SCHEDULE 1 Regulation 2(1)

Activities, installations and mobile plant

PART 1

Interpretation and application: general

Interpretation

1.—(1) In this Schedule—

"activity" means, subject to this Part, an activity listed in Part 2 of this Schedule;

"installation" means—

(a) a stationary technical unit where one or more activities are carried on, and

(b) any other location on the same site where any other directly associated activities are carried on,

and references to an installation include references to part of an installation;

"net rated thermal input" means the rate at which fuel can be burned at the maximum continuous rating of the appliance, multiplied by the net calorific value of the fuel and expressed as megawatts thermal.

(2) In sub-paragraph (1), "directly associated activity" means an operation which—

(a) has a technical connection with the activity,

(b) is carried on on the same site as the activity, and

(c) could have an effect on pollution.

Activities falling within more than one Part description

2.—(1) Where, in Part 2 of this Schedule, an activity falls within a description in Part A(1) and a description in Part A(2), that activity must be regarded as falling only within that description which fits it most aptly.

(2) Where, in Part 2 of this Schedule, an activity falls within a description in Part A(1) and a description in Part B, that activity must be regarded as falling only within the description in Part A(1).

(3) Where, in Part 2 of this Schedule, an activity falls within a description in Part A(2) and a description in Part B, that activity must be regarded as falling only within the description in Part A(2).

Application of activities falling within Part 2

3. An activity is not to be taken to be an activity falling within Part 2 of this Schedule if it is—

(a) carried on in a working museum to demonstrate an industrial activity of historic interest,

(b) carried on for educational purposes in a school as defined in section 4(1) of the Education Act 1996(**1**),

(c) carried on at an installation, other than a waste incineration plant or a waste co-incineration plant, or by means of Part B mobile plant, where the installation or plant is used solely for research, development or testing of new products or processes,

(**1**) 1996 c. 56; section 4(1) was substituted by section 51 of the Education Act 1997 (c. 44) and amended by Part 3 of Schedule 22 to the Education Act 2002 (c. 32), section 95(1) and (2) of the Childcare Act 2006 (c. 21), and paragraph 9(1) and (2)(a) of Schedule 13 to the Education Act 2011 (c. 21).

(d) the running on or within an aircraft, hovercraft, mechanically propelled road vehicle, railway locomotive or ship or other vessel of an engine which propels or provides electricity for it,

(e) the running of an engine in order to test it before it is installed or in the course of its development,

(f) carried on as a domestic activity in connection with a private dwelling, or

(g) carried on at a waste incineration plant or a waste co-incineration plant used for research, development and testing in order to improve the incineration process and which treats less than 50 tonnes of waste per year.

Application of thresholds for Part A(1) or Part A(2) activities

4. For the purposes of assessing whether an activity is above any of the thresholds for any Part A(1) activity or Part A(2) activity, where several activities falling under the same description of activity containing a threshold are operated in the same installation, the capacities of those activities must be added together.

Operation below thresholds: effect on the installation

5.—(1) Where an operator is authorised by an environmental permit to operate an installation at which Part A(1) activities, Part A(2) activities or Part B activities which are described in Part 2 of this Schedule by reference to a threshold (whether in terms of capacity or otherwise) are carried on, the installation does not cease to be a Part A(1) installation, a Part A(2) installation or a Part B installation, as the case may be, by virtue of the installation being operated below the relevant threshold unless the permit ceases to have effect in accordance with these Regulations.

Application of Part B activities: releases into the air

6.—(1) Subject to sub-paragraph (2), an activity is not to be taken to be a Part B activity within Part 2 of this Schedule if it cannot result in the release into the air of a substance listed in sub-paragraph (3) or there is no likelihood that it will result in the release into the air of any such substance except in a quantity which is so trivial that it is incapable of causing pollution or its capacity to cause pollution is insignificant.

(2) Sub-paragraph (1) does not apply to an activity which may give rise to an offensive smell noticeable outside the site where the activity is carried on.

(3) References to, or to the release into the air of, a substance listed in this paragraph are to any of the following substances—

(a) oxides of sulphur and other sulphur compounds;

(b) oxides of nitrogen and other nitrogen compounds;

(c) oxides of carbon;

(d) organic compounds and partial oxidation products;

(e) metals, metalloids and their compounds;

(f) asbestos (suspended particulate matter and fibres), glass fibres and mineral fibres;

(g) halogens and their compounds;

(h) phosphorus and its compounds;

(i) particulate matter.

References to releases into water

7.—(1) References in Part 2 of this Schedule to a substance, or to the release into water of a substance, listed in this sub-paragraph or to its release in a quantity which, in any 12-month period, is greater than the background quantity by an amount specified in this sub-paragraph are references to the following substances and amounts—

Table

Substance	*Amount greater than the background quantity (in grams) in any 12-month period*
Mercury and its compounds	200 (expressed as metal)
Cadmium and its compounds	1,000 (expressed as metal)
All isomers of hexachlorocyclohexane	20
All isomers of DDT	5
Pentachlorophenol and its compounds	350 (expressed as PCP)
Hexachlorobenzene	5
Hexachlorobutadiene	20
Aldrin	2
Dieldrin	2
Endrin	1
Polychlorinated Biphenyls	1
Dichlorvos	0.2
1, 2-Dichloroethane	2,000
All isomers of trichlorobenzene	75
Atrazine	350(*)
Simazine	350(*)
Tributyltin compounds	4 (expressed as TBT)
Triphenyltin compounds	4 (expressed as TPT)
Trifluralin	20
Fenitrothion	2
Azinphos-methyl	2
Malathion	2
Endosulfan	0.5

(*) Where both Atrazine and Simazine are released, the figure for both substances in aggregate is 350 grams.

(2) In sub-paragraph (1), "background quantity" means, in relation to the release of a substance resulting from an activity, such quantity of that substance as is present in—

(a) water supplied to the site where the activity is carried on,

(b) water abstracted for use in the activity, and

(c) precipitation onto the site on which the activity is carried on.

References to certain substances

8.—(1) References in Part 2 of this Schedule to a substance listed in this paragraph are to any of the following substances—

(a) alkali metals and their oxides and alkaline earth metals and their oxides;

(b) organic solvents;

(c) azides;

(d) halogens and their covalent compounds;

(e) metal carbonyls;

(f) organo-metallic compounds;

(g) oxidising agents;

(h) polychlorinated dibenzofuran and any congener thereof;

(i) polychlorinated dibenzo-p-dioxin and any congener thereof;

(j) polyhalogenated biphenyls, terphenyls and naphthalenes;

(k) phosphorus;

(l) pesticides.

(2) In sub-paragraph (1), "pesticide" means any chemical substance or preparation prepared or used for destroying any pest, including those used for—

(a) protecting plants or wood or other plant products from harmful organisms,

(b) regulating the growth of plants,

(c) giving protection against harmful creatures or rendering such creatures harmless,

(d) controlling organisms with harmful or unwanted effects on water systems, buildings or other structures, or on manufactured products, or

(e) protecting animals against ectoparasites.

PART 2

Activities

CHAPTER 1

Energy activities

SECTION 1.1

Combustion activities

Part A(1)

(a) Burning any fuel in an appliance with a rated thermal input of 50 or more megawatts.

Interpretation and application of Part A(1)

1. For the purpose of Part A(1) of this Section, where two or more appliances with an aggregate rated thermal input of 50 or more megawatts are operated on the same site by the same operator, those appliances must be treated as a single appliance with a rated thermal input of 50 or more megawatts.

2. Nothing in this Part of this Section applies to burning fuels in an appliance installed on an offshore platform situated on, above or below those parts of the sea adjacent to England and Wales from the low water mark to the seaward baseline of the United Kingdom territorial sea.

3. In paragraph 2, "offshore platform" means any fixed or floating structure which—

(a) is used for the purposes of or in connection with the production of petroleum, and

(b) in the case of a floating structure, is maintained on a station during the course of production,

but does not include any structure where the principal purpose of the use of the structure is the establishment of the existence of petroleum or the appraisal of its characteristics, quality or quantity or the extent of any reservoir in which it occurs.

4. In paragraph 3, "petroleum" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.

5. Nothing in this Part of this Section applies to burning fuels in an appliance installed on a gas storage or unloading platform as defined in regulation 2 of the Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013(**2**).

Part B

Unless falling within Part A(1) of this Section—

(a) Burning any fuel in—

(i) a boiler,

(ii) a furnace,

(iii) a gas turbine, or

(iv) a compression ignition engine,

with a net rated thermal input of 20 or more megawatts, but a rated thermal input of less than 50 megawatts.

(b) Burning any waste oil in an appliance with a rated thermal input of less than 3 megawatts.

Interpretation and application of Part B

1. Part B does not apply to any activity falling within Part A(1) of Section 5.1.

2. For the purpose of paragraph (a) of Part B of this Section, where two or more appliances with an aggregate net rated thermal input of 20 or more megawatts are operated on the same site by the same operator, those appliances must be treated as a single appliance with a net rated thermal input of 20 or more megawatts.

SECTION 1.2

Gasification, liquefaction and refining activities

Part A(1)

(a) Refining gas where this is likely to involve the use of 1,000 or more tonnes of gas in any 12-month period.

(b) Operating coke ovens.

(c) Gasification or liquefaction of—

(i) coal, or

(**2**) S.I. 2013/971.

(ii) other fuels in installations with a total rated thermal input of 20 or more megawatts.

(d) Refining mineral oils.

(e) The loading, unloading, handling or storage of, or the physical, chemical or thermal treatment of—

(i) crude oil;

(ii) stabilised crude petroleum.

(f) Activities involving the pyrolysis, carbonisation, distillation, partial oxidation or other heat treatment of—

(i) coal (other than the drying of coal),

(ii) lignite,

(iii) oil,

(iv) other carbonaceous material, or

(v) mixtures of any of these,

otherwise than with a view to making charcoal.

(g) Activities involving the liquefaction or gasification of other carbonaceous material.

Interpretation and application of Part A(1)

1. Part A(1)(f) does not include—

(a) the use of any substance as a fuel;

(b) the incineration in a waste incineration plant or waste co-incineration plant of any substance as a waste;

(c) any activity for the treatment of sewage or sewage sludge;

(d) the anaerobic digestion of biodegradable material, whether or not containing or comprising waste.

2. In Part A(1)(f), the heat treatment of oil, other than distillation, does not include the heat treatment of waste oil or waste emulsions containing oil in order to recover the oil from aqueous emulsions.

3. In Part A(1), "carbonaceous material" includes such materials as charcoal, coke, peat, rubber and wood, but does not include wood which has not been chemically treated or sewage.

4. In paragraph (1)(d), "anaerobic digestion" means the mesophilic and thermophilic biological decomposition and stabilisation of biodegradable materials which—

(a) is carried on under controlled anaerobic conditions,

(b) produces a methane-rich gas mixture, and

(c) results in stable sanitised material that can be applied to land for the benefit of agriculture or to improve the soil structure or nutrients in land.

Part A(2)

(a) Refining gas where this activity does not fall within Part A(1)(a) of this Section.

Part B

(a) Blending odorant for use with natural gas or liquefied petroleum gas.

(b) The storage of petrol in stationary storage tanks at a terminal, or the loading or unloading at a terminal of petrol into or from road tankers, rail tankers or inland waterway vessels.

(c) The unloading of petrol into stationary storage tanks at a service station, if the total quantity of petrol unloaded into such tanks at the service station in any 12-month period is likely to be 500m^3 or more.

(d) Motor vehicle refuelling activities at an existing service station after the prescribed date, if the throughput of petrol at that service station in any 12-month period is or is likely to be in excess of 3,000m^3.

(e) Motor vehicle refuelling activities at a new service station, if the throughput of petrol at that service station in any 12-month period is, or is intended to be in excess of 500m^3.

(f) Motor vehicle refuelling activities at a new service station if the throughput of petrol at that service station in any 12-month period is, or is intended to be in excess of 100m^3 and it is situated under permanent living quarters or working areas.

Interpretation of Part B

1. In Part B—

"existing service station" means a service station—

(a) which was put into operation, or

(b) for which planning permission under the Town and Country Planning Act 1990(**3**) was granted,

before 1st January 2010;

"inland waterway vessel" means a vessel, other than a sea-going vessel, having a total dead weight of 15 or more tonnes;

"new service station" means—

(a) a service station for which planning permission under the Town and Country Planning Act 1990 was granted on or after 1st January 2010 and—

(i) in relation to paragraph (e) of Part B, it is put into operation on or after 1st January 2010;

(ii) in relation to paragraph (f) of Part B, it is put into operation on or after 1st January 2012;

(b) any existing service station which, on or after 1st January 2012, undergoes a major refurbishment, which has the same meaning as in PVR II;

"petrol" means any petroleum derivative (other than liquefied petroleum gas), with or without additives, having a Reid vapour pressure of 27.6 or more kilopascals, which is intended for use as a fuel for motor vehicles;

"prescribed date" means 31st December 2011 if the throughput is in excess of 3,500m^3 and 31st December 2018 if the throughput is in excess of 3,000m^3;

"service station" means any premises where petrol is dispensed to motor vehicle fuel tanks from stationary storage tanks but does not include any service station exclusively used in association with the construction and delivery of new motor vehicles;

"terminal" means any premises which are used for the storage and loading of petrol into road tankers, rail tankers or inland waterway vessels.

2. Any other expressions used in Part B which, in relation to paragraphs (b) and (c), are also used in PVR I or, in relation to paragraphs (d) to (f), are also used in PVR II, have the same meaning as in those Directives.

(**3**) 1990 c. 8.

CHAPTER 2

Production and processing of metals

SECTION 2.1

Ferrous metals

Interpretation of Section 2.1

1. In this Section, "ferrous alloy" means an alloy of which iron is the largest constituent, or equal to the largest constituent, by weight, whether or not that alloy also has a non-ferrous metal content greater than any percentage specified in Section 2.2.

Part A(1)

(a) Roasting or sintering metal ore, including sulphide ore, or any mixture of iron ore with or without other materials.

(b) Producing, melting or refining iron or steel or any ferrous alloy, including continuous casting, except where the only furnaces used are—

(i) electric arc furnaces with a designed holding capacity of less than 7 tonnes, or

(ii) cupola, crucible, reverberatory, rotary, induction, vacuum, electro-slag or resistance furnaces.

(c) Processing ferrous metals and their alloys by using hot-rolling mills with a production capacity of more than 20 tonnes of crude steel per hour.

(d) Loading, unloading or otherwise handling or storing more than 500,000 tonnes in total in any 12-month period of iron ore, except in the course of mining operations, or burnt pyrites.

Part A(2)

(a) Unless falling within Part A(1)(b) of this Section, producing pig iron or steel, including continuous casting, in a plant with a production capacity of more than 2.5 tonnes per hour.

(b) Operating hammers in a forge, the energy of which is more than 50 kilojoules per hammer, where the calorific power used is more than 20 megawatts.

(c) Applying protective fused metal coatings with an input of more than 2 tonnes of crude steel per hour.

(d) Casting ferrous metal at a foundry with a production capacity of more than 20 tonnes per day.

Part B

(a) Unless falling within Part A(1)(b) of this Section, producing pig iron or steel, including continuous casting, in a plant with a production capacity of 2.5 or less tonnes per hour.

(b) Unless falling within Part A(2)(a) or (d) of this Section, producing, melting or refining iron or steel or any ferrous alloy (other than producing pig iron or steel, including continuous casting) using—

(i) one or more electric arc furnaces, none of which has a designed holding capacity of 7 or more tonnes, or

(ii) a cupola, crucible, reverberatory, rotary, induction, vacuum, electro-slag or resistance furnace.

(c) Desulphurising iron, steel or any ferrous alloy.

(d) Heating iron, steel or any ferrous alloy (whether in a furnace or other appliance) to remove grease, oil or any other non-metallic contaminant (including such operations as the removal by heat of plastic or rubber covering from scrap cable), unless—

(i) it is carried on in one or more furnaces or other appliances the primary combustion chambers of which have in aggregate a rated thermal input of less than 0.2 megawatts,

(ii) it does not involve the removal by heat of plastic or rubber covering from scrap cable or of any asbestos contaminant, and

(iii) it is not related to any other activity falling within this Part of this Section.

(e) Unless falling within Part A(1) or Part A(2) of this Section, casting iron, steel or any ferrous alloy from deliveries of 50 or more tonnes of molten metal.

SECTION 2.2

Non-ferrous metals

Interpretation and application of Section 2.2

1. Part A(1) and Part B do not apply to hand soldering, flow soldering or wave soldering.

Part A(1)

(a) Unless falling within Part A(2) of this Section, producing non-ferrous metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic activities.

(b) Melting, including making alloys of, non-ferrous metals, including recovered products and the operation of non-ferrous metal foundries where—

(i) the plant has a melting capacity of more than 4 tonnes per day for lead or cadmium or 20 tonnes per day for all other metals, and

(ii) any furnace (other than a vacuum furnace), bath or other holding vessel used in the plant for the melting has a design holding capacity of 5 or more tonnes.

(c) Producing, melting or recovering (whether by chemical means or by electrolysis or by the use of heat) cadmium or mercury or any alloy containing more than 0.05 per cent by weight of either of those metals or both in aggregate.

Part A(2)

(a) Melting, including making alloys of, non-ferrous metals, including recovered products and operating of non-ferrous metal foundries where the plant has a melting capacity of more than 4 tonnes per day for lead or cadmium or 20 tonnes per day for all other metals, and—

(i) no furnace (other than a vacuum furnace), bath or other holding vessel used in the plant for the melting has a design holding capacity of 5 or more tonnes, or

(ii) the plant uses a vacuum furnace of any design holding capacity.

Part B

(a) Melting, including making alloys of, non-ferrous metals (other than tin or any alloy which in molten form contains 50 per cent or more by weight of tin), including recovered products (such as refining or foundry casting) in plant with a melting capacity of 4 tonnes or less per day for lead or cadmium or 20 tonnes or less per day for all other metals.

(b) Heating in a furnace or any other appliance any non-ferrous metal or non-ferrous metal alloy for the purpose of removing grease, oil or any other non-metallic contaminant, including such operations as the removal by heat of plastic or rubber covering from scrap cable, if not related to another activity described in this Part of this Section, unless—

(i) it involves the use of one or more furnaces or other appliances the primary combustion chambers of which have in aggregate a net rated thermal input of less than 0.2 megawatts, and

(ii) it does not involve the removal by heat of plastic or rubber covering from scrap cable or of any asbestos contaminant.

(c) Melting zinc or a zinc alloy in conjunction with a galvanising activity at a rate of 20 or less tonnes per day.

(d) Melting zinc, aluminium or magnesium or an alloy of one or more of these metals in conjunction with a die-casting activity at a rate of 20 or less tonnes per day.

(e) Unless falling within Part A(1) or Part A(2) of this Section, the separation of copper, aluminium, magnesium or zinc from mixed scrap by differential melting.

Interpretation and application of Part B

1. When determining the extent of an installation carrying on an activity within Part B(e), any location where the associated storage or handling of scrap which is to be heated as part of that activity is carried on, other than a location where scrap is loaded into a furnace, is to be ignored.

2. In Part B, "non-ferrous metal alloy" means an alloy which is not a ferrous alloy, as defined in Section 2.1.

SECTION 2.3

Surface treating metals and plastic materials

Part A(1)

(a) Unless falling within Part A(2) of this Section, surface treating metals and plastic materials using an electrolytic or chemical process where the aggregated volume of the treatment vats is more than $30m^3$.

Part A(2)

(a) Surface treating metals and plastic materials using an electrolytic or chemical process where the aggregated volume of the treatment vats is more than $30m^3$ and where the activity is carried on at the same installation as one or more activities falling within—

(i) Part A(2) or Part B of Section 2.1,

(ii) Part A(2) or Part B of Section 2.2, or

(iii) Part A(2) or Part B of Section 6.4.

Part B

(a) Any process for the surface treatment of metal which is likely to result in the release into air of any acid-forming oxide of nitrogen and which does not fall within Part A(1) or Part A(2) of this Section.

CHAPTER 3

Mineral industries

SECTION 3.1

Production of cement and lime

Part A(1)

(a) Producing cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or in other kilns with a production capacity exceeding 50 tonnes per day.

(b) Producing lime or magnesium oxide in kilns with a production capacity of more than 50 tonnes per day.

Part A(2)

(a) Grinding cement clinker.

Part B

(a) Storing, loading or unloading cement or cement clinker in bulk prior to further transportation in bulk.

(b) Blending cement in bulk or using cement in bulk other than at a construction site, including the bagging of cement and cement mixtures, the batching of ready-mixed concrete and the manufacture of concrete blocks and other cement products.

(c) Slaking lime for the purpose of making calcium hydroxide or calcium magnesium hydroxide.

(d) Producing lime or magnesium oxide where the activity does not involve the heating of more than 50 tonnes per day of calcium carbonate or calcium magnesium carbonate or both in aggregate.

SECTION 3.2

Activities involving asbestos

Interpretation of Section 3.2

1. In this Section "asbestos" means any of the following fibrous silicates: actinolite, amosite, anthophyllite, chrysotile, crocidolite and tremolite.

Part A(1)

(a) Producing asbestos or manufacturing products based on or containing asbestos.

(b) Stripping asbestos from railway vehicles except—

(i) in the course of the repair or maintenance of the vehicle,

(ii) in the course of recovery operations following an accident, or

(iii) where the asbestos is permanently bonded in cement or in any other material (including plastic, rubber or resin).

Part B

(a) Unless related to an activity falling within Part A(1) of this Section, the industrial finishing of—

(i) asbestos cement,

(ii) asbestos cement products,

(iii) asbestos fillers,

(iv) asbestos filters,

(v) asbestos floor coverings,

(vi) asbestos friction products,

(vii) asbestos insulating board,

(viii) asbestos jointing, packaging or reinforcement material,

(ix) asbestos packing,

(x) asbestos paper or card, or

(xi) asbestos textiles.

SECTION 3.3

Manufacturing glass and glass fibre

Part A(1)

(a) Manufacturing glass fibre in plant with a melting capacity exceeding 20 tonnes per day.

Part A(2)

(a) Manufacturing glass, unless falling within Part A(1) of this Section, where the melting capacity of the plant is more than 20 tonnes per day.

Part B

Unless falling within Part A(1) or Part A(2) of this Section—

(a) Manufacturing glass at any location with the capacity to make 5,000 or more tonnes of glass in any 12-month period, and any activity involving the use of glass which is carried on at any such location in conjunction with its manufacture.

(b) Manufacturing glass where the use of lead or any lead compound is involved.

(c) Manufacturing any glass product where lead or any lead compound has been used in the manufacture of the glass except—

(i) making products from lead glass blanks, or

(ii) melting, or mixing with another substance, glass manufactured elsewhere to produce articles such as ornaments or road paint.

(d) Polishing or etching glass or glass products in the course of any manufacturing activity if—

(i) hydrofluoric acid is used, or

(ii) hydrogen fluoride may be released into the air.

(e) Manufacturing glass frit or enamel frit and its use in any activity where that activity is related to its manufacture.

SECTION 3.4

Production of other mineral fibres

Part A(1)

(a) Melting mineral substances including the production of mineral fibres in plants with a melting capacity exceeding 20 tonnes per day.

SECTION 3.5

Other mineral activities

Part A(2)

(a) Manufacturing cellulose fibre reinforced calcium silicate board using unbleached pulp.

Part B

(a) Unless falling within Part A(1) or Part A(2) of any Section, the crushing, grinding or other size reduction, other than the cutting of stone, or the grading, screening or heating of any designated mineral or mineral product except where the operation of the activity is unlikely to result in the release into the air of particulate matter.

(b) Any of the following activities unless carried on at an exempt location—

(i) crushing, grinding or otherwise breaking up coal, coke or any other coal product;

(ii) screening, grading or mixing coal, coke or any other coal product;

(iii) loading or unloading petroleum coke, coal, coke or any other coal product except unloading on retail sale.

(c) The crushing, grinding or other size reduction, with machinery designed for that purpose, of bricks, tiles or concrete.

(d) Screening the product of any activity described in paragraph (c).

(e) Coating road stone with tar or bitumen.

(f) Loading, unloading or storing pulverised fuel ash in bulk prior to further transportation in bulk.

(g) The fusion of calcined bauxite for the production of artificial corundum.

Interpretation and application of Part B

1. In Part B—

"coal" includes lignite;

"designated mineral or mineral product" means—

(a) clay, sand or any other naturally occurring mineral other than coal;

(b) metallurgical slag;

(c) boiler or furnace ash produced from the burning of coal, coke or any other coal product;

(d) gypsum which is a by-product of any activity;

"exempt location" means—

(a) any premises used for the sale of petroleum coke, coal, coke or any coal product where the throughput of such substances at those premises in any 12-month period is in aggregate likely to be less than 10,000 tonnes, or

(b) any premises to which petroleum coke, coal, coke or any coal product is supplied only for use there;

"retail sale" means sale to the final customer.

2. Part B does not apply to any activity carried on underground.

SECTION 3.6

Ceramic production

Part A(1)

(a) Manufacturing ceramic products (including roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain) by firing in kilns, where—

(i) the kiln production capacity is more than 75 tonnes per day, or

(ii) the kiln capacity is more than $4m^3$ and the setting density is more than $300kg/m^3$,

and a reducing atmosphere is used other than for the purposes of colouration.

Part A(2)

(a) Unless falling within Part A(1) of this Section, manufacturing ceramic products (including roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain) by firing in kilns, where—

(i) the kiln production capacity is more than 75 tonnes per day, or

(ii) the kiln capacity is more than $4m^3$ and the setting density is more than $300kg/m^3$.

Part B

(a) Unless falling within Part A(1) or A(2) of this Section, firing heavy clay goods or refractory materials (other than heavy clay goods) in a kiln.

(b) Vapour glazing earthenware or clay with salts.

Interpretation of Part B

1. In Part B—

"clay" includes a blend of clay with ash, sand or other materials;

"refractory material" means material (such as fireclay, silica, magnesite, chrome-magnesite, sillimanite, sintered alumina, beryllia and boron nitride) which is able to withstand high temperatures and to function as a furnace lining or in other similar high temperature applications.

CHAPTER 4

The chemical industry

Interpretation of Chapter 4

1. In Part A(1) of the Sections of this Chapter, "producing" means the production on an industrial scale by chemical or biological processing of substances or groups of substances listed in the relevant Sections.

SECTION 4.1

Organic chemicals

Interpretation of Section 4.1

1. In this Section, "pre-formulated resin or pre-formulated gel coat" means any resin or gel coat which has been formulated before being introduced into polymerisation or co-polymerisation activity, whether or not the resin or gel coat contains a colour pigment, activator or catalyst.

Part A(1)

(a) Producing organic chemicals such as—

(i) hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic);

(ii) organic compounds containing oxygen (for example alcohols, aldehydes, ketones, carboxylic acids, esters, ethers, peroxides, phenols, epoxy resins);

(iii) organic compounds containing sulphur (for example sulphides, mercaptans, sulphonic acids, sulphonates, sulphates and sulphones and sulphur heterocyclics);

(iv) organic compounds containing nitrogen (for example amines, amides, nitrous-, nitro- or azo-compounds, nitrates, nitriles, nitrogen heterocyclics, cyanates, isocyanates, di-isocyanates and di-isocyanate prepolymers);

(v) organic compounds containing phosphorus (for example substituted phosphines and phosphate esters);

(vi) organic compounds containing halogens (for example halocarbons, halogenated aromatic compounds and acid halides);

(vii) organometallic compounds (for example lead alkyls, Grignard reagents and lithium alkyls);

(viii) plastic materials (for example polymers, synthetic fibres and cellulose-based fibres);

(ix) synthetic rubbers;

(x) dyes and pigments;

(xi) surface-active agents.

Part B

(a) Unless falling within Part A(1) of this Section, any activity where the carrying on of the activity by the person concerned at the location in question is likely to involve the use in any 12-month period of 5 or more tonnes of any di-isocyanate or of any partly polymerised di-isocyanate or, in aggregate, of both.

(b) The flame bonding or cutting with heated wires of polyurethane foams or polyurethane elastomers.

(c) Any activity for the polymerisation or co-polymerisation of any pre-formulated resin or pre-formulated gel coat which contains any unsaturated hydrocarbon, where the activity is likely to involve, in any 12-month period, the polymerisation or co-polymerisation of 100 or more tonnes of unsaturated hydrocarbon.

(d) Unless falling within Part A(1) of this Section, any activity involving the use of toluene di-isocyanate or partly polymerised di-isocyanate if—

(i) less than 5 tonnes of toluene di-isocyanate monomer is likely to be used in any 12-month period, and

(ii) the activity may result in a release into the air which contains toluene di-isocyanate.

Organic chemicals

Interpretation of Section 4.1

1. In this Section, "pre-formulated resin or pre-formulated gel coat" means any resin or gel coat which has been formulated before being introduced into polymerisation or co-polymerisation activity, whether or not the resin or gel coat contains a colour pigment, activator or catalyst.

Part A(1)

(a) Producing organic chemicals such as—

(i) hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic);

(ii) organic compounds containing oxygen (for example alcohols, aldehydes, ketones, carboxylic acids, esters, ethers, peroxides, phenols, epoxy resins);

(iii) organic compounds containing sulphur (for example sulphides, mercaptans, sulphonic acids, sulphonates, sulphates and sulphones and sulphur heterocyclics);

(iv) organic compounds containing nitrogen (for example amines, amides, nitrous-, nitro- or azo-compounds, nitrates, nitriles, nitrogen heterocyclics, cyanates, isocyanates, di-isocyanates and di-isocyanate prepolymers);

(v) organic compounds containing phosphorus (for example substituted phosphines and phosphate esters);

(vi) organic compounds containing halogens (for example halocarbons, halogenated aromatic compounds and acid halides);

(vii) organometallic compounds (for example lead alkyls, Grignard reagents and lithium alkyls);

(viii) plastic materials (for example polymers, synthetic fibres and cellulose-based fibres);

(ix) synthetic rubbers;

(x) dyes and pigments;

(xi) surface-active agents.

Part B

(a) Unless falling within Part A(1) of this Section, any activity where the carrying on of the activity by the person concerned at the location in question is likely to involve the use in any 12-month period of 5 or more tonnes of any di-isocyanate or of any partly polymerised di-isocyanate or, in aggregate, of both.

(b) The flame bonding or cutting with heated wires of polyurethane foams or polyurethane elastomers.

(c) Any activity for the polymerisation or co-polymerisation of any pre-formulated resin or pre-formulated gel coat which contains any unsaturated hydrocarbon, where the activity is likely to involve, in any 12-month period, the polymerisation or co-polymerisation of 100 or more tonnes of unsaturated hydrocarbon.

(d) Unless falling within Part A(1) of this Section, any activity involving the use of toluene di-isocyanate or partly polymerised di-isocyanate if—

(i) less than 5 tonnes of toluene di-isocyanate monomer is likely to be used in any 12-month period, and

(ii) the activity may result in a release into the air which contains toluene di-isocyanate.

SECTION 4.2

Inorganic chemicals

Part A(1)

(a) Producing inorganic chemicals such as—

(i) gases (for example ammonia, hydrogen chloride, hydrogen fluoride, hydrogen cyanide, hydrogen sulphide, oxides of carbon, sulphur compounds, oxides of nitrogen, hydrogen, oxides of sulphur, phosgene);

(ii) acids (for example chromic acid, hydrofluoric acid, hydrochloric acid, hydrobromic acid, hydroiodic acid, phosphoric acid, nitric acid, sulphuric acid, oleum and chlorosulphonic acid);

(iii) bases (for example ammonium hydroxide, potassium hydroxide, sodium hydroxide);

(iv) salts (for example ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate, cupric acetate, ammonium phosphomolybdate);

(v) non-metals, metal oxides, metal carbonyls or other inorganic compounds (for example calcium carbide, silicon, silicon carbide, titanium dioxide);

(vi) halogens or interhalogen compounds comprising two or more of halogens, or any compound comprising one or more of those halogens and oxygen.

(b) Unless falling within any other Section, any manufacturing activity which is likely to result in the release into the air of any hydrogen halide (other than the manufacture of glass or the coating, plating or surface treatment of metal) or which is likely to result in the release into the air or water of any halogen or any of the compounds mentioned in paragraph (a)(vi) (other than the treatment of water).

(c) Unless falling within any other Section, any manufacturing activity (other than the application of a glaze or vitreous enamel) involving the use of, or the use or recovery of, any compound of any of the following elements—

(i) antimony,

(ii) arsenic,

(iii) beryllium,

(iv) gallium,

(v) indium,

(vi) lead,

(vii) palladium,

(viii) platinum,

(ix) selenium,

(x) tellurium,

(xi) thallium,

where the activity may result in the release into the air of any of those elements or compounds or the release into water of any substance listed in paragraph 7(1) of Part 1 of this Schedule.

(d) Recovering any compound of cadmium or mercury.

(e) Unless falling within any other Section, any manufacturing activity involving the use of mercury or cadmium or any compound of either element or which may result in the release into the air of either of those elements or their compounds.

(f) Unless falling within any other Section, any activity (other than the combustion or incineration of carbonaceous material as defined in the Interpretation of Part A(1) of Section 1.2) which is likely to result in the release into the air of any acid-forming oxide of nitrogen.

SECTION 4.3

Chemical fertiliser production

Part A(1)

(a) Producing (including any blending which is related to their production) phosphorus-, nitrogen- or potassium-based fertilisers (simple or compound fertilisers).

SECTION 4.4

Plant health products and biocides

Part A(1)

(a) Producing plant health products or biocides.

SECTION 4.5

Pharmaceutical production

Part A(1)

(a) Producing pharmaceutical products.

SECTION 4.6

Explosives production

Part A(1)

(a) Producing explosives.

SECTION 4.7

Manufacturing activities involving carbon disulphide or ammonia

Part A(1)

(a) Any activity for the manufacture of a chemical which may result in the release of ammonia into the air, other than an activity in which ammonia is only used as a refrigerant.

SECTION 4.8

The storage of chemicals in bulk

Part B

(a) The storage in tanks, other than in tanks for the time being forming part of a powered vehicle, of any of the substances listed below, except where the total storage capacity of the tanks installed at the location in question in which the relevant substance may be stored is less than the figure specified below in relation to that substance—

(i) one or more acrylates, 20 tonnes (in aggregate);

(ii) acrylonitrile, 20 tonnes;

(iii) anhydrous ammonia, 100 tonnes;

(iv) anhydrous hydrogen fluoride, 1 tonne;

(v) toluene di-isocyanate, 20 tonnes;

(vi) vinyl chloride monomer, 20 tonnes;

(vii) ethylene, 8,000 tonnes.

CHAPTER 5

Waste management

SECTION 5.1

Incineration and co-incineration of waste

Part A(1)

(a) The incineration of hazardous waste in a waste incineration plant or waste co-incineration plant with a capacity exceeding 10 tonnes per day.

(b) The incineration of non-hazardous waste in a waste incineration plant or waste co-incineration plant with a capacity exceeding 3 tonnes per hour.

(c) The incineration, other than incidentally in the course of burning landfill gas or solid or liquid waste, of any gaseous compound containing halogens.

Part B

(a) The incineration in a small waste incineration plant with an aggregate capacity of 50kg or more per hour of the following waste—

(i) vegetable waste from agriculture or forestry;

(ii) vegetable waste from the food processing industry, if the heat generated is recovered;

(iii) fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered;

(iv) cork waste;

(v) wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings;

(vi) animal carcasses.

(b) The cremation of human remains.

Application of Part B

1. When determining the extent of an installation carrying on an activity within Part B, any location of the following description is to be ignored: any location where the associated storage or handling of wastes and residues which are to be incinerated as part of that activity is carried on, other than a location where the associated storage or handling of animal remains intended for burning in an incinerator used wholly or mainly for the incineration of such remains or residues from the burning of such remains in such an incinerator is carried on.

SECTION 5.2

Disposal of waste by landfill

Part A(1)

(a) The disposal of waste in a landfill—

(i) receiving more than 10 tonnes of waste in any day, or

(ii) with a total capacity of more than 25,000 tonnes,

but excluding disposals in a landfill taking only inert waste.

SECTION 5.3

Disposal or recovery of hazardous waste

Part A(1)

(a) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving one or more of the following activities—

(i) biological treatment;

(ii) physico-chemical treatment;

(iii) blending or mixing prior to submission to any of the other activities listed in this Section or in Section 5.1;

(iv) repackaging prior to submission to any of the other activities listed in this Section or in Section 5.1;

(v) solvent reclamation or regeneration;

(vi) recycling or reclamation of inorganic materials other than metals or metal compounds;

(vii) regeneration of acids or bases;

(viii) recovery of components used for pollution abatement;

(ix) recovery of components from catalysts;

(x) oil re-refining or other re-uses of oil;

(xi) surface impoundment.

SECTION 5.4

Disposal, recovery or a mix of disposal and recovery of non-hazardous waste

Part A(1)

(a) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day (or 100 tonnes per day if the only waste treatment activity is anaerobic digestion) involving one or more of the following activities, and excluding activities covered by Council Directive 91/271/EEC concerning urban waste-water treatment(**4**)—

(i) biological treatment;

(ii) physico-chemical treatment;

(iii) pre-treatment waste for incineration or co-incineration;

(iv) treatment of slags and ashes;

(v) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.

(b) Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day (or 100 tonnes per day if the only waste treatment activity is anaerobic digestion) involving one or more of the following activities, and excluding activities covered by Council Directive 91/271/EEC—

(i) biological treatment;

(ii) pre-treatment of waste for incineration or co-incineration;

(iii) treatment of slags and ashes;

(iv) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.

Interpretation of Part A(1)

1. In Part A(1), "anaerobic digestion" has the same meaning as in the Industrial Emissions Directive.

SECTION 5.5

The production of fuel from waste

Part A(1)

(a) Making solid fuel (other than charcoal) from waste by any process involving the use of heat.

SECTION 5.6

Temporary or underground storage of hazardous waste

Part A(1)

(a) Temporary storage of hazardous waste with a total capacity exceeding 50 tonnes pending any of the activities listed in Sections 5.1, 5.2, 5.3 and paragraph (b) of this Section, except—

(i) temporary storage, pending collection, on the site where the waste is generated, or

(ii) activities falling within Section 5.2.

(b) Underground storage of hazardous waste with a total capacity exceeding 50 tonnes.

(**4**) OJ No L 135, 30.5.1991, p 40, as last amended by Council Directive 2013/64/EU (OJ No L 353, 28.12.2013, p 8).

SECTION 5.7

Treatment of waste water

Part A(1)

(a) Independently operated treatment of waste water not covered by Directive 91/271/EEC and discharged by an installation carrying out any other Part A(1) or A(2) activity.

CHAPTER 6

Other activities

SECTION 6.1

Paper, pulp and board manufacturing activities

Part A(1)

(a) Producing, in industrial plant, pulp from timber or other fibrous materials.

(b) Producing, in industrial plant, paper and board where the plant has a production capacity of more than 20 tonnes per day.

Part A(2)

(a) Producing, in an industrial plant, one or more of the following wood-based panels with a production capacity exceeding 600m^3 per day: oriented strand board, particleboard or fibreboard.

SECTION 6.2

Carbon activities

Part A(1)

(a) Producing carbon or hard-burnt coal or electro-graphite by means of incineration or graphitisation.

SECTION 6.3

Tar and bitumen activities

Part A(1)

(a) The following activities—

(i) distilling tar or bitumen in connection with any process of manufacture, or

(ii) heating tar for the manufacture of electrodes or carbon-based refractory materials,

where the activity is likely to involve the use in any 12-month period of 5 or more tonnes of tar or of bitumen or both in aggregate.

Part B

(a) Any activity not falling within Part A(1) of this Section or of Section 6.2 involving—

(i) heating, but not distilling, tar or bitumen in connection with any manufacturing activity, or

(ii) oxidising bitumen by blowing air through it, at plant where no other activities described in any Section in this Schedule are carried on,

where the carrying on of the activity is likely to involve the use in any 12-month period of 5 or more tonnes of tar or bitumen or both in aggregate.

Interpretation of Part B

1. In Part B, "tar" and "bitumen" include pitch.

SECTION 6.4

Coating activities, printing and textile treatments

Part A(1)

(a) Pre-treating (by operations such as washing, bleaching or mercerization) or dyeing fibres or textiles in plant with a treatment capacity of more than 10 tonnes per day.

Part A(2)

(a) Unless falling within Part A(1) of this Section, surface treating substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating, in plant with a consumption capacity of more than 150kg or more per hour than 200 tonnes per year.

Part B

(a) Unless falling within Part A(1) or Part A(2) of this Section or Part A(2)(c) of Section 2.1, any process (other than for the re-painting or re-spraying of, or of parts of, aircraft or road or railway vehicles) for applying to a substrate, or drying or curing after such application, printing ink or paint or any other coating material as, or in the course of, a manufacturing activity, where the process may result in the release into the air of particulate matter or of any volatile organic compound and is likely to involve the use in any 12-month period of—

(i) 20 or more tonnes of printing ink, paint or other coating material which is applied in solid form,

(ii) 20 or more tonnes of any metal coating which is sprayed on in molten form,

(iii) 25 or more tonnes of organic solvents in respect of any cold set web offset printing activity or any sheet fed offset litho printing activity, or

(iv) 5 or more tonnes of organic solvents in respect of any activity not mentioned in sub-paragraph (iii).

(b) Unless falling within Part A(2) of this Section, re-painting or re-spraying road vehicles or parts of them if the activity may result in the release into the air of particulate matter or of any volatile organic compound and the carrying on of the activity is likely to involve the use of 1 or more tonnes of organic solvents in any 12-month period.

(c) Re-painting or re-spraying aircraft or railway vehicles or parts of them if the activity may result in the release into the air of particulate matter or of any volatile organic compound and the carrying on of the activity is likely to involve the use in any 12-month period of—

(i) 20 or more tonnes of any paint or other coating material which is applied in solid form,

(ii) 20 or more tonnes of any metal coatings which are sprayed on in molten form, or

(iii) 5 or more tonnes of organic solvents.

Interpretation and application of Part B

1. In Part B—

"aircraft" includes gliders and missiles;

"coating material" means paint, printing ink, varnish, lacquer, dye, any metal oxide coating, any adhesive coating, any elastomer coating, any metal or plastic coating and any other coating material.

2. The amount of organic solvents used in an activity must be calculated as—

(a) the total input of organic solvents into the process, including both solvents contained in coating materials and solvents used for cleaning or other purposes, less

(b) any organic solvents that are removed from the process for re-use or for recovery for re-use.

3. When determining the extent of an installation carrying on an activity within Part B, any location where the associated cleaning of used storage drums prior to painting or their incidental handling in connection with such cleaning is carried on is to be ignored, unless that location forms part of a regulated facility at which a solvent emission activity is carried out.

SECTION 6.5

The manufacture of dyestuffs, printing ink and coating materials

Part B

(a) Unless falling within Part A(1) or Part A(2) of any other Section—

(i) manufacturing or formulating printing ink or any other coating material containing, or involving the use of, an organic solvent, where the carrying on of the activity is likely to involve the use of 100 or more tonnes of organic solvents in any 12-month period;

(ii) manufacturing any powder for use as a coating where the process uses lead chromate or triglycidyl isocyanurate and material where there is the capacity to produce 200 or more tonnes of such powder in any 12-month period.

Interpretation of Part B

1. In Part B, "coating material" has the same meaning as in Section 6.4.

2. The amount of organic solvents used in an activity must be calculated as—

(a) the total input of organic solvents into the process, including both solvents contained in coating materials and solvents for cleaning or other purposes, less

(b) any organic solvents, not contained in coating materials, that are removed from the process for re-use or for recovery for re-use.

SECTION 6.6

Timber activities

Part A(2)

(a) Preservation of wood and wood products with chemicals with a production capacity exceeding 75m^3 per day other than exclusively treating against sapstain.

Part B

(a) Unless falling within Part A(2) of Section 6.1, manufacturing products wholly or mainly of wood at any works if the activity involves a relevant activity and the throughput of the works in any 12-month period is likely to be more than—

(i) 10,000 cubic metres in the case of works at which wood is only sawed, or wood is sawed and subjected to excluded activities, or

(ii) 1,000 cubic metres in any other case.

Interpretation of Part B

1. In Part B and in this paragraph—

"excluded activity" means any relevant activity (other than sawing) which, ignoring any sawing carried on at the works, would be unlikely to result in the release into the air of any substance in paragraph 6(3) of Part 1 of this Schedule in a quantity capable of causing significant harm;

"relevant activity" means the sawing, drilling, sanding, shaping, turning, planing, curing or chemical treatment of wood;

"throughput" means the amount of wood which is subjected to a relevant activity, but where wood is subject to two or more relevant activities at the same works, the second and any subsequent activity is to be ignored;

"wood" includes any product consisting wholly or mainly of wood;

"works" includes a sawmill or any other premises where relevant activities are carried on.

SECTION 6.7

Activities involving rubber

Part A(2)

(a) Manufacturing new tyres (but not remoulds or retreads) if this involves the use in any 12-month period of 50,000 or more tonnes of one or more of the following—

(i) natural rubber;

(ii) synthetic organic elastomers;

(iii) other substances mixed with them.

Part B

(a) Unless falling within Part A(1) or Part A(2) of any Section, the mixing, milling or blending of—

(i) natural rubber, or

(ii) synthetic organic elastomers,

if carbon black is used.

(b) Any activity which converts the product of an activity falling within paragraph (a) into a finished product if related to an activity falling within that paragraph.

SECTION 6.8

The treatment of animal and vegetable matter and food industries

Interpretation of Section 6.8

1.—(1) In this Section—

"animal" includes a bird or a fish;

"controlled waters" has the meaning given in section 104 of the 1991 Act;

"excluded activity" means—

(a) any activity carried on on a farm or agricultural holding other than—

(i) the manufacture of goods for sale;

(ii) the production of compost for growing mushrooms;

(b) the manufacture or preparation of food or drink for human consumption but excluding—

(i) the extraction, distillation or purification of animal or vegetable oil or fat otherwise than as an activity incidental to the cooking of food for human consumption;

(ii) any activity involving the use of green offal or the boiling of blood except the cooking of food (other than tripe) for human consumption;

(iii) the cooking of tripe for human consumption elsewhere than on premises on which it is to be consumed;

(c) the fleshing, cleaning and drying of pelts of fur-bearing mammals;

(d) any activity carried on in connection with the operation of a collection centre for animal by-products;

(e) any activity for the manufacture of soap not falling within Part A(1) of Section 4.1;

(f) the storage of vegetable matter not falling within any other Section;

(g) the manufacture of starch;

(h) the salting of hides or skins, unless related to any other activity listed in this Schedule;

(i) any activity for composting animal or vegetable matter or a combination of both, except where that activity is carried on for the purposes of cultivating mushrooms;

(j) any activity for cleaning, and any related activity for drying or dressing, seeds, bulbs, corms or tubers (and "related activity" means an activity being carried on by the same person at the same site);

(k) the drying of grain or pulses;

(l) any activity for the production of cotton yarn from raw cotton or for the conversion of cotton yarn into cloth;

(m) the drying of green crops;

"food" includes—

(a) drink,

(b) articles and substances of no nutritional value which are used for human consumption, and

(c) articles and substances used as ingredients in the preparation of food.

(2) In sub-paragraph (1)—

"green crops" means alfalfa (Lucerne), clover, grass, perennial ryegrass, tall fescue and other similar crops;

"green offal" means the stomach and intestines of any animal, other than poultry or fish, and their contents.

Part A(1)

(a) Tanning hides and skins at a plant with a treatment capacity of more than 12 tonnes of finished products per day.

(b) Slaughtering animals at a plant with a carcass production capacity of more than 50 tonnes per day.

(c) Disposing of or recycling animal carcasses or animal waste, other than by rendering in a small waste incineration plant, at a plant with a treatment capacity exceeding 10 tonnes per day of animal carcasses or animal waste or both in aggregate.

(d) Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed (where the weight of the finished product excludes packaging)—

(i) only animal raw materials (other than milk only) with a finished product production capacity greater than 75 tonnes per day;

(ii) only vegetable raw materials with a finished product production capacity greater than 300 tonnes per day or 600 tonnes per day where the installation operates for a period of no more than 90 consecutive days in any year;

(iii) animal and vegetable raw materials (other than milk only), both in combined and separate products, with a finished product production capacity in tonnes per day greater than—

(aa) 75 if A is equal to 10 or more, or

(bb) 300-(22.5 x A) in any other case,

where 'A' is the portion of animal material in percent of weight of the finished product production capacity.

(e) Treating and processing milk, the quantity of milk received being more than 200 tonnes per day (average value on an annual basis).

Part A(2)

(a) Disposing of or recycling animal carcasses or animal waste by rendering at plant or in a small waste incineration plant, where the plant or small waste incineration plant has a treatment capacity exceeding 10 tonnes per day of animal carcasses or animal waste or both in aggregate.

Part B

(a) Processing, storing or drying by the application of heat the whole or part of any dead animal or any vegetable matter (other than the treatment of effluent so as to permit its discharge into controlled waters or into a sewer unless the treatment involves the drying of any material with a view to its use as animal feedstuff) if the processing, storing or drying—

(i) does not fall within another Section, or Part A(1) or Part A(2) of this Section,

(ii) is not an excluded activity, and

(iii) may result in the release into the air of—

(aa) any substance listed in in paragraph 6(3) of Part 1 of this Schedule, or

(bb) any offensive smell noticeable outside the premises on which the activity is carried on.

(b) Breeding maggots in any case where 5kg or more of animal matter, vegetable matter or both in aggregate, are introduced into the process in any week.

SECTION 6.9

Intensive farming

Part A(1)

(a) Rearing poultry or pigs intensively in an installation with more than—

(i) 40,000 places for poultry,

(ii) 2,000 places for production pigs (over 30kg), or

(iii) 750 places for sows.

SECTION 6.10

Carbon capture and storage

Part A(1)

(a) Capture of carbon dioxide streams from an installation for the purposes of geological storage pursuant to Directive 2009/31/EC of the European Parliament and of the Council on the geological storage of carbon dioxide(**5**).

(**5**) OJ No L 140, 5.6.2009, p 114, as last amended by Directive 2011/92/EU (OJ No L 26, 28.1.2012, p 1).