this Part—
  - “collection” has the same meaning as in Article 3(10) of the Waste Framework Directive;
  - “collection point” means a place which is used for the collection of waste by an establishment or undertaking where the establishment or undertaking does not—
    - (a) receive payment for collecting the waste, or
    - (b) collect waste as its main business activity;
  - “place of production” has the meaning given in paragraph 1(1) of Part 1 of this Schedule.
- (4) For the purposes of this Part, a container, lagoon or other place is secure in relation to waste kept in it if—
  - (a) all reasonable precautions are taken to ensure that the waste cannot escape from it, and
  - (b) members of the public are unable to gain access to the waste.

### **Temporary storage at the place of production**

- 2.—(1) The temporary storage of any waste at the place of production, pending its collection.
- (2) For the purposes of this paragraph, the conditions are—
  - (a) no waste is stored for longer than 12 months, and
  - (b) the waste is stored in a secure place.

### **Temporary storage of waste at a place controlled by the producer**

- 3.—(1) The temporary storage of any waste, pending its collection, at a place controlled by the producer of the waste.
- (2) For the purposes of this paragraph, the conditions are—
  - (a) the producer has control over the waste and the storage place,
  - (b) the waste does not contain or consist of—
    - (i) unbonded asbestos, or
    - (ii) any substance with a flash point of less than 21 degrees Celsius,
  - (c) the operation is not carried on in the course of providing a waste management service to another person,
  - (d) the waste is stored in a secure place,

*Status: This is the original version (as it was originally made).*

- (e) where more than one type of waste is stored, the types are not mixed,
- (f) no waste is stored for longer than 3 months,
- (g) in relation to non-liquid waste, the total quantity stored at any one time does not exceed 50 cubic metres, and
- (h) in relation to liquid waste—
  - (i) the total quantity stored at any one time does not exceed 1,000 litres, and
  - (ii) the waste is stored in a container with secondary containment.

**Temporary storage at a collection point**

4.—(1) The temporary storage of waste at a collection point for the purposes of recovering or disposing of the waste elsewhere.

- (2) For the purposes of this paragraph, the conditions are that—
  - (a) the waste does not contain or consist of—
    - (i) asbestos;
    - (ii) any substance with a flash point of less than 21 degrees Celsius,
  - (b) where more than one type of waste is stored, the types are not mixed,
  - (c) in relation to WEEE, the total quantity of waste stored at any one time does not exceed 30 cubic metres,
  - (d) in relation to non-hazardous waste that—
    - (i) is not WEEE, and
    - (ii) is to be recovered elsewhere,the total quantity of waste stored any one time does not exceed 50 cubic metres, and
  - (e) in relation to waste not covered by paragraph (d) or (e), the total quantity of waste stored at any one time does not exceed 5 cubic metres.