
STATUTORY INSTRUMENTS

2012 No. 630

**The Environmental Permitting (England
and Wales) (Amendment) Regulations 2012**

PART 3

Consequential and other amendments

Site Waste Management Plans Regulations 2008

- 17.**—(1) The Site Waste Management Plans Regulations 2008⁽¹⁾ are amended as follows.
- (2) In regulation 3 (exemptions), for “2007” substitute “2010”.
- (3) In regulation 8 (updating a site waste management plan for a project worth more than £500,000), for paragraph (2)(d) substitute—
- “(d) the site that the waste is being taken to, and whether the operator of that site—
- (i) holds an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010⁽²⁾ authorising the carrying on of a waste operation on that site, or
- (ii) is registered under those Regulations in relation to an exempt waste operation carried on on that site.”.

The Environmental Damage (Prevention and Remediation) Regulations 2009

- 18.**—(1) The Environmental Damage (Prevention and Remediation) Regulations 2009⁽³⁾ are amended as follows.
- (2) In regulation 10 (enforcing authorities under the Environmental Permitting (England and Wales) Regulations 2010), in paragraph (1) for “an installation, waste operation or mobile plant” substitute “an activity”.

The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009

- 19.**—(1) The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009⁽⁴⁾ are amended as follows.
- (2) In regulation 10—
- (a) in the Welsh text (the title to which becomes “Yr awdurdodau gorfodi o dan Rheoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2010”), in paragraph (1)—
- (i) for “weithfa, gweithred wastraff neu offer symudol” substitute “weithred”, and
- (ii) for “2007” substitute “2010”;

(1) S.I. 2008/314. These Regulations apply in England only.

(2) S.I. 2010/675, to which there are amendments not relevant to these Regulations.

(3) S.I. 2009/153, which apply in England only; a relevant amendment was made by S.I. 2010/675.

(4) S.I. 2009/995 (W. 81), to which there are amendments not relevant to these Regulations.

- (b) in the English text (the title to which becomes “Enforcing authorities under the Environmental Permitting (England and Wales) Regulations 2010”), in paragraph (1)—
 - (i) for “an installation, waste operation or mobile plant”, substitute “an activity”, and
 - (ii) for “2007” substitute “2010”.
- (3) In regulation 11 (enforcing authorities in other cases), in paragraph (1) for “2007” substitute “2010” in both the Welsh and English texts.
- (4) In paragraph 1 of Schedule 3 (permits, etc)—
 - (a) in the Welsh text—
 - (i) in sub-paragraph (a), for “2007” substitute “2010”;
 - (ii) in sub-paragraph (c), omit “cydsyniad gollwng dwr”; and
 - (iii) omit sub-paragraph (ch);
 - (b) in the English text—
 - (i) in sub-paragraph (a), for “2007” substitute “2010”;
 - (ii) in sub-paragraph (c), omit “a water discharge consent,”; and
 - (iii) omit sub-paragraph (d).

Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations 2010

20.—(1) The Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations 2010⁽⁵⁾ are amended as follows.

- (2) In Part 1 of the Schedule (England and Wales)—
 - (a) omit paragraphs 7, 8 and 39;
 - (b) for paragraph 26 substitute—
 - “**26.** An environmental permit under the Environmental Permitting (England and Wales) Regulations 2010, or an exemption from the requirement for such a permit.”; and
 - (c) in paragraph 28, for “88, 89(4), 90(1), 90(2), 109 or 164, Schedule 10” substitute “109 or 164”.
- (3) In Part 2 of the Schedule (Wales), for paragraph 23 substitute—
 - “**23.** An environmental permit under the Environmental Permitting (England and Wales) Regulations 2010, where a local authority is the regulator.”.

Mercury Export and Data (Enforcement) Regulations 2010

21. In regulation 5(4) of the Mercury Export and Data (Enforcement) Regulations 2010 (offences in respect of the EU Regulation)⁽⁶⁾, for sub-paragraph (a) substitute—

- “(a) in England and Wales, an offence under regulation 38(2) or (4)(b), (c) or (d) of the Environmental Permitting (England and Wales) Regulations 2010;”.

Conservation of Habitats and Species Regulations 2010

22. In regulation 98(1) of the Conservation of Habitats and Species Regulations 2010 (environmental permits)⁽⁷⁾, for “2007” substitute “2010”.

⁽⁵⁾ [S.I. 2010/105](#).

⁽⁶⁾ [S.I. 2010/265](#).

⁽⁷⁾ [S.I. 2010/490](#), to which there are amendments not relevant to this instrument.

