

STATUTORY INSTRUMENTS

1994 No. 1056

The Waste Management Licensing Regulations 1994

Technical competence

4.—(1) Subject to paragraph (2) and regulation 5 below, a person is technically competent for the purposes of section 74(3)(b) of the 1990 Act in relation to a facility of a type listed in Table 1 below if, and only if, he is the holder of one of the certificates awarded by the Waste Management Industry Training and Advisory Board specified in that Table as being a relevant certificate of technical competence for that type of facility.

Table 1

Type of facility	Relevant certificate of technical competence
A landfill site which receives special waste.	Managing landfill operations: special waste (level 4).
A landfill site which receives biodegradable waste or which for some other reason requires substantial engineering works to protect the environment but which in either case does not receive any special waste.	<ol style="list-style-type: none">1. Managing landfill operations: biodegradable waste (level 4); or2. Managing landfill operations: special waste (level 4).
Any other type of landfill site with a total capacity exceeding 50,000 cubic metres.	<ol style="list-style-type: none">1. Landfill operations: inert waste (level 3); or2. Managing landfill operations: biodegradable waste (level 4); or3. Managing landfill operations: special waste (level 4).
A site on which waste is burned in an incinerator designed to incinerate waste at a rate of more than 50 kilograms per hour but less than 1 tonne per hour.	Managing incinerator operations: special waste (level 4).
A waste treatment plant where special waste is subjected to a chemical or physical process.	Managing treatment operations: special waste (level 4).
A waste treatment plant where waste is subjected to a chemical or physical process and none of the waste is special waste.	<ol style="list-style-type: none">1. Treatment operations: inert waste (level 3); or2. Managing treatment operations: special waste (level 4).
A transfer station where— (a) biodegradable, clinical or special waste is dealt with; and (b) the total quantity of waste at the station at any time exceeds 5 cubic metres.	Managing transfer operations: special waste (level 4).

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Type of facility	Relevant certificate of technical competence
A transfer station where—	1. Transfer operations: inert waste (level 3); or
(a) no biodegradable, clinical or special waste is dealt with; and	2. Managing transfer operations: special waste (level 4).
(b) the total quantity of waste at the station at any time exceeds 50 cubic metres.	
A civic amenity site.	Civic amenity site operations (level 3).

(2) Paragraph (1) above does not apply in relation to a facility which is used exclusively for the purposes of—

- (a) carrying on business as a scrap metal dealer or, in Scotland, as a metal dealer; or
- (b) dismantling motor vehicles.

(3) In this regulation—

“civic amenity site” means a place provided under section 1 of the Refuse Disposal (Amenity) Act 1978(1) or by virtue of section 51(1)(b) of the 1990 Act;

“clinical waste” has the meaning given by regulation 1(2) of the Controlled Waste Regulations 1992(2); and

“transfer station” means a facility where waste is unloaded in order to permit its preparation for further transport for treatment, keeping or disposal elsewhere.

(1) 1978 c. 3; section 1(1) is prospectively repealed by section 1(8), section 1(3) and (4) is modified for certain purposes by paragraph 14(1), and section 1(7) is amended by paragraph 14(4), of Schedule 2 to the Waste Regulation and Disposal (Authorities) Order 1985 (S.I.1985/1884) (paragraph 14(1) of that Order is amended by article 5 of the Local Government Reorganisation (Miscellaneous Provision) (No. 5) Order 1986 (S.I. 1986/564)).

(2) S.I. 1992/588, to which there are amendments not relevant to the definition of clinical waste.