
DRAFT STATUTORY INSTRUMENTS

2010 No.

The Environmental Permitting
(England and Wales) Regulations 2010

PART 7

Miscellaneous provisions

Chapter 4

Transitional provisions – the 2007 Regulations and former PPC or waste legislation

2007 transitional applications for grant of PPC permit in relation to landfill

- 90.**—(1) This regulation applies where, by the relevant time —
- (a) an existing licence the whole or part of which authorises the operation of a landfill and the carrying on of any related activity was the subject of an application to which regulation 71 of the 2007 Regulations applied; and
 - (b) the determination date had not been reached.
- (2) On the coming into force of these Regulations—
- (a) the application is taken to be an application for the grant of an environmental permit; and
 - (b) pending determination of the application, the licence (or that part of the licence relating to the landfill and any related activity) has effect—
 - (i) as if it were an environmental permit, and
 - (ii) subject to any conditions that applied to it at the relevant time.
- (3) If on the determination of the application an environmental permit is granted, the licence—
- (a) becomes an environmental permit authorising the operation of the landfill and the carrying on of any related activity; and
 - (b) has effect subject to any conditions imposed on it under these Regulations.
- (4) If the application is withdrawn, or on the determination of the application an environmental permit is not granted, the licence (or that part of the licence relating to the landfill and any related activity)—
- (a) becomes an environmental permit authorising the carrying on of any related activity; and
 - (b) has effect subject to closure and after-care obligations.