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DRAFT STATUTORY INSTRUMENTS

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**2011 No.**

**The Waste (England and Wales) Regulations 2011**

**PART 11**

Final provisions

**Registration: reduction of administrative burden**

**46.**—(1) This regulation applies to the Environment Agency in relation to registration of—

- (a) carriers and brokers of, and dealers in, controlled waste (see Part 8); and
- (b) establishments and undertakings carrying on exempt waste operations under Schedule 2 to the Environmental Permitting (England and Wales) Regulations 2010<sup>(1)</sup>.

(2) The Environment Agency must, where possible, use existing records held by it to obtain information for the registration process in order to reduce the administrative burden.

**Radioactive waste**

**47.**—(1) This regulation applies to radioactive waste where it is—

- (a) exempt from the requirement for an environmental permit by virtue of a specified order<sup>(2)</sup>; and
- (b) subject to a radioactive substances activity falling within paragraph 5(2)(b) or (c) or (4) of Part 2 of Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010.

(2) Radioactive waste to which this regulation applies must be treated as waste for the purposes of these Regulations.

(3) Sections 33 to 34C of the Environmental Protection Act 1990 apply to radioactive waste to which this regulation applies.

(4) In this regulation—

“environmental permit” has the meaning given in regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2010;

“radioactive waste” and “radioactive substances activity” have the meanings given in paragraphs 4 and 5 of Part 2 of Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010;

“specified order” means—

- (a) the Radioactive Substances (Phosphatic Substances, Rare Earths etc.) Exemption Order 1962<sup>(3)</sup>;

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<sup>(1)</sup> [S.I. 2010/675](#) to which there are amendments not relevant to these Regulations.

<sup>(2)</sup> See regulation 72 of the Environmental Permitting (England and Wales) Regulations 2010 ([S.I. 2010/675](#)).

<sup>(3)</sup> [S.I. 1962/2648](#).

- (b) the Radioactive Substances (Lead) Exemption Order 1962<sup>(4)</sup>; and
- (c) the Radioactive Substances (Substances of Low Activity) Exemption Order 1986<sup>(5)</sup>.

**Amendments and revocations**

**48.**—(1) Schedule 2 (amendments to the Hazardous Waste (England and Wales) Regulations 2005) has effect.

(2) Schedule 3 (amendments to the Environmental Permitting (England and Wales) Regulations 2010) has effect.

(3) Schedule 4 (amendments to other legislation) has effect.

(4) Schedule 5 (revocations) has effect.

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<sup>(4)</sup> S.I. 1962/2649.

<sup>(5)</sup> S.I. 1986/1002, amended by S.I. 1992/647.