

SCHEDULE 4

TRANSITIONAL PROVISIONS

Existing landfills : transitional provisions

3.—(1) The Environment Agency shall by notice in writing served on the operator no later than 16th July 2002, classify any landfill which appears to the Agency to require classification as a landfill for hazardous waste.

(2) If a landfill classified under sub-paragraph (1) as a landfill for hazardous waste ceases to accept hazardous waste in accordance with the conditioning plan required under paragraph 1(3), the Environment Agency may at any time before 16th July 2004 by notice in writing served on the operator revoke the classification made under sub-paragraph (1).

(3) The following provisions of these Regulations shall impose obligations directly on the operator of any landfill which is for the time being classified under sub-paragraph (1) as a landfill for hazardous waste pending determination of an application made pursuant to paragraph 1(9)—

(a) on or after 16th July 2002—

(i) regulation 9 (prohibition of acceptance of certain wastes); and

(ii) regulation 12 (waste acceptance procedures);

(b) on or after 16th July 2004, regulation 10(1) and (2) (waste acceptance requirements).

(4) For the purposes of applying regulation 9(1)(g) under sub-paragraph (3)(a)(i) in relation to the period beginning on 16th July 2002 and ending on 15th July 2004, only the criteria in paragraph 1 of Schedule 1 are to be treated as relevant waste acceptance criteria.

(5) The operator of a landfill which is not classified as a landfill for hazardous waste shall only accept hazardous waste at that landfill on or after 16th July 2002 in the circumstances specified in regulation 10(3)(c) and (4).