SCOTTISH STATUTORY INSTRUMENTS

2005 No. 340

The Pollution Prevention and Control (Scotland) Amendment (No. 2) Regulations 2005

Amendment of the Pollution Prevention and Control (Scotland) Regulations 2000

14. In Schedule 1, Part 2 (interpretation of Part 1):–

(a) for paragraph 3 substitute–

"**3.** An activity shall not be taken to be an activity falling within:

(1) any section of Chapters 1 to 6 of Part 1 if it is carried out in a working museum to demonstrate an industrial activity of historic interest or if it is carried out for educational purposes in a school within the meaning of section 135(1) of the Education (Scotland) Act 1980(**1**); or

(2) subject to paragraph 3A, any section of Chapters 1 to 6 of Part 1 if it is carried out at an installation or mobile plant or in part of an installation or mobile plant used solely for research, development and testing of new products and processes";

(b) after paragraph 3 insert:–

"**3A.** Paragraph 3(2) shall only apply to any waste incineration installation if it is used solely for research, development and testing in order to improve the incineration process and if it treats less than 50 tonnes of waste per year.";

(c) in paragraph 9(1) after "Part A" insert "or Part B";

(d) for paragraph 9(2) substitute:–

"(2) Where a person carries out several activities falling within the same description in Part A or Part B of any section of Part 1 of this Schedule in different parts of the same stationary technical unit or in different stationary technical units on the same site, the capacities of each part or unit shall be added together and the total capacity shall be attributed to each part or unit for the purpose of determining whether the activity carried out in each part or unit falls within a description in Part A or Part B of that section."

(e) in paragraph (14)(1) for the words "References" until "substances" substitute:–

"References to, or to the release on to land of, a substance listed in this paragraph are references to any of the following substances".

(**1**) 1980 c. 44.