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STATUTORY INSTRUMENTS

2005 No. 1673

ENVIRONMENTAL PROTECTION, ENGLAND

The List of Wastes (England) (Amendment) Regulations 2005

<i>Made</i>	- - - -	<i>23rd June 2005</i>
<i>Laid before Parliament</i>		<i>24th June 2005</i>
<i>Coming into force</i>	- -	<i>15th July 2005</i>

The Secretary of State, being a Minister designated⁽¹⁾ in relation to measures relating to the prevention, reduction and elimination of pollution caused by waste, in exercise of the powers conferred upon her by section 2(2) of the European Communities Act 1972⁽²⁾, makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the List of Wastes (England) (Amendment) Regulations 2005 and come into force on 15th July 2005.

(2) These Regulations apply to England only.

Amendment of the List of Wastes (England) Regulations 2005

2. The List of Wastes (England) Regulations 2005⁽³⁾ are amended as follows.

3. In regulation 2(1)—

(a) in sub-paragraph (b) for “Council Regulation (EC) No. 807/2003” substitute “Commission Directive 2004/73/EC⁽⁴⁾”; and

(b) in sub-paragraph (c)(i) omit “(England)”.

4. In regulation 4(n) for “R40 at a concentration = 1 %.” substitute “R68 at a concentration = 1%.”.

5. In the list quoted in Schedule 1—

(1) S.I. 1992/2870.

(2) 1972 c. 68.

(3) S.I. 2005/895.

(4) OJ L 152, 30.4.2004, p.1.

- (a) in chapter 8 insert at the appropriate place in numerical order—
- “08 01 17* wastes from paint or varnish removal containing organic solvents or other dangerous substances
 - 08 01 18 wastes from paint or varnish removal other than those mentioned in 08 01 17
 - 08 01 19* aqueous suspensions containing paint or varnish containing organic solvents or other dangerous substances
 - 08 01 20 aqueous suspensions containing paint or varnish other than those mentioned in 08 01 19
 - 08 01 21* waste paint or varnish remover
 - 08 01 99 wastes not otherwise specified”; and
- (b) in chapter 10 insert at the appropriate place in numerical order “10 13 07 sludges and filter cakes from gas treatment 2”.

Ben Bradshaw
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

23rd June 2005

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations correct minor errors in the List of Wastes (England) Regulations 2005 (S.I. 2005/895) before those regulations come into force. In particular, they add to the list of wastes set out in Schedule 1 to the Regulations, certain wastes which are included in the list set out in the Annex to Commission Decision 2000/532/EC (OJ No. L226, 6.9.2000, p.3) (as amended by Decisions 2001/118/EC, 2001/119/EC and 2001/532/EC) (“the List of Wastes Decision”). A consolidated text of the List of Wastes Decision is available at http://europa.eu.int/eur-lex/en/consleg/pdf/2000/en_2000D0532_do_001.pdf.

A transposition note has been prepared setting out the transposition of the Hazardous Waste Directive (91/689/EEC) and the List of Wastes Decision. A regulatory impact assessment has also been prepared. Copies of both are available in both Houses of Parliament and from the WM Hazardous Waste Unit, Department for Environment, Food and Rural Affairs, Zone 7/F15, Ashdown House, 123 Victoria Street, London SW1E 6DE.