

STATUTORY INSTRUMENTS

**2018 No. 1405**

**The Persistent Organic Pollutants  
(Amendment) (EU Exit) Regulations 2018**

**PART 4**

Amendments to retained direct EU legislation

**Amendments to Annex 5**

27.—(1) Annex 5 is amended as follows.

(2) In Part 1—

- (a) in the first paragraph, for “provided for in Annex IIA and IIB of [Directive 75/442/EEC](#)” substitute “listed in Annexes 1 and 2 of [Directive 2008/98/EC\(1\)](#)”;
- (b) in the entry for “R4”, in the sentence beginning “The operations are restricted”, for the words from “requirements the emission limit” to the end substitute “the following emission limit value for PCDDs and PCDFs.”;
- (c) after the entry for “R4” insert—

“The emission limit value for PCDDs and PCDFs is the average emission limit value of 0.1ng/Nm<sup>3</sup> over a sampling period of a minimum of 6 hours and a maximum of 8 hours. The emission limit value refers to the total concentration of PCDDs and PCDFs.

To determine the total concentration of PCDDs and PCDFs, the mass concentration of a dibenzo-p-dioxin or dibenzofuran in the first column of the following table shall be multiplied by the corresponding equivalence factor in the second column before summing:

<i>Substance</i>	<i>Toxic equivalence factor</i>
2,3,7,8 — Tetrachlorodibenzodioxin (TCDD)	1
1,2,3,7,8 — Pentachlorodibenzodioxin (PeCDD)	0.5
1,2,3,4,7,8 — Hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,6,7,8 — Hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,7,8,9 — Hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,4,6,7,8 — Heptachlorodibenzodioxin (HpCDD)	0.01

(1) OJNo. L 312, 22.11.2008, p. 3.

<i>Substance</i>	<i>Toxic equivalence factor</i>
Octachlorodibenzodioxin (OCDD)	0.001
2,3,7,8 — Tetrachlorodibenzofuran (TCDF)	0.1
2,3,4,7,8 — Pentachlorodibenzofuran (PeCDF)	0.5
1,2,3,7,8 — Pentachlorodibenzofuran (PeCDF)	0.05
1,2,3,4,7,8 — Hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,6,7,8 — Hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,7,8,9 — Hexachlorodibenzofuran (HxCDF)	0.1
2,3,4,6,7,8 — Hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,4,6,7,8 — Heptachlorodibenzofuran (HpCDF)	0.01
1,2,3,4,7,8,9 — Heptachlorodibenzofuran (HpCDF)	0.01
Octachlorodibenzofuran (OCDF)	0.001 <sup>2</sup> .

## (3) In Part 2—

## (a) in the table—

## (i) in the final column (operation)—

(aa) in point (2), for “Council [Directive 1999/31/EC](#) and Council [Decision 2003/33/EC](#)” substitute “the relevant regulations”;

## (bb) after point (3) insert—

“In point (2), “relevant regulations” means—

(a) for England and Wales, the Environmental Permitting (England and Wales) Regulations 2016;

(b) for Northern Ireland, the Landfill Regulations (Northern Ireland) 2003<sup>(2)</sup>;(c) for Scotland, the Landfill (Scotland) Regulations 2003<sup>(3)</sup>.”;

## (ii) in endnote (2)—

(aa) for “considered” substitute “categorised”;

(bb) for the words from “pursuant” to the end substitute “under Commission [Decision 2000/532/EC](#)”;

(cc) omit endnotes (5) and (6).

(2) S.R. 2003 No. 496, amended by S.R. 2004 No. 297, 2007 No. 179, 2007 No. 258, 2011 No. 101, 2013 No. 161.

(3) S.S.I. 2003/235, amended by S.S.I. 2003/343, 2013/222.