
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 170

The Waste Incineration (Scotland) Regulations 2003

Amendments to the 2000 Regulations

12. In Part 1 of Schedule 4 (application for permits)–

- (a) in paragraph 1(1)(d), after “Part A mobile plant”, there is inserted “(except for an installation or mobile plant falling within paragraph (d) and (e) of Part A of Section 5.1 of Part 1 of Schedule 1)”;
- (b) after paragraph 1A(1) insert–

“**1B.**—(1) Subject to paragraph (2), an application for a permit to operate a waste incineration installation shall in addition contain a description of the measures which are envisaged to guarantee in respect of that installation that–

- (a) the plant is designed, equipped and will be operated in such a manner that the requirements of Directive [2000/76/EC](#)(2) of the European Parliament and of the Council of 4th December 2000 on the incineration of waste are met, taking into account the categories of waste to be incinerated;
- (b) the heat generated during the incineration and co-incineration process is recovered as far as practicable, for example, through combined heat and power, the generating of process steam or district heating;
- (c) the residues will be minimised in their amount and harmfulness and recycled where appropriate;
- (d) the disposal of the residues which cannot be prevented, reduced or recycled will be carried out in conformity with national and Community legislation(3); and
- (e) the proposed measurement techniques for emissions into the air comply with Annex III of Directive [2000/76/EC](#) of the European Parliament and of the Council of 4th December 2000 on the incineration of waste and, as regards water, comply with paragraphs 1 and 2 of that Annex.

(2) Sub-paragraph (1) shall not apply to an existing waste incineration installation in respect of which an application for a permit is duly made before 28th December 2004.”

(1) Schedule 4 is amended by the [Landfill \(Scotland\) Regulations 2003 \(S.S.I. 2003/ 208\)](#).

(2) O.J. No. L 332, 28.12.00, p.91.

(3) For example, Council Directive [75/442/EEC](#) (on waste) (O.J. No. L 194, 25.07.75, p.39), as amended by Council Directives [91/156/EEC](#) (O.J. L 78, 26.03.91, p.32) and [91/692/EEC](#) (O.J. No. L 377, 31.12.91, p.48) and Commission Decision [96/350/EC](#) (O.J. No. L 135, 06.06.96, p.32) and Part II of the Environmental Protection Act [1990 \(c. 43\)](#) and the Waste Management Licensing Regulations 1994 (S.I. [1994/1056](#)) (as amended).