



Deddf yr Amgylchedd (Cymru) 2016

2016 dccc 3

RHAN 4

CASGLU A GWAREDU GWASTRAFF

Gwaredu gwastraff

66 Gwahardd gwaredu gwastraff bwyd i garthffos

(1) Yn Neddf Diogelu'r Amgylchedd 1990, ar ôl adran 34C mewnosoder—

“Wales: disposal of food waste

34D Prohibition on disposal of food waste to sewer

- (1) An occupier of premises in Wales must not—
 - (a) discharge food waste produced on or brought onto the premises, or
 - (b) knowingly cause or knowingly permit food waste produced on or brought onto the premises to be discharged,into a public sewer or a sewer or drain communicating with a public sewer.
- (2) Subsection (1) does not apply to an occupier of premises within paragraph (a) or (b) of section 75(5) (domestic property and caravans).
- (3) A person commits an offence if, without reasonable excuse, the person contravenes subsection (1).
- (4) A person who commits an offence under subsection (3) is liable on summary conviction, or on conviction on indictment, to a fine.
- (5) In subsection (1)—

“food waste” means controlled waste that—

Statws This is the original version (as it was originally enacted).

- (a) has at any time been food (which for this purpose does not include drink) intended for human consumption, or
- (b) is biodegradable waste arising from the processing or preparation of food or drink,

but does not include waste that is mixed with water or any other liquid as a result of the water or liquid having been used to clean any place or equipment used in processing or preparing food or drink;

“drain”, “public sewer” and “sewer” have the meanings given in section 219(1) of the Water Industry Act 1991.

- (6) The Welsh Ministers may by regulations—
 - (a) provide for subsection (1) to apply only in circumstances specified in the regulations;
 - (b) make provision (which may include provision amending this section) for subsection (1) to apply subject to exceptions in addition to those in subsection (2);
 - (c) amend the definition of “food waste” in subsection (5).
- (7) Regulations under subsection (6)(a) or (b) may make different provision for different purposes, different cases (including different persons, premises or types of food waste) and different areas.”

(2) Yn adran 118 o [Ddeddf y Diwydiant Dŵr 1991 \(p. 56\)](#)—

- (a) yn is-adran (1), ar ôl “trade premises” mewnosoder “in England”;
- (b) ar ôl is-adran (1) mewnosoder—

“(1A) Subject to the following provisions of this Chapter and section 34D of the Environmental Protection Act 1990, the occupier of any trade premises in Wales in the area of a sewage undertaker may discharge any trade effluent proceeding from those premises into the undertaker’s public sewers if the occupier does so with the undertaker’s consent.”

67 Pŵer i wahardd neu reoleiddio gwaredu gwastraff drwy losgi

Ym [Mesur Gwastraff \(Cymru\) 2010 \(mccc 8\)](#), ar ôl adran 9 mewnosoder—

“9A Rheoliadau sy’n gwahardd llosgi gwastraff

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer gwahardd neu reoleiddio fel arall y weithred o losgi mathau penodedig o wastraff yng Nghymru, ac mewn cysylltiad â’i wahardd neu ei reoleiddio.
- (2) Caiff rheoliadau o dan is-adran (1) wneud y canlynol (ymhlith pethau eraill)—
 - (a) diwygio rheoliadau a wnaed o dan adran 2 o [Ddeddf Atal a Rheoli Llygredd 1999](#) sy’n ymwneud â gweithrediad peiriannau llosgi gwastraff neu beiriannau cydlosgi gwastraff;
 - (b) darparu ar gyfer tramgwyddau mewn perthynas â methiant i gydymffurfio â darpariaeth a wnaed o dan y rheoliadau;
 - (c) darparu ar gyfer cosbau mewn perthynas â’r tramgwyddau hynny;
 - (d) darparu ar gyfer awdurdodau gorfodi a swyddogaethau’r awdurdodau hynny.

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(3) Yn yr adran hon—

mae i “peiriant cydlosgi gwastraff” yr ystyr a roddir i “waste co-incineration plant” yn Erthygl 3(41) o Gyfarwyddeb 2010/75/EU Senedd Ewrop a’r Cyngor ar allyriadau diwydiannol (atal a rheoli llygredd integredig) (Ail-lunio);

mae i “peiriant llosgi gwastraff” yr ystyr a roddir i “waste incineration plant” yn Erthygl 3(40) o’r Gyfarwyddeb honno;

ystyr “llosgi” (“*incineration*”) mewn perthynas â gwastraff, yw—

- (a) llosgi gwastraff mewn peiriant llosgi gwastraff neu beiriant cydlosgi gwastraff, a
- (b) unrhyw driniaethau thermol eraill i’r gwastraff cyn ei losgi.”