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STATUTORY INSTRUMENTS

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**1971 No. 1377**

**The Mines and Quarries (Tips) Regulations 1971**

**PART V**

**RESUMPTION OF TIPPING OPERATIONS AT CLOSED TIPS**

*Procedure before resumption*

**21.**—(1) If at any time tipping operations from a mine or quarry are to be resumed at a tip which at that time is a closed tip but not a classified tip, the owner of the mine or quarry shall, in addition to the notice required to be given under section 4 of the 1969 Act, give notice to the inspector for the district stating whether it is intended that the tip is or is not become a classified tip not less than thirty days or such shorter period as the inspector may permit, before the resumption of the operations.

(2) The provisions of paragraphs (2) to (4) of regulation 8 shall apply in relation to such a notice as they apply in relation to a notice under regulation 8(1) as if the references in the said paragraphs to the resulting tip were a reference to the closed tip and as if the reference in regulation 8(2) to the beginning of tipping operations were a reference to the resumption of tipping operations.

**22.**—(1) If at any time tipping operations from a mine or quarry are to be resumed at a tip which at that time is a closed classified tip or if an owner of a mine or quarry with which is associated a closed tip, at which tipping operations are to be resumed but which is not a classified tip, gives notice pursuant to regulation 21(1) that it is intended that the tip is to become a classified tip, or if an inspector before tipping operations from a mine or quarry are resumed at a closed tip which is not a classified tip gives a direction by virtue of regulation 21(2) that the tip shall be treated for the purposes of these regulations as a classified tip—

- (a) the owner of the mine or quarry, with which the tip is associated, shall, not less than thirty days, or such shorter period as the inspector may permit, before the resumption of tipping operations at that tip from the mine or quarry, obtain or make and thereafter keep, until the premises become the site of an active classified tip, at the office at the the mine or quarry or at such other place as may be approved by an inspector such maps, sections and plans as are required to be obtained or made and kept by regulation 9(1);
- (b) tipping operations shall not be resumed at that tip from the mine or quarry until such conditions are satisfied as are specified in regulation 9(2); but nothing in this sub-paragraph shall require the owner to obtain a report within two years of any report already obtained on the tip and on every matter which might affect the security of the tip under the provisions of regulations 9(2)(a), 9(3) and 12(1), unless such a change in the design of the tip or in the nature or location of the types of refuse deposited or such a variation to or departure from its specification, as might affect its security, has been made.

(2) The provisions of regulation 9(3) and (4) shall apply as if the reference in regulation 9(3) to the reports under that regulation were a reference to the reports required to be obtained by virtue of sub-paragraph (b) of paragraph (1) of this regulation and as if the reference in regulation 9(3) to the beginning of tipping operations were a reference to their resumption.

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### *Tipping Rules*

**23.** Where after the coming into operation of these regulations tipping operations are resumed at a tip which at that time is a closed classified tip tipping rules shall be made upon the resumption of the operations.