

STATUTORY INSTRUMENTS

2005 No. 894

The Hazardous Waste (England and Wales) Regulations 2005

PART 4

MIXING HAZARDOUS WASTE

Prohibition on mixing hazardous waste without a permit

19.—(1) Subject to paragraphs [^{F1}(2), (3) and (4)], no establishment or undertaking which carries out the disposal or recovery of hazardous waste, or which produces, collects or transports hazardous waste, shall mix any hazardous waste.

(2) Paragraph (1) does not apply so as to prohibit a process by which waste is produced and which results in the production of mixed wastes, being a process other than one which mixes a waste with any other waste, substance or material, resulting in—

- (a) a change in the nature or composition of that waste;
- (b) or the production of another waste.

(3) Paragraph (1) does not apply to the extent that the mixing is part of a disposal or recovery operation and is authorised by, and is conducted in accordance with, the requirements (howsoever expressed) of a waste permit ^{F2}....

[^{F3}(4) Paragraph (1) applies to the mixing of waste oil only where such mixing would impede regeneration or another recycling operation delivering an equivalent or a better overall outcome than regeneration.

(5) In paragraph (4)—

“recycling” means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes, including the reprocessing of organic material but not including energy recovery or reprocessing into materials that are to be used as fuels;

“regeneration” means any recycling operation whereby base oils can be produced by refining waste oils, in particular by removing the contaminants, the oxidation products and the additives contained in such oils.]

F1 Words in reg. 19(1) substituted (29.3.2011) by [The Waste \(England and Wales\) Regulations 2011 \(S.I. 2011/988\)](#), reg. 1(2), [Sch. 2 para. 9\(a\)](#) (with regs. 2, 47(2))

F2 Words in reg. 19(3) omitted (29.3.2011) by virtue of [The Waste \(England and Wales\) Regulations 2011 \(S.I. 2011/988\)](#), reg. 1(2), [Sch. 2 para. 9\(b\)](#) (with regs. 2, 47(2))

F3 Reg. 19(4)(5) substituted for reg. 19(4) (1.10.2020) by [The Waste \(Circular Economy\) \(Amendment\) Regulations 2020 \(S.I. 2020/904\)](#), regs. 1(1), [9\(4\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Hazardous Waste (England and Wales) Regulations 2005, Section 19.