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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 275**

**The Waste Management Licensing  
Amendment (Scotland) Regulations 2004**

**Amendment of the Waste Management Licensing Regulations 1994**

14.—(1) For paragraph 12 of Schedule 3 (composting biodegradable waste), substitute—

“12.—(1) Subject to the following provisions of this paragraph—

- (a) composting biodegradable waste of a type listed in Table 3B below, not being composting for the purpose of cultivating mushrooms;
- (b) chipping, shredding, cutting, pulverising, screening or storing such waste for the purpose of composting at the place where the composting activity is, or is to be, carried out; and
- (c) screening any such waste which has been composted.

**TABLE 3B**

<i>Codes*</i>	<i>Types of Waste</i>
<i>Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing (02 01)</i>	
02 01 03	Plant-tissue waste
02 01 06	Animal faeces, urine and manure (including spoiled straw) <sup>***</sup>
02 01 07	Wastes from forestry
02 01 99	Straw, wood or paper – based bedding waste, slurry or dirty waste from stables, zoos, animal parks or livestock markets <sup>***</sup>
<i>Wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation (02 03)</i>	
02 03 01	Sludges from washing, cleaning, peeling, centrifuging and separation
<i>Wastes from wood processing and the production of panels and furniture (03 01)</i>	
03 01 01	Waste bark and cork

\* Codes referred to in the European Waste Catalogue.

\*\* Wastes containing dangerous substances are not included.

\*\*\* The wastes listed do not include all of the wastes specified in the European Waste Catalogue under the code referred to.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>Codes*</i>	<i>Types of Waste</i>
03 01 05	Sawdust, shaving, cuttings, wood**
<i>Wastes from pulp, paper and cardboard production and processing (03 03)</i>	
03 03 01	Waste bark and wood
<i>Wastes from the textile industry (04 02)</i>	
04 02 10	Organic matter from natural products (e.g. grease, wax)
<i>Packaging (including separately collected municipal packaging waste) (15 01)</i>	
15 01 01	Paper and cardboard packaging
15 01 03	Wooden packaging
15 01 09	Textile packaging
<i>Wastes from aerobic treatment of solid wastes (19 05)</i>	
19 05 03	Off-specification compost consisting only of biodegradable waste***
<i>Separately collected fractions of municipal wastes (household waste and similar commercial, industrial and institutional wastes) (20 01)</i>	
20 01 01	Paper and cardboard
20 01 08	Meat excluded biodegradable kitchen and canteen waste***
20 01 10	Clothes
20 01 11	Textiles
<i>Garden and park waste (including cemetery waste) (20 02)</i>	
20 02 01	Biodegradable waste
<i>Other municipal wastes (20 03)</i>	
20 03 02	Botanical waste from markets***

\* Codes referred to in the European Waste Catalogue.

\*\* Wastes containing dangerous substances are not included.

\*\*\* The wastes listed do not include all of the wastes specified in the European Waste Catalogue under the code referred to.

(2) The total quantity of waste treated and stored under paragraph (1) at any time shall not exceed, in relation to the composting activities referred to in the first column of Table 3C, the quantity shown in the third column of that Table.

TABLE 3C

<i>Code and type of waste (as referred to in Table 3B)*</i>	<i>Composting activity</i>	<i>Maximum total quantity (including storage and treatment)</i>
<i>Plant-tissue waste 02 01 03</i>	Open air windrow composting without containment <sup>***</sup> and without any impermeable pavement or sealed drainage	400 Tonnes
<i>Wastes from forestry 02 01 07</i>		
<i>Waste bark and cork 03 01 01</i>		
<i>Wood 17 02 01</i>		
<i>Biodegradable waste from gardens and park wastes (including cemetery waste) 20 02 01</i>		
<i>All above wastes namely 02 01 03, 02 01 07, 03 01 01, 17 02 01, 20 02 01 plus those listed below namely 15 01 01, 02 01 06, 15 01 09, 20 01 10, 20 01 11, 20 03 03 and any waste type referred to in Table 3B</i>	Open air windrow composting without containment <sup>***</sup> on an impermeable pavement with sealed drainage	400 Tonnes
<i>Paper and cardboard packaging 15 01 01</i>		
<i>“Animal faeces urine and manure” (including spoiled straw, effluent collected separately and treated off site 02 01 06)</i>		
<i>Textile packaging 15 01 09</i>		
<i>Clothes 20 01 10</i>		
<i>Textiles 20 01 11</i>		
<i>Street-cleaning residues 20 03 03</i>		
<i>Any type of waste referred to in Table 3B</i>	Composting with containment <sup>***</sup> of waste	400 Tonnes

\* Codes referred to in the European Waste Catalogue.

\*\* Wastes containing dangerous substances are not included.

\*\*\* Composting in a vessel, in a sealed building or by some other process equally effective to produce a wholly contained and controlled environment.

(3) The secure storage of biodegradable waste which is to be composted in reliance upon the exemption conferred by sub paragraph (1) at a place other than the place where such composting is or is to be carried on where—

- (a) the waste is stored for a period not exceeding 48 hours and is to be taken directly from the storage site to that place;
  - (b) such storage is part of a scheme for the collection of waste from groups of premises; and
  - (c) the total quantity of waste so stored does not exceed 10 tonnes.
- (4) For the purposes of this paragraph and paragraph 12A–
- (a) “composting” means the autothermic and thermophilic biological decomposition and stabilisation of biodegradable waste under controlled aerobic conditions that result in a stable sanitised material that can be applied to land for the benefit of agriculture, horticulture or ecological improvement; and
  - (b) the reference to “treated” waste includes waste which is undergoing maturation.”
- (2) after paragraph 12, insert–
- “**12A.** Composting any of the wastes listed in Table 3B for the purpose of cultivating mushrooms at the place where the waste is produced or where the compost is to be used, or at any other place occupied by the person producing the waste or using the compost, where the quantity of waste being composted at any one time does not exceed 2500 tonnes.”.