
STATUTORY INSTRUMENTS

2020 No. 904

The Waste (Circular Economy) (Amendment) Regulations 2020

PART 3

Amendments to secondary legislation

The Hazardous Waste (England and Wales) Regulations 2005

9.—(1) The Hazardous Waste (England and Wales) Regulations 2005(1) are amended as follows.

(2) In regulation 2(1)(a), for “Council Regulation (EU) 2017/997” substitute “Directive (EU) 2018/851”.

(3) In regulation 5(2), in the definition of “management”, after “recovery” insert “(including sorting)”.

(4) For regulation 19(4) substitute—

“(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.”.

(5) In regulation 20—

(a) in paragraph (1)—

(i) for “This regulation” substitute “Paragraph (2)”;

(ii) in sub-paragraph (b)(i), omit “and economically”;

(b) after paragraph (2) insert—

“(2A) Where separation is not required pursuant to paragraph (2), the holder must make arrangements for mixed hazardous waste to be treated at a facility authorised by a waste permit to treat that waste.”.

(6) In regulation 47(5B)—

(a) after “landfill of waste” insert “, as last amended by Directive (EU) 2018/850(2)”;

(1) [S.I. 2005/894](#). Regulation 2(1)(a) was substituted by [S.I. 2016/738](#) and amended by [S.I. 2018/735](#) and is prospectively amended from IP completion day by [S.I. 2019/188](#). Regulation 5(2) was substituted by [S.I. 2011/988](#). Regulation 19(4) was inserted by [S.I. 2011/988](#). Regulations 47(5B) and 48(6B) were inserted by [S.I. 2011/988](#) and are prospectively amended from IP completion day by [S.I. 2019/188](#).

(2) OJ No L 150, 14.6.2018, p. 100.

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- (b) at the end insert “or (3)”.
- (7) In regulation 48(6B)—
 - (a) after “landfill of waste” insert “, as last amended by Directive (EU) 2018/850”;
 - (b) at the end insert “or (3)”.