

Register of Environmental Legislation

Issue: 1 May 2007

Item of legislation	Relevance to operations
Planning Issues	
Town and Country Planning Act 1990	Regulates and controls the use and development of land
Town and Country Planning (Environmental Impact Assessment) England and Wales Regulations 1999	Requires Environmental Assessments (EAs) to be carried out in respect of certain new developments
Town and Country Planning (Environmental Impact Assessment) England and Wales (Amendments) Regulations 2000	Updated above legislation
Planning and Compulsory Purchase Act 2004	Modifies Regional Planning Framework, includes more flexible local planning and community involvement
Water Issues	
Public Health Act 1936	Permits local authorities (LAs) to close or restrict water supply from polluted sources
Salmon and Freshwater Fisheries Act 1975	It is an offence to discharge effluent that damages fish or their food/environment
Directive on Protection of Groundwater against Pollution Caused by Certain Dangerous Substances (80/68/EEC)	Aims to prevent the pollution of groundwater by List I and List II substances
Water Industry Act 1991/9	Requires that consents must be obtained for the discharge of trade effluent
Water Resources Act 1991	Requires abstraction licences to be obtained from EA for certain operations
Groundwater Regulations 1998	Requires mineral operators to take steps to prevent pollution of groundwater
The Control of Pollution (Oil Storage) (England) Regulations 2001	Requires oils and petrols to be stored in bunded facilities etc to prevent pollution
Nitrate Vulnerable Zones (Additional Designations) England Regulations 2002	Land can be included in NVZs and landowners can appeal to ADAS on decision
Water Environment (Water Framework Directive) England and Wales Regulations 2004	River basin districts have environmental objectives and EA to carry out economic analyses of water in RBs
Water Act 2003	Reforms the system of abstraction licensing
Environmental Protection (Restriction of Lead Shot) (England) Regulations 1999	Shooting with lead shot cartridges is not permitted over wetlands



Nature Conservation Issues	
Countryside Act 1968	Gives English Nature the authority to enter into SSSI management agreements
Wildlife and Countryside Act 1981	This act protects certain specific species of plant and animals and their habitats
Town and Country Planning Act 1990	Allows LAs to make Tree Preservation Orders
Protection of Badgers Act 1992	It is an offence to kill or injure badgers or interfere with badger setts
Wild Mammal (Protection) Act 1996	Makes provision for the protection of wild mammals from cruel acts
Countryside and Rights of Way Act 2000	Seeks to improve public access to the countryside and helps protect SSSIs
Waste Issues	
Control of Pollution Act 1974	Now much replaced by EPA 1990 etc, introduced system of waste disposal licences
Control of Pollution (Amendment) Act 1989	It is an offence to transport controlled waste without being registered with LA
Environmental Protection Act 1990 Part II	Covers issues of waste on land, duty of care etc
Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991	Sets out details by which most waste carriers must be registered with LA
Environmental Protection (Duty of Care) Regulations 1991	Set up transfer note and record keeping system required under S34 of EPA 1990
Controlled Waste Regulation 1992	Defines controlled waste
Waste Management Licensing Regulations 1994	Implements the licensing of waste management sites under EPA Part II
Waste Management Licensing (Amendment etc) Regulations 1995	Various amendments introduced covering COTC transitional periods and mobile plant
Waste Management Licensing (Amendment) Regulations 2002	Enables EA to authorise mobile plant for recovery of ozone depleting substances from fridges
Transfrontier Shipment of Waste Regulations 1994	Requires control over waste movements into and out of EC and component countries
Environment Act 1995	Section 92 introduces National Waste Strategy and gives EA responsibility to set up strategy
Special Waste Regulations 1996	Covers definition of special wastes, revised consignment note procedures etc
Contaminated Land (England) Regulations 2000/2001	Gives LAs powers to designate sites as special sites and serve remediation notices



Waste Issues etc	
Special Waste (Amendment) England and Wales Regulations 2001	Provides amendments to Special Waste Regulations 1996, including carrier round timescales increasing to 72h maximum
Finance Act 1996	Introduced primary law on landfill tax
Landfill Tax Regulations 1996	Covers aspects of implementation of landfill tax, amended in 2002
Carriage of Dangerous Goods by Road Regulations 1996	Implements provision for safe carriage of dangerous goods, amended in 1998 and 1999
Directive on the Landfill of Waste 99/31/EC	Bans co-disposal, classifies landfill as hazardous, non-hazardous and inert etc
Pollution Prevention and Control (England and Wales) Regulations 2000	Most non-inert landfill site operators will need to have applied for IPC Permits by mid 2002
EC Regulation 99/31/EC on Landfill of Wastes	(Landfill Directive) bans co-disposal and aims to reduce methane emissions from landfill
Environmental Protection (Disposal of PCBs and Other Dangerous Substances) Regulations 2000	Equipment containing PCBs require decontamination and correct disposal
Chemicals (Hazard Information and Packaging for Supply) Amendment Regulations 2000	Updates earlier CHIP regulations relating to classification and labelling of dangerous substances
Producer Responsibility (Packaging Waste) Regulations 1997	Aims to reduce the amount of packaging used and increase recycling
Producer Responsibility Obligations (Packaging Waste) Amendment Regulations 2000 and 2002	Updates earlier legislation relating to the registration of packaging waste producers
Batteries and Accumulators (Containing Dangerous Substances) Amendment Regulations 2000	Updates earlier legislation regarding the reduction of environmental damage from batteries
Landfill (England and Wales) Regulations 2002	Amends EPA Duty of Care Regulations so operators identify wastes by the EWC
Waste Electrical and Electronic Equipment Directive (WEEE) 2002/96/EC	Objectives are the prevention of waste and promoting reuse and recycling
Household Waste Recycling Act 2003	Requires councils in England to provide doorstep collection for recyclables by 2010
Waste and Emissions Trading Act 2003	Sets up framework for waste-trading scheme to help reduce amount of biodegradable waste being landfilled
Landfill Tax (Amendment) Regulations 2003	Amount of credit that operators can claim is reduced to 6.5% of annual tax liability



Waste Issues etc	
Landfill Tax (Amendment) (No. 2) Regulations 2003	Adds a new biodiversity category to landfill tax credit scheme
Waste Management Licensing (Amendment) (England) Regulations 2003	Introduces new suite of COTCs
Environmental Protection (Duty of Care) (England) (Amendments) Regulations 2003	Requires the use of EWC codes on transfer notes
EC Regulation on Substances that Deplete Ozone Layer 2037/2000	Provides a system for controlling production, use and emission of ozone depleting substances
Producer Responsibility Obligations (Packaging Waste) (Amendment) (England) Regulations 2003	Amend the 1997 regulations regarding registration and obligations
Waste and Emissions Trading Act 2003	SoS must specify the maximum amount of biodegradable municipal waste allowed to be landfilled
Environmental Protection (Waste Recycling Payments) (England) Regulations 2004	Determines net savings/expenditure payable by Waste Disposal Authority to WCA and others who recycle
Landfill (Amendment) Regulations 2004	Changed the Landfill Regulations to include use of waste acceptance criteria
Landfill Allowances and Trading Schemes (England) Regulations 2004	Implements Articles 5(1) and 5(2) of Landfill Directive
Environmental Protection Waste Recycling Payments (Amendment) Regulations 2005	Amends some of the values in the 2004 regulations
Waste Electrical and Electronic Equipment Directive (WEEE) 2007	Requires a register to be kept of all electrical equipment
End of Life Vehicles (Producer Responsibility) Regulations 2005	Vehicle producers must register with SoS to declare responsibility for vehicles that they place on the market
Hazardous Waste Regulations 2005	Agricultural and quarry waste is brought into waste management control and all hazardous waste must be pre-treated
Landfill (England and Wales) Regulations 2005	Amends 2002 regulations by limiting polyaromatic hydrocarbons in inert waste
Landfill Allowances and Trading Scheme (England) Regulations 2005	Modifies the 2003/4 regulations regarding penalty charges
Landfill Tax (Site Restoration, Quarries & Pet Cemeteries) Order 2005	Amends part of the Finance Act to enable 'qualifying material' to remain exempt from landfill tax in permits
Landfill Tax (Amendment) Regulations 2005	Relates to landfill tax credits for waste that is removed to another site under instruction from an authority



Environmental/Air Issues/Environmental Noise	
Control of Pollution Act 1974	Provisions on noise etc remain in force
Environmental Protection Act 1990 Part I	Prescribed processes need to be authorised under IPC, eg concrete/mortar plants
Environmental Protection Act 1990 Part III	It is an offence to create a statutory nuisance, eg smoke, fumes, dust, noise or odour
Environmental Protection (Prescribed Processes and Substances) Regulations 1991	Introduced BATNEEC for Part A processes. Lists substances prescribed for release to air
Clean Air Act 1993	Controls of emissions of smoke, grit and dust into atmosphere
Environment Act 1995	Part 4 requires Secretary of State to draw up National Air Quality Strategy
Pollution Prevention and Control Act (1999)	Allowed Secretary of State to implement EC Directive on pollution control
Pollution Prevention and Control (England and Wales) Regulations 2000	Existing IPC processes will be phased into PPC controls. Regulation 28(2) requires emissions inventories
Air Quality (England) Regulations 2000	Gives the National Air Quality Strategy a statutory basis
Noise Act 1996	Gives LAs the right to seize noise-making equipment to control night time noise levels at domestic properties
Noise and Statutory Nuisance Act 1993	LAs can abate statutory noise nuisance including noise in street and intruder alarms
Climate Change Levy (Registration and Miscellaneous Provisions) Regulations 2001	Made under Finance Act 2000, requires greenhouse gas emission reductions
Finance Act 2001	Introduced primary law for aggregate tax
Aggregate Levy (General) Regulations 2002	Establishes system for paying taxes on primary aggregates
Aggregate Levy (Registration and Miscellaneous Provisions) Regulations 2001	Requires producers of primary aggregates to register with HM Customs & Excise
Contaminated Land (England) Regulations 2000	Makes provision for some new aspects of contaminated land remediation
Noise Emissions in the Environment by Equipment for Use Outdoor Regulations 2001	Regulations implement Directive 2000/14/EC regarding permissible power sound levels
The Control of Noise (Codes of Practice for Construction and Open Sites) (England) Order 2002	Replaces earlier legislation. It approves four codes of practice under S71 of COPA
Environmental Information Regulations 2004	Allows public to access environmental information from public bodies



Environmental/Air Issues/Environmental Noise etc	
Environmental Noise Directive (END) 2002/49/EC	Aims to define a common approach to avoid, prevent and reduce harmful effects of environmental noise
Waste (Household Duty of Care) (England and Wales) Regulations 2005	Imposes a duty on household occupiers to secure transfer of waste in accordance with EPA 1990
Restriction of Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2005	Came into force 1 July 2006, restricts contents of hazardous substances in equipment
Environmental Protection Act 1990 (Amendment of S57) (England and Wales) Regulations 2005	Extend scope of powers under S57 to change WMLs to permits and replaces term 'controlled waste'
Environment Agency Pollution Prevention Guidelines	
PPG2 Above Ground Oil Storage Tanks	
PPG3 Use and Design of Oil Separators in Surface Water Drainage Systems	
PPG21 Pollution Incident Response Planning	
PPG26 Storage and Handling of Drums and Intermediate Bulk Containers	
International Organisation for Standardisation (ISO) Standards of Relevance	
BS EN ISO 14001:2004 Environmental Management Systems	Replaces ISO 14001:1994
BS EN ISO 14004:2004 EMS – General Guidelines on Principles, Systems and Supporting Techniques (supports ISO 14001)	
BS ISO 14015:2001 Environmental Management – Environmental Assessment of Sites and Organisations (EASO)	
BS ISO 14050:2002 Environmental Management, Vocabulary	
BS EN ISO 19011:2002 Guidelines for Quality and/or Environmental Auditing	
BS 8555:2003 Environmental Management Systems – Guide to the phased implementation of an EMS including the use of environmental performance	



Current Waste Management Papers	
WMP1 A Review of Options	A memorandum providing guidance on the options available for waste treatment and disposal (1992)
WMP4 Licensing of Waste Management Facilities (1994)	
WMP4A The Licensing of Metal Recycling Plants (1995)	
WMP25 Clinical Waste (1983)	Several drafts issued since
WMP26A Landfill Completion (1994)	
WMP26B Landfill Design, Construction and Operation (1995)	
WMP26D Landfill Monitoring (1995)	
WMP26E Landfill Restoration and Post Closure Management (Draft)	
WMP26F Landfill Co-disposal (Draft)	
WMP27 Landfill Gas	A technical memorandum providing guidance on the monitoring and control of landfill gas (1991)
WMP28 Recycling (1991)	
Guidance Relating to Mineral/Waste Planning	
MPG1 (June 1996) General Considerations and the Development Plan System	
MPG2 (January 1998) Applications, Permissions and Conditions	
MPG3 (July 1999) Coal Mining and Colliery Spoil Disposal	
MPG4 (August 1997) Revocation, Modification, Discontinuance, Prohibition and Suspension Orders. T&CP (Compensation for Restrictions of Mineral Working etc) Regulations 1997	
MPG5 (January 2000) Stability in Surface Mineral Workings and Tips	
MPG6 (April 1994) Guidelines for Aggregate Provision in England and Wales	To be changed to MPS1 (under consultation)
MPG7 (November 1996) The Reclamation of Mineral Workings	
MPG8 (September 1991) Planning and Compensation Act 1991: Interim Development Order Permissions (IDOs) – Statutory Provision and Procedures	



Guidance Relating to Mineral/Waste Planning etc	
MPG9 (March 1992) Planning and Compensation Act 1991: Interim Development Order Permissions (IDOs) – Conditions	
MPG10 (1991) Provision of Raw Material for the Cement Industry	
MPG11 (1993) The Control of Noise at Surface Mineral Workings	
MPG12 (March 1994) Treatment of Disused Mine Openings and Availability of Information on Mined Ground	
MPG13 (1995) Guidelines for Peat Provision in England including the Place of Alternative Materials	
MPG14 (1995) Environment Act 1995: Review of Mineral Planning Permissions	
MPG15 (September 1996) Provision of Silica Sand in England	
PPG9 (October 1994) Nature Conservation	
PPG10 (1999) Planning and Waste Management	
PPS12 Planning Policy Statement 12: Local Development Frameworks	
PPG16 (November 1990) Archaeology and Planning	
PPS23 (2004)	Replaces PPG23 and compliments new pollution control framework in PPC Regulations
PPG24 (September 1994) Planning and Noise	
PPG9 (2001) Regional Planning Guidance for the South East	
Waste Strategy (2000)	By 2015 Government targets demand that 67% of waste has value recovered and 33% is recycled



Codes of Practice	
English Nature, QPA and SAMSA (1999): Biodiversity and Minerals. Extracting the Benefits for Wildlife, published by Entec UK Ltd ISBN 0 95345400 0 6	
English Nature, QPA and SAMSA (2003): Geodiversity and the Minerals Industry. Conserving our geological heritage	
Silica and Moulding Sands Association Code of Environmental Practice 1993	
The Department of the Environment: Environmental Protection Act Section 34, The Duty of Care, A Code of Practice, HMSO 1996	
Ministry of Agriculture, Fisheries and Food: Code of Good Agricultural Practice for the Protection of Soil, 1993	
Health & Safety Commission: Health and Safety at Quarries, Quarries Regulations 1999, Approved Code of Practice	
The Safe Use of Pesticides for Non-agricultural Purposes, Control of Substances Hazardous to Health Regulations 1994, Approved Code of Practice	

