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STATUTORY INSTRUMENTS

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**2007 No. 3538**

The Environmental Permitting  
(England and Wales) Regulations 2007

PART 7

Miscellaneous and transitional provision, savings,  
consequential amendments, revocations and repeals

**Further provision in relation to waste**

**68.**—(1) Section 33(1)(a) of the 1990 Act does not apply to an operation falling within a description in Part 2 of Schedule 3.

(2) But, paragraph (1) does not apply—

- (a) to the extent that the operation involves hazardous waste, or the storage or treatment of WEEE, unless otherwise indicated in that Part;
- (b) in relation to an operation falling within a description in paragraph 50, 51 or 52 of Schedule 3 unless the operation is carried on—
  - (i) by or with the consent of the occupier of the land where it is carried on, or
  - (ii) by a person who is otherwise entitled to do so on that land.

(3) Schedule 20 (further provision in relation to waste) has effect.