
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the implementation in Great Britain of Council Directive [94/67/EC](#) on the incineration of hazardous waste. The Directive is implemented in Great Britain by ensuring that all incineration processes covered by the Directive are prescribed processes designated for central control under Part I of the Environmental Protection Act 1990 (and thus regulated by the Environment Agency in England and Wales and by the Scottish Environment Protection Agency in Scotland) and by directing the Agencies under sections 7 and 10 of the 1990 Act to include in the relevant Part I authorisations the conditions required by the Directive.

Regulation 2 amends Schedule 1 to the Environmental Protection (Prescribed Processes and Substances) Regulations 1991 (S.I. [1991/472](#)) by making the incineration of hazardous waste a prescribed process designated for central control. Previously the incineration of hazardous waste could fall either under central control or under local control or outside of the pollution control regime in Part I of the 1990 Act altogether, depending on the nature and size of the incineration process. Regulation 3 sets out some transitional provisions.

A regulatory appraisal in respect of the Regulations may be obtained from Air and Environment Quality Division, Department of the Environment, Transport and the Regions, Romney House, 43 Marsham Street, London SW1P 3PY; Environment Division, Welsh Office, Cathays Park, Cardiff CF1 3NQ; or the Scottish Office Agriculture, Environment and Fisheries Department, 1J Victoria Quay, Edinburgh EH6 6QQ.