

SCHEDULE 4

WASTE FRAMEWORK DIRECTIVE

PART 1

GENERAL

Duty to carry out appropriate periodic inspections

13.—(1) Any establishment or undertaking which—

- (a) carries out the treatment of controlled waste;
- (b) collects or transports controlled waste on a professional basis;
- (c) arranges for the recovery or disposal of controlled waste on behalf of others, or purchases and sells controlled waste (brokers or dealers); or
- (d) produces special waste,

shall be subject to appropriate periodic inspections by the waste regulation authority.

(2) Section 71(2) and (3) (power to obtain information) have effect as if the provisions of this paragraph were provisions of Part II of the 1990 Act.

(3) In a case where an establishment or undertaking is carrying on an exempt activity in reliance upon an exemption conferred by regulation 17(1) and paragraph 45(1) or (2) of Schedule 1, the waste regulation authority must discharge its duty under sub-paragraph (1) in respect of any place where such an activity is so carried on by—

- (a) carrying out an initial inspection of that place within two months of having received in respect of that place the notice, plan and fee referred to in regulation 23(2); and
- (b) thereafter carrying out periodic inspections of that place at intervals not exceeding 12 months.

(4) In the case of an exempt activity referred to in the first column of Table 24, the duty under sub-paragraph (1) shall be discharged by carrying out inspections at the times referred to in the second column of that table in respect of any place where the relevant exempt activity is carried on.

Table 24

<i>Paragraph Number of Exempt activity in Schedule 1</i>	<i>Inspections required</i>
7, 8(2) ⁽¹⁾	An inspection shall be carried out at the time of treatment or, where that is not possible, not later than 4 weeks thereafter.
9, 10, 12(2), 19, 49, 50, 51	An initial inspection shall be carried out at the time when the exempt activity commences. Thereafter, periodic inspections shall be carried out at intervals not exceeding 12 months.

(1) treatment activities only.

(5) In a case where an establishment or undertaking is carrying on or intends to carry on an exempt activity in respect of the treatment of WEEE, the waste regulation authority shall discharge

its duty under sub-paragraph (1) in respect of any place where such an activity is carried on or to be carried on, by—

- (a) carrying out an inspection of that place within 21 days of having received in respect of that place the notice, plans and fee referred to in regulation 25(2); and
- (b) thereafter carrying out periodic inspections of that place at intervals not exceeding 12 months,

and such inspections shall verify the type and quantities of waste to be treated, the general technical requirements to be complied with and the safety precautions to be taken.

(6) In the case of any such place as is mentioned in sub-paragraph (4) (second entry in Table 24) or (5), but without prejudice to any duties of the waste regulation authority imposed otherwise than by this paragraph, sub-paragraph (1) does not require (but does permit) the waste regulation authority to carry out the periodic inspections referred to in sub-paragraph (4) or sub-paragraph (5) (b) above at intervals of less than 10 months.

(7) Inspections concerning the collection and transport of controlled waste shall cover the origin, nature, quantity and destination of the waste collected and transported.