

WELSH STATUTORY INSTRUMENTS

**2015 No. 1417**

**The Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2015**

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

4.—(1) The Environmental Permitting (England and Wales) Regulations 2010<sup>M1</sup> are amended as follows.

(2) In regulation 2(1) (interpretation: general) in the definition of “WEEE”, for “Article 3(b)” substitute “ Article 3(1)(e) ”.

(3) In regulation 3 (interpretation: Directives)—

(a) for the definition of “the Waste Framework Directive” substitute—

““the Waste Framework Directive” means Directive [2008/98/EC](#) of the European Parliament and of the Council on Waste<sup>M2</sup>.”;

(b) for the definition of “the WEEE Directive” substitute—

““the WEEE Directive” means Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE)<sup>M3</sup>.”.

(4) In paragraph 1 of chapter 1 of Part 1 of Schedule 3, (exempt facilities: descriptions and conditions)—

(a) in sub-paragraph (1) at the appropriate place insert—

““List of Wastes” means the list of wastes established by 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, as amended from time to time;”;

(b) for sub-paragraph (2) substitute—

“(2) In this Part, a six digit code used to refer to a waste is a reference to the waste specified by the six digit code in the List of Wastes except insofar as the waste in this Part in relation to such a code does not include some of the types of waste specified by the code in the List”.

(5) In section 2 of chapter 3 of part 1 of Schedule 3—

(a) in paragraph 1—

(i) in sub-paragraph (3)(e), for “dangerous substance” substitute “ hazardous substance ”;

(ii) for sub-paragraph (5), substitute—

“(5) In this paragraph, “hazardous substance” means a substance classified as hazardous as a consequence of fulfilling the criteria laid down in parts 2 to 5 of Annex 1 to Regulation (EC) No [1272/2008](#) on classification, labelling and packaging of substances and mixtures<sup>M4</sup>.”;

(b) in paragraph 11 sub-paragraph (3)(c), for “Annex III” substitute “ Annex VIII ”; and

- (c) in the table at paragraph 15(2), in the second column of the row beginning “160504\*”, for “dangerous substances”, substitute “hazardous substances”.
- (6) In section 2 of chapter 5 of part 1 of Schedule 3, in the table at paragraph 1(2), in the second column of the row beginning “150202\*”, for “dangerous substances” substitute “hazardous substances”.
- (7) In Schedule 12 (waste electrical and electronic equipment)—
  - (a) in paragraph 2, sub-paragraph (1), for “Article 3(b)” substitute “Article 3(1)(e)”;
  - (b) in paragraph 3—
    - (i) in sub-paragraph (1), for “Article 6(1) first paragraph and Article 6(3) and (4)” substitute “Articles 8(1) to (3) and 9(3)”;
    - (ii) for sub-paragraph (2) substitute—
      - “(2) But when interpreting the WEEE Directive for the purposes of this paragraph, ignore the following words in Article 9(3)—
        - (a) “or the registration referred to in paragraphs 1 and 2”; and
        - (b) “and for the achievement of the recovery targets set out in Article 11”.”.

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**Marginal Citations**

- M1** [S.I. 2010/675](#), of which there are amendments not relevant to these Regulations.
- M2** OJ No L 312, 22.11.2008, p. 3.
- M3** OJ No L 197, 24.7.2012, p.38.
- M4** OJ No L 353, 31.12.2008, p.1, as last amended by Commission Regulation (EU) No 1297/2014 (OJ No L 350, 6.12.14, p.1).

**Changes to legislation:**

There are currently no known outstanding effects for the The Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2015, Section 4.