

Planning Act 2008 c. 29

s. 30 Hazardous waste facilities



Law In Force

Version 1 of 1

1 October 2011 - Present

Subjects

Environment; Planning

Keywords

Hazardous waste; Landfill; Nationally significant infrastructure projects; Waste storage

30 Hazardous waste facilities

- (1) The construction of a hazardous waste facility is within [section 14\(1\)\(p\)](#) only if—
 - (a) the facility (when constructed) will be in England,
 - (b) the main purpose of the facility is expected to be the final disposal or recovery of hazardous waste, and
 - (c) the facility is expected to have the capacity specified in subsection (2).
- (2) The capacity is—
 - (a) in the case of the disposal of hazardous waste by landfill or in a deep storage facility, more than 100,000 tonnes per year;
 - (b) in any other case, more than 30,000 tonnes per year.
- (3) The alteration of a hazardous waste facility is within [section 14\(1\)\(p\)](#) only if—
 - (a) the facility is in England,
 - (b) the main purpose of the facility is the final disposal or recovery of hazardous waste, and
 - (c) the alteration is expected to have the effect specified in subsection (4).
- (4) The effect is—
 - (a) in the case of the disposal of hazardous waste by landfill or in a deep storage facility, to increase by more than 100,000 tonnes per year the capacity of the facility;
 - (b) in any other case, to increase by more than 30,000 tonnes per year the capacity of the facility.
- (5) The following terms have the same meanings as in the [Hazardous Waste \(England and Wales\) Regulations 2005](#) (S.I. 2005/894) (see [regulation 5](#) of those regulations)—
 - “disposal”;
 - “hazardous waste”;
 - “recovery”.
- (6) “*Deep storage facility*” means a facility for the storage of waste underground in a deep geological cavity.

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