WASTE (INCINERATION) ACT 2003

Revoked by LN. 2013/042 as from 28.2.2013

Principal Act

Act. No. 2003-20 *Commencement* 1.8.2003
Assent

Amending enactments	Relevant current provisions	Commencement date
LN. 2011/053	s. 3(2) & Sch. 3	12.4.2011
2011/149	s. 20A	22.9.2011
2011/215	ss. 2, 2(3) & 7A	27.10.2011

Transposing:
Directive 2000/76
Directive 2006/66/EC
Directive 2008/98/EC
Directive 2008/99/EC

EU Legislation/International Agreements involved:

Directive 91/157/EEC

English sources

None cited

Waste (Incineration)

ARRANGEMENT OF SECTIONS

AN ACT TO TRANSPOSE INTO THE LAW OF GIBRALTAR DIRECTIVE 2000/76 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 4 DECEMBER 2000 ON THE INCINERATION OF WASTE.

Citation.

1. This Act may be cited as the Waste (Incineration) Act 2003.

Interpretation.

2.(1) In this Act and unless the context otherwise requires–

"automotive battery or accumulator" means any battery or accumulator used for automotive starter, lighting or ignition power;

"battery" or "accumulator" means any source of electrical energy generated by direct conversion of chemical energy and consisting of one or more primary battery cells (non-rechargeable) or one or more secondary battery cells (rechargeable), but does not include a battery or accumulator which is excluded from the scope of the Environment (Waste) Regulations 2007 pursuant to regulation 14B of those Regulations;

"co-incineration plant" means any stationary or mobile plant whose main purpose is the generation of energy or production of material products and–

(a) which uses wastes as a regular or additional fuel; or

(b) in which waste is thermally treated for the purpose of disposal.

If co-incineration takes place in such a way that the main purpose of the plant is not the generation of energy or production of material products but rather the thermal treatment of waste, the plant shall be regarded as an incineration plant.

This definition covers the site and the entire plant including all co-incineration lines, waste reception, storage, on site pre-treatment facilities, waste-, fuel- and air-supply systems, boiler, facilities for the treatment of exhaust gases, on-site facilities for treatment or storage of residues and waste water, stack devices and systems for controlling incineration operations, recording and monitoring incineration conditions;

"competent authority" means the Minister with responsibility for the environment or such other person as he may appoint by notice in the Gazette;

"dioxins and furans" means all polychlorinated dibenzo-p-dioxins and dibenzofurans listed in Schedule 2;

"emission" means the direct or indirect release of substances, vibrations, heat or noise from individual or diffuse sources in the plant into the air, water or soil;

"emission limit values" means the mass, expressed in terms of certain specific parameters, concentration and/or level of an emission, which may not be exceeded during one or more periods of time;

"existing incineration or co-incineration plant" means an existing incineration or co-incineration plant–

(a) which is in operation in Gibraltar having been authorised to operate since 28 December 2002, or,

(b) which is not in operation in Gibraltar but has been authorised to operate since 28 December 2002 at the latest, and which is put into operation not later than 28 December 2003, or

(c) which, in the view of the competent authority, is the subject of a full request for an authorisation to operate since 28 December 2002 at the latest and, which is put into operation not later than 28 December 2004;

"gasoil" has the same meaning as in section 2(1) of the Motor Fuel (Composition and Content) Act 2001;

"hazardous waste" shall be interpreted in accordance with section 3;

"incineration plant" means any stationary or mobile technical unit and equipment dedicated to the thermal treatment of wastes with or without recovery of the combustion heat generated. This includes the incineration by oxidation of waste as well as other thermal treatment processes such as pyrolysis, gasification or plasma processes in so far as the substances resulting from the treatment are subsequently incinerated.

This definition covers the site and the entire incineration plant including all incineration lines, waste reception, storage, on site pre-treatment facilities, waste-fuel and air-supply systems, boiler, facilities for the treatment of exhaust gases, on-site facilities for

treatment or storage of residues and waste water, stack, devices and systems for controlling incineration operations, recording and monitoring incineration conditions;

"industrial battery or accumulator" means any battery or accumulator designed for exclusively industrial or professional uses or used in any type of electric vehicle;

"mixed municipal waste" means waste from households as well as commercial, industrial and institutional waste, which because of its nature and composition is similar to waste from households, but excluding fractions indicated in Schedule 1 under heading 20 01 that are collected separately at source and excluding the other wastes indicated under heading 20 02 of that Schedule;

"nominal capacity" means the sum of the incineration capacities of the furnaces of which an incineration plant is composed, as specified by the constructor and confirmed by the operator, with due account being taken, in particular, of the calorific value of the waste, expressed as the quantity of waste incinerated per hour;

"operator" means any natural or legal person who operates or controls the plant or to whom decisive economic power over the technical functioning of the plant has been delegated;

"permit" means a licence or other written decision (or several such decisions) delivered by the competent authority granting authorisation to operate a plant, subject to certain conditions which guarantee that the plant complies with all the requirements of this Act. A permit may cover one or more plants or parts of a plant on the same site operated by the same operator;

"residue" means any liquid or solid material (including bottom ash and slag, fly ash and boiler dust, solid reaction products from gas treatment, sewage sludge from the treatment of waste waters, spent catalysts and spent activated carbon) defined as waste in Schedule 1, which is generated by the incineration or co-incineration process, the exhaust gas or waste water treatment or other processes within the incineration or co-incineration plant;

"waste" means any solid or liquid waste as set out in Schedule 1;

"waste oils" means any mineral-based lubrication or industrial oils which have become unfit for the use for which they were originally intended, and in particular, used combustion-engine oils and gearbox oils, and also mineral lubricating oils, oils for turbines and hydraulic oils.

(2) A term used but not defined shall be construed in accordance with the provisions of Directive 2000/76 of the European Parliament and of the Council on the incineration of waste.

(3) The terms "automotive battery or accumulator" and , "battery or accumulator" in subsection (1) shall be interpreted in the same way as those terms are interpreted and applied in the Environment (Waste) Regulations 2007.

Definition of "Hazardous Waste".

3.(1) In this Act, "hazardous waste" means waste having one or more of the properties set out in subsection (2) and one or more of the charactistics set out in subsection (3).

(2) The properties referred to in subsection (1) are those in Annex III of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, as set out in Schedule 3.

(3) The characteristics referred to in subsection (1) refer to items H3 to H8, H10 ans H11 in Schedule 3 and are as follows–

(a) flash point <55 °C,

(b) one or more substances classified as very toxic at a total concentration >0,1 %,

(c) one or more substances classified as toxic at a total concentration > 3 %,

(d) one or more substances classified as harmful at a total concentration >25 %,

(e) one or more corrosive substances classified as R35 at a total concentration > 1 %,

(f) one or more corrosive substances classified as R34 at a total concentration > 5 %,

(g) one or more irritant substances classified as R41 at a total concentration > 10 %,

(h) one or more irritant substances classified as R36, R37, R38 at a total concentration > 20 %,

(i) one substance known to be carcinogenic of category 1 or 2 at a concentration > 0,1 %,

(j) one substance known to be carcinogenic of category 3 at a concentration > 1 %

(k) one substance toxic for reproduction of category 1 or 2 classified as R60, R61 at a concentration >0,5 %,

(l) one substance toxic for reproduction of category 3 classified as R62, R63 at a concentration >5 %,

(m) one mutagenic substance of category 1 or 2 classified as R46 at a concentration > 0,1 %,

(n) one mutagenic substance of category 3 classified as R40 at a concentration > 1 %.

Extent of application of Act.

4.(1) The following categories of incineration plants shall be excluded from the scope of this Act–

(a) plants treating only the following wastes–

(i) vegetable waste from agriculture and forestry,

(ii) vegetable waste from the food processing industry, if the heat generated is recovered,

(iii) fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered,

(iv) wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coating, and which includes in particular such wood waste originating from construction and demolition waste,

(v) cork waste,

(vi) radioactive waste,

(vii) animal carcasses in accordance with Directive 90/667/EEC,

(viii) waste resulting from the exploration for, and the exploitation of, oil and gas resources from off-shore installations and incinerated on board the installation;

(b) experimental plants used for research, development and testing in order to improve the incineration process and which treat less than 50 tonnes of waste per year.

(2) For the following categories of hazardous wastes, the specific requirements for hazardous waste in this Act shall not apply–

(a) combustible liquid wastes including waste oils provided that they meet the following criteria–

(i) the mass content of polychlorinated aromatic hydrocarbons, e.g. polychlorinated biphenyls (PCB) or pentachlorinated phenol (PCP) amounts to concentrations not higher than those set out in the relevant Community legislation;

(ii) these wastes are not rendered hazardous by virtue of containing other constituents listed in Schedule 3 in quantities or in concentrations which risk endangering human health and the environment, and in particular, water, air, soil and plants and animals, causing a nuisance through noise or odours, oradversely affecting the countryside or places of special interest.

(iii) the net calorific value amounts to at least 30 MJ per kilogramme,

(b) any combustible liquid wastes which cannot cause, in the flue gas directly resulting from their combustion, emissions other than those from gasoil or a higher concentration of emissions than those resulting from the combustion of gasoil.

Requirement for a permit.

5. It shall be an offence for any person to operate an incineration or co-incineration plant without a permit from the competent authority issued under Part VA of the Public Health Act.

Applications for Permits.

6.(1) Persons wishing to apply for a permit for an incineration or co-incineration plant to the competent authority shall include such information as the competent authority deems appropriate in the circumstances.

(2) Applications under subsection (1) shall include a description of the measures intended to be put in place in order to guarantee that–

(a) the plant is designed, equipped and will be operated in such a manner that the requirements of this Act are taken into account, in particular, as respects the categories of waste to be incinerated;

(b) the heat generated during the incineration and co-incineration process is recovered as far as practicable for example, through combined heat and power, the generating of process steam or district heating;

(c) the residues will be minimised in their amount and harmfulness and recycled where appropriate;

(d) the disposal of the residues which cannot be prevented, reduced or recycled will be carried out in conformity with the laws of Gibraltar.

Grant of permits.

7.(1) The competent authority shall only grant a permit under part VA of the Public Health Act where the application shows that the proposed measurement techniques for emissions into the air comply with Schedule 4 and, as regards water, comply with Schedule 4 paragraphs 1 and 2.

(2) Permits under part VA of the Public Health Act in respect of an incineration or co-incineration plant shall–

(a) only be granted where the competent authority is of the opinion that the application satisfies the requirements of the laws from time to time in force relating to the protection of the environment from pollution;

(b) list explicitly the categories of waste which may be treated. The list shall use at least the categories of waste in Schedule 1, if possible, and contain information on the quantity of waste, where appropriate;

(c) include the total waste incinerating or co-incinerating capacity of the plant;

(d) specify the sampling and measurement procedures used to satisfy the obligations imposed for periodic measurements of each air and water pollutants;

(3) Where the competent authority grants a permit for an incineration or co-incineration plant using hazardous waste the permit shall, in addition to the requirements of subsection (2) –

(a) list the quantities of the different categories of hazardous waste which may be treated;

(b) specify the minimum and maximum mass flows of those hazardous wastes, their lowest and maximum calorific values and their maximum contents of pollutants such as PCB, PCP, chlorine, fluorine, sulphur, heavy metals.

(4) Where the competent authority grants a permit to which this section refers, it shall have the duty to periodically reconsider its effect and, where necessary, update permit conditions.

(5) Where a permit is granted for the operation of an incineration or co-incineration plant for non-hazardous waste and an application is made for a change of operation which would involve the incineration or co-incineration of hazardous waste, the competent authority shall grant the permit subject to the provisions of section 6 of the Pollution Prevention and Control Act 2001.

(6) Without prejudice to the foregoing, a permit granted by the competent authority may be subject to such conditions, including, but without prejudice to the generality of the foregoing, the payment of fees and the employment of experts, as the competent authority may deem appropriate.

Additional requirements for waste batteries and accumulators.

7A.(1) Subject to subsection (2) a permit under this Act or Part VA of the Public Health Act shall not allow the disposal by incineration of waste industrial and automotive batteries and accumulators.

(2) Subsection (1) shall not apply to the incineration of residues of any batteries that have undergone both treatment and recycling, provided that the treatment and recycling–

(a) used best available techniques, in terms of the protection of health and the environment; and

(b) complied, as a minimum, with European Union legislation, in particular as regards health and safety and waste management.

Failure to comply with the conditions of grant.

8.(1) This section applies where a permit holder fails to comply with the conditions of grant of a permit, in particular with the emission limit values for air and water.

(2) The permit holder shall cease all incineration operations until such time as the competent authority should deem it appropriate.

(3) When the competent authority authorises the resumption of incineration operations under subsection (2), it may do so subject to such conditions as it may deem appropriate in the interests of the protection of the environment.

Delivery and reception of waste.

9.(1) The operator shall take all necessary measures concerning the delivery and reception of waste in order to prevent or, where that is not practicable, to reduce, as far as possible, negative effects on the environment, in particular the pollution of air, soil, surface and groundwater, and the risks to human health.

(2) The measures referred to in subsection (1) shall comply with the requirements set out in subsection (3).

(3) Before accepting waste at the incineration plant, the operator shall–

(a) in the case of hazardous waste, have available a description of the waste setting out–

(i) the physical, and as far as practicable, the chemical composition of the waste and all information necessary to evaluate its suitability for the intended incineration process; and

(ii) the hazardous characteristics of the waste, the substances with which it cannot be mixed, and the precautions to be taken in handling the waste;

(b) determine the mass of the waste;

(c) in the case of hazardous waste, verify the accuracy of those documents required by section 192L of the Public Health Act and, where applicable, those required by Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the

European Community as amended from time to time and by dangerous goods transport regulations;

(d) in the case of hazardous waste, take representative samples, unless inappropriate, as far as possible before unloading, so as to–

(i) verify conformity with the description provided for in paragraph (a) by carrying out controls; and

(ii) enable the competent authority to identify the nature of the waste treated.

(4) The competent authority may by regulations grant exemptions from subsections (2) and (3) for industrial plants and undertakings incinerating only their own waste at the place of production of the waste provided that the same level of protection is met.

Operating conditions.

10.(1) Incineration plants shall be operated in order to achieve a level of incineration such that the slag and bottom ashes Total Organic Carbon (hereinafter TOC) content is less than 3 % or their loss on ignition is less than 5 % of the dry weight of the material.

(2) In order to comply with subsection (1), the competent authority may direct that techniques of waste pre-treatment should be used where necessary.

(3) Incineration plants shall be designed, equipped, built and operated in such a way as achieves the following–

(a) the gas resulting from the process is raised, after the last injection of combustion air, in a controlled and homogeneous fashion and even under the most unfavourable conditions, to a temperature of 850 °C, as measured near the inner wall or at another representative point of the combustion chamber as authorised by the competent authority, for two seconds;

(b) where hazardous wastes with a content of more than 1 % of halogenated organic substances, expressed as chlorine, are incinerated, the temperature has to be raised to 1100 °C for at least two seconds;

(c) each line of the incineration plant shall be equipped with at least one auxiliary burner. This burner must be switched on automatically when the temperature of the combustion gases

after the last injection of combustion air falls below 850 °C or 1100 °C as the case may be. It shall also be used during plant start-up and shut-down operations in order to ensure that the temperature of 850 °C or 1100 °C as the case may be is maintained at all times during these operations and as long as unburned waste is in the combustion chamber.

(d) during start-up and shut-down or when the temperature of the combustion gas falls below 850 °C or 1100 °C as the case may be, the auxiliary burner shall not be fed with fuels which can cause higher emissions than those resulting from the burning of gasoil.

(4) Co-incineration plants shall be designed, equipped, built and operated in such a way as ensures that the gas resulting from the co-incineration of waste is raised in a controlled and homogeneous fashion and even under the most unfavourable conditions, to a temperature of 850 °C for two seconds. If hazardous wastes with a content of more than 1 % of halogenated organic substances, expressed as chlorine, are co-incinerated, the temperature has to be raised to 1100 °C.

(5) Incineration and co-incineration plants shall have and operate an automatic system to prevent waste feed–

(a) at start-up, until the temperature of 850 °C or 1100 °C as the case may be or the temperature specified according to subsection (6) has been reached

(b) whenever the temperature of 850 °C or 1100 °C as the case may be or the temperature specified according to subsection (6) is not maintained;

(c) whenever the continuous measurements required by this Act show that any emission limit value is exceeded due to disturbances or failures of the purification devices.

(6) Conditions different from those laid down in subsection (1) to (3) and, as regards the temperature, subsection (5) and specified in the permit for certain categories of waste or for certain thermal processes may be authorised by the competent authority–

(a) provided the requirements of this Act are met, and

(b) that the change of the operational conditions shall not cause more residues or residues with a higher content of organic pollutants compared to those residues which could be expected under the conditions laid down in subsection (1) to (3).

(7) Conditions different from those laid down in subsection (4) and, as regards the temperature, subsection (5) and specified in the permit for certain categories of waste or for certain thermal processes may be authorised by the competent authority–

(a) provided the requirements of this Act are met, and

(b) that the provisions for emission limit values set out in Schedule 5 for total organic carbon and CO being complied with.

Where an undertaking involved in the pulp and paper industry is co-incinerating its own waste at the place of production in existing bark boilers an authorisation under this subsection shall be conditional upon at least the provisions for emission limit values set out in Schedule 5 for total organic carbon being complied with.

(8) Incineration and co-incineration plants shall be designed, equipped, built and operated in such a way as to prevent emissions into the air giving rise to significant ground-level air pollution; in particular, exhaust gases shall be discharged in a controlled fashion and in accordance with the provisions of the Public Health Act regarding air quality standards by means of a stack the height of which is calculated in such a way as to safeguard human health and the environment.

(9) Any heat generated by the incineration or the co-incineration process shall be recovered as far as practicable.

(10) Infectious clinical waste should be placed straight in the furnace, without first being mixed with other categories of waste and without direct handling.

(11) The management of an incineration or co-incineration plant shall be in the hands of an individual who, in the opinion of the competent authority, is competent to manage such a plant.

Air emission limit values.

11.(1) Incineration plants shall be designed, equipped, built and operated in such a way that the emission limit values set out in Schedule 5 are not exceeded in the exhaust gases.

(2) Co-incineration plants shall be designed, equipped, built and operated in such a way that the emission limit values determined according to or set out in Schedule 6 are not exceeded in the exhaust gases. However, if in a co-incineration plant more than 40 % of the resulting heat release comes

from hazardous waste, the emission limit values set out in Schedule 5 shall apply.

(3) The results of the measurements made to verify compliance with the emission limit values shall be standardised in accordance with section 15.

(4) In the case of co-incineration of untreated mixed municipal waste, the limit values will be determined according to Schedule 5, and Schedule 6 will not apply.

Waste water discharges.

12.(1) Waste water from the cleaning of exhaust gases may only be discharged from an incineration or co-incineration plant under authority of a permit granted by the competent authority issued subject to the provisions of this section being complied with.

(2) It shall be a condition that discharges to the aquatic environment of waste water resulting from the cleaning of exhaust gases shall be limited as far as practicable, at least in accordance with the emission limit values set in Schedule 7.

(3). It shall be a condition that waste water from the cleaning of exhaust gases may be discharged to the aquatic environment after separate treatment provided that–

(a) the requirements of relevant Community law on emission limit values are complied with; and

(b) the mass concentrations of the polluting substances referred to in Schedule 7 do not exceed the emission limit values laid down therein.

(4) The emission limit values referred to in subsection (3) shall apply at the point where waste waters from the cleaning of exhaust gases containing the polluting substances referred to in Schedule 7 are discharged from the incineration or co-incineration plant.

(5) It shall be a condition that where waste water from the cleaning of exhaust gases is treated on site collectively with other on-site sources of waste water, the operator shall take the measurements referred to in section 15–

(a) on the waste water stream from the exhaust gas cleaning processes prior to its input into the collective waste water treatment plant;

(b) on the other waste water stream or streams prior to its or their input into the collective waste water treatment plant;

(c) at the point of final waste water discharge, after the treatment, from the incineration plant or co-incineration plant.

(6) It shall be a condition that–

(a) the operator is to take appropriate mass balance calculations in order to determine the emission levels in the final waste water discharge that can be attributed to the waste water arising from the cleaning of exhaust gases in order to check compliance with the emission limit values set out in Schedule 7 for the waste water stream from the exhaust gas cleaning process;

(b) the operator shall not cause waste water to be diluted for the purpose of complying with the emission limit values set in Schedule 7.

(7) Where waste waters from the cleaning of exhaust gases containing the polluting substances referred to in Schedule 7 are treated outside the incineration or co-incineration plant at a treatment plant intended only for the treatment of this sort of waste water, then–

(a) the emission limit values of Schedule 7 are to be applied at the point where the waste waters leave the treatment plant, and

(b) where this off-site treatment plant is not only dedicated to treat waste water from incineration, the operator shall take the appropriate mass balance calculations, as provided for under subsection (5), in order to determine the emission levels in the final waste water discharge that can be attributed to the waste water arising from the cleaning of exhaust gases, in order to check compliance with the emission limit values set out in Schedule 7 for the waste water stream from the exhaust gas cleaning process, and

(c) it shall be a condition that the operator shall not cause waste water to be diluted for the purpose of complying with the emission limit values set in Schedule 7.

(8) A permit issued under this section shall–

(a) establish emission limit values for the polluting substances referred to in Schedule 7, in accordance with subsection (2) and in order to meet the requirements referred to in subsection (3)(a);

(b) set operational control parameters for waste water at least for pH, temperature and flow.

(9) Incineration and co-incineration plant sites, including associated storage areas for wastes, shall be designed and in such a way as–

(a) to prevent the unauthorised and accidental release of any polluting substances into soil, surface water and groundwater

(b) ensure that storage capacity is provided for contaminated rainwater run-off from the incineration or co-incineration plant site or for contaminated water arising from spillage or fire-fighting operations, and

(c) that such storage capacity is adequate to ensure that such waters can be tested and treated before discharge where necessary.

Residues.

13.(1) Residues resulting from the operation of the incineration or co-incineration plant–

(a) shall be minimised in their amount and harmfulness, and

(b) shall be recycled where applicable.

(2) The operator shall transport and store dry residues in the form of dust and dry residues from the treatment of combustion gases, in sealed containers in such a way as to prevent dispersal in the environment.

(3) Prior to transporting residues from incineration and co-incineration plants for the purpose of disposal or recycling, the operator shall make appropriate tests on the total soluble fraction and heavy metals soluble fraction in order to establish the physical and chemical characteristics and the polluting potential of the different incineration residues.

Control and monitoring.

14.(1) The operator shall put in place measurement equipment and appropriate techniques in order to monitor the parameters, conditions and mass concentrations relevant to the incineration or co-incineration process.

(2) Measurement requirements for the purposes of subsection (1) shall be provided by the competent authority in the permit or in the conditions attached to the permit.

(3) The competent authority shall take the necessary steps to ensure that the operator carries out–

(a) an annual surveillance test of the installation and the functioning of the automated monitoring equipment intended for making emissions into air and water which the operator shall calibrate by means of parallel measurements with the reference methods at least every three years.

(b) periodic measurements of the emissions into the air and water in accordance with Schedule 4, points 1 and 2.

(4) The test referred to in subsection (3) shall be by reference to such sampling or measurement points as the competent authority may deem appropriate.

Measurement requirements.

15.(1) Operators shall ensure that the provisions of this section are complied with.

(2) Operators shall carry out the following measurements of air pollutants in accordance with Schedule 4 at the incineration and co-incineration plant–

(a) continuous measurements of the following substances: NOx, provided that emission limit values are set, CO, total dust, TOC, HCl, HF, SO_2;

(b) continuous measurements of the following process operation parameters: temperature near the inner wall or at another representative point of the combustion chamber as authorised by the competent authority, concentration of oxygen, pressure, temperature and water vapour content of the exhaust gas;

(c) at least two measurements per year of heavy metals, dioxins and furans; one measurement at least every three months shall however be carried out for the first 12 months of operation.

(3) The competent authority shall take the necessary steps to ensure the operator verifies the residence time as well as the minimum temperature and the oxygen content of the exhaust gases at least once when the incineration or co-incineration plant is brought into service and under the most unfavourable operating conditions anticipated.

(4) Operators may omit the continuous measurement of HF if treatment stages for HCl are used which ensure that the emission limit value for HCl is

not being exceeded, in which case the emissions of HF shall be subject to periodic measurements as laid down in subsection (2)(c).

(5) The operator shall not be under a duty to continously measure water vapour content where the sampled exhaust gas is dried before the emissions are analysed.

(6) The competent authority may authorise in incineration or co-incineration plants periodic measurements of HCl, HF and SO_2 as laid down in subsection (2)(c) instead of continuous measuring where the operator can prove that the emissions of those pollutants can under no circumstances be higher than the emission limit values prescribed in this Act.

(7) The competent authority may authorise a reduction of the frequency in periodic measurements for heavy metals from twice a year to once every two years and for dioxins and furans from twice a year to once every year provided–

(a) criteria published by the European Commission under article 17 of Directive 2000/76 are available to be complied with, and

(b) that the emissions resulting from co-incineration or incineration are below 50% of the emission limit values determined in accordance with Schedule 5 or Schedule 6 respectively.

(8) Until 1 January 2005 the competent authority may authorise a reduction of the frequency in periodic measurements under subsection (7) even if no such criteria as are referred to in paragraph (a) are available provided that–

(a) the waste to be co-incinerated or incinerated consists only of certain sorted combustible fractions of non-hazardous waste not suitable for recycling and presenting certain characteristics, and which is further specified on the basis of the assessment referred to in subparagraph (d);

(b) national quality criteria, which have been reported to the Commission, are available for these wastes;

(c) co-incineration and incineration of these wastes is in line with the relevant waste management plans approved by the competent authority;

(d) the operator can prove to the competent authority that the emissions are under all circumstances significantly below the emission limit values set out in Schedule 5 or Schedule 6 for heavy metals, dioxins and furans; this assessment shall be based

on information on the quality of the waste concerned and measurements of the emissions of the said pollutants;

(e) the quality criteria and the new period for the periodic measurements are specified in the permit; and

(f) all decisions on the frequency of measurements referred to in this paragraph, supplemented with information on the amount and quality of the waste concerned, are communicated on a yearly basis to the Commission by the competent authority.

(9) The operator shall standardise the results of all measurements made to verify compliance with the emission limit values in accordance with the following conditions and for oxygen in accordance with the formula as referred to in Schedule 8–

(a) temperature 273 K, pressure 101,3 kPa, 11 % oxygen, dry gas, in exhaust gas of incineration plants;

(b) temperature 273 K, pressure 101,3 kPa, 3 % oxygen, dry gas, in exhaust gas of incineration of waste oil;

(c) when the wastes are incinerated or co-incinerated in an oxygen-enriched atmosphere, the results of the measurements can be standardised at an oxygen content as the competent authority may provide reflecting the special circumstances of the individual case;

(d) in the case of co-incineration, the results of the measurements shall be standardised at a total oxygen content as calculated in Schedule 6.

(10) When an operator of an incineration or co-incineration plant treating hazardous waste reduces the emissions of pollutants by exhaust gas treatment, the standardisation with respect to the oxygen contents provided for in the first subsection (9) shall be done only if the oxygen content measured over the same period as for the pollutant concerned exceeds the relevant standard oxygen content.

(11) The operator shall record, process and present all measurement results in an appropriate fashion in order to enable the competent authority to verify compliance with the permitted operating conditions and emission limit values laid down in this Act.

(12) Emission limit values for air shall be regarded as being complied with for the purposes of this Act where–

(a) none of the daily average values exceeds any of the emission limit values set out in Schedule 5 paragraph (a) or Schedule 6;

(b) 97 % of the daily average value over the year does not exceed the emission limit value set out in Schedule 5 paragraph (e) first indent;

(c) either none of the half-hourly average values exceeds any of the emission limit values set out in Schedule 5 paragraph (b), column A or, where relevant, 97 % of the half-hourly average values over the year do not exceed any of the emission limit values set out in Schedule 5 paragraph (b), column B;

(d) none of the average values over the sample period set out for heavy metals and dioxins and furans exceeds the emission limit values set out in Schedule 5 (c) and (d) or Schedule 6;

(e) the provisions of Schedule 5 paragraph (e), second indent or Schedule 6, are met.

(13) The operator shall determine the half-hourly average values and the 10-minute averages within the effective operating time (excluding the start-up and shut-off periods if no waste is being incinerated) from the measured values after having subtracted the value of the confidence interval specified in point 3 of Schedule 4. The daily average values shall be determined from those validated average values.

(14) To obtain a valid daily average value, the operator shall discard due to malfunction or maintenance of the continuous measurement system no more than five half-hourly average values in any day or ten daily averages per year.

(15) The operator shall determine the average values over the sample period and the average values in the case of periodical measurements of HF, HCl and SO_2 in accordance with the requirements of section 14 and Schedule 4.

(16) The operator shall carry out the following measurements at the point of waste water discharge–

(a) continuous measurements of the parameters referred to in section 12(8); and

(b) either spot sample daily measurements of total suspended solids or measurements of a flow proportional representative sample over a period of 24 hours;

(c) at least monthly measurements of a flow proportional representative sample of the discharge over a period of 24 hours of the polluting substances referred to in section 12(3) with respect to items 2 to 10 in Schedule 7;

(d) at least every six months measurements of dioxins and furans; subject to one measurement at least every three months shall be carried out for the first 12 months of operation.

(17) The competent authority shall regard the emission limit values for water as having being complied with where–

(a) for total suspended solids (polluting substance number 1), 95 % and 100 % of the measured values do not exceed the respective emission limit values as set out in Schedule 7;

(b) for heavy metals (polluting substances number 2 to 10) no more than one measurement per year exceeds the emission limit values set out in Schedule 7; or, if more than 20 samples per year are taken, no more than 5 % of these samples exceed the emission limit values set out in Schedule 7;

(c) for dioxins and furans (polluting substance 11), the twice-yearly measurements do not exceed the emission limit value set out in Schedule 7.

(18) Where the operator is of the opinion that the measurements taken show that the emission limit values for air or water laid down in this Act have been exceeded, he shall inform the competent authority without delay.

Access to information and public participation.

16.(1) The competent authority shall make available for inspection at a public place in Gibraltar all applications for a new permit to operate an incineration or co-incineration plants with a view to enabling the public to comment on the application before the competent authority reaches a decision.

(2) When the competent authority issues a permit, it shall shall make a copy, and any subsequent updates, available for inspection at a public place in Gibraltar.

(3) The operator of an incineration or co-incineration plant with a nominal capacity of two tonnes or more per hour shall provide the competent authority with an annual report on the functioning and monitoring of the plant which shall be made available to the public.

(4) A report under subsection (3) shall, as a minimum requirement, give an account of the running of the process and the emissions into air and water compared with the emission standards in this Act.

(5) The competent authority shall compile a list of incineration or co-incineration plants with a nominal capacity of less than two tonnes per hour which shall be made available to the public for inspection.

Abnormal operating conditions.

17.(1) Permits issued by the competent authority pursuant to Part VA of the Public Health Act and this Act shall include conditions relating to the maximum permissible period of any technically unavoidable stoppages, disturbances, or failures of the purification devices or the measurement devices, during which the concentrations in the discharges into the air and the purified waste water of the regulated substances may exceed the prescribed emission limit values.

(2) Where an incineration or co-incineration plant breaks down the operator shall reduce or close down operations as soon as practicable until normal operations can be restored.

(3) Without prejudice to section 10, an operator–

(a) shall not continue to incinerate waste for a period of more than four continuous hours where emission limit values are exceeded; moreover,

(b) shall ensure that the cumulative duration of operation in such conditions over one year shall be less than 60 hours: the 60-hour duration applies to those lines of the entire plant which are linked to one single flue gas cleaning device.

(4) The operator shall ensure that the total dust content of the emissions into the air of an incineration plant shall under no circumstances exceed 150 mg/m_ expressed as a half-hourly average; moreover the air emission limit values for CO and TOC shall not be exceeded.

Repeal.

19. The Specified Hazardous Waste (Incineration Plants) Act 1998 is hereby repealed.

Reports.

20.(1) The operator shall send to the competent authority the results of monitoring provided for in this Act.

(2) The competent authority shall ensure the onward transmission of any information required by the Commission of the European Communities.

Liability of bodies corporate - general.

20A.(1) A corporate body shall be liable for an offence under this Act where that offence is committed for its benefit by a person, acting either individually or as part of an organ of the corporate body, who has a leading position within the corporate body.

(2) For the purposes of subsection (1), a leading position shall be deemed to exist where such a person has–

(a) a power of representation of the corporate body;

(b) an authority to take decisions on behalf of the corporate body; or

(c) an authority to exercise control within the corporate body.

(3) A corporate body shall be liable for an offence under this Act committed by a person referred to in subsection (1) where lack of supervision or control by that person has made possible the commission of the offence for the benefit of the corporate body by a person under its authority.

(4) Where a corporate body is guilty of an offence under this Act and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any person referred to in subsection (1), or any person who was purporting to act in any such capacity that person, as well as the corporate body, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(5) Where the affairs of a corporate body are managed by its members, subsection (4) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the corporate body.

(6) A fine imposed on an unincorporated association on its conviction for an offence shall be paid out of the funds of the association.

(7) Where an offence under this Act committed by a partnership is proved to have been committed with the consent or connivance of or to have been attributable to any neglect on the part of a partner he as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.

Offences.

21. Any person charged with the management and control of an incineration or co-incineration plant and responsible for any act or omission contrary to the provisions of this Act shall be guilty of an offence and liable on summary conviction to a fine at level 4 on the standard scale.

Schedules.

22.(1) Schedules 1 to 9 shall have effect.

(2) The Minister with responsibility for the environment may, from time to time, amend any of the Schedules by Order in the Gazette.

SCHEDULE 1

Section 22

LIST OF WASTES PURSUANT TO ARTICLE 1(A) OF DIRECTIVE 75/442/EEC ON WASTE AND ARTICLE 1(4) OF DIRECTIVE 91/689/EEC ON HAZARDOUS WASTE.

Introduction

1. The present list is a harmonised list of wastes. It will be periodically reviewed by the European Commission on the basis of new knowledge and, in particular, of research results, and if necessary revised in accordance with Article 18 of Directive 75/442/EEC. However, the inclusion of a material in the list does not mean that the material is a waste in all circumstances. Materials are considered to be waste only where the definition of waste in Article 1(a) of Directive 75/442/EEC is met.

2. Wastes included in the list are subject to the provisions of Directive 75/442/EEC except where Article 2(1)(b) of this Directive applies.

3. The different types of wastes in the list are fully defined by the six-digit code for the waste and the respective two-digit and four-digit chapter headings. This implies that the following steps should be taken to identify a waste in the list.

3.1. Identify the source generating the waste in chapters 01 to 12 or 17 to 20 and identify the appropriate six-digit code of the waste (excluding codes ending with 99 of these chapters). A specific production unit may need to classify its activities in several chapters. For instance, a car manufacturer may find its wastes listed in chapters 12 (wastes from shaping and surface treatment of metals), 11 (inorganic wastes containing metals from metal treatment and the coating of metals) and 08 (wastes from the use of coatings), depending on the different process steps.

Note: separately collected packaging waste (including mixtures of different packaging materials) shall be classified in 15 01, not in 20 01.

3.2. If no appropriate waste code can be found in chapters 01 to 12 or 17 to 20, the chapters 13, 14 and 15 must be examined to identify the waste.

3.3. If none of these waste codes apply, the waste must be identified according to chapter 16.

3.4. If the waste is not in chapter 16 either, the 99 code (wastes not otherwise specified) must be used in the section of the list corresponding to the activity identified in step one.

4. Any waste marked with an asterisk (*) is considered as a hazardous waste pursuant to Directive 91/689/EEC on hazardous waste, and subject to the provisions of that Directive unless Article 1(5) of that Directive applies.

5. For the purpose of this Decision, 'dangerous substance' means any substance that has been or will be classified as dangerous in Directive 67/548/EEC and its subsequent amendments; 'heavy metal' means any compound of antimony, arsenic, cadmium, chromium(VI), copper, lead, mercury, nickel, selenium, tellurium, thallium and tin, as well as these materials in metallic form, as far as these are classified as dangerous substances.

6. If a waste is identified as hazardous by a specific or general reference to dangerous substances, the waste is hazardous only if the concentrations of those substances are such (i.e. percentage by weight) that the waste presents one or more of the properties listed in Annex III to Council Directive 91/689/EEC. As regards H3 to H8, H10 and H11, Article 2 of this Decision shall apply. For the characteristics H1, H2, H9 and H12 to H14 Article 2 of the present Decision does not provide specifications at present.

7. In line with Directive 1999/45/EC, which states in its preamble that the case of alloys has been considered to need further assessment because the characteristics of alloys are such that it may not be possible accurately to determine their properties using currently available conventional methods, the provisions of Article 2 would not apply to pure metal alloys (not contaminated by dangerous substances). This will be so pending further work that the Commission and Member States have taken the commitment to undertake on the specific approach of the classification of alloys. The waste materials which are specifically enumerated in this list, shall remain classified as at present.

8. The following rules for numbering of the items in the list have been used: For those wastes that were not changed, the code numbers from Commission Decision 94/3/EC have been used. The codes for wastes that were changed have been deleted and remain unused in order to avoid confusion after implementation of the new list. Wastes added have been given a code that has not been used in Commission Decision 94/3/EC and Commission Decision 2000/532/EC.

Chapters of the list.

01 Wastes resulting from exploration, mining, quarrying, physical and chemical treatment of minerals
02 Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing

03 Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard
04 Wastes from the leather, fur and textile industries
05 Wastes from petroleum refining, natural gas purification and pyrolytic treatment of coal
06 Wastes from inorganic chemical processes
07 Wastes from organic chemical processes
08 Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), adhesives, sealants and printing inks
09 Wastes from the photographic industry
10 Wastes from thermal processes
11 Wastes from chemical surface treatment and coating of metals and other materials; non-ferrous hydro-metallurgy
12 Wastes from shaping and physical and mechanical surface treatment of metals and plastics
13 Oil wastes and wastes of liquid fuels (except edible oils, 05 and 12)
14 Waste organic solvents, refrigerants and propellants (except 07 and 08)
15 Waste packaging; absorbents, wiping cloths, filter materials and protective clothing not otherwise specified
16 Wastes not otherwise specified in the list
17 Construction and demolition wastes (including excavated soil from contaminated sites)
18 Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)
19 Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use
20 Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions

01 WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING, AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS

01 01 wastes from mineral excavation

01 01 01 wastes from mineral metalliferous excavation
01 01 02 wastes from mineral non-metalliferous excavation

01 03 wastes from physical and chemical processing of metalliferous minerals

01 03 04* acid-generating tailings from processing of sulphide ore
01 03 05* other tailings containing dangerous substances
01 03 06 tailings other than those mentioned in 01 03 04 and 01 03 05

01 03 07* other wastes containing dangerous substances from physical and chemical processing of metalliferous minerals
01 03 08 dusty and powdery wastes other than those mentioned in 01 03 07
01 03 09 red mud from alumina production other than the wastes mentioned in 01 03 07
01 03 99 wastes not otherwise specified

01 04 wastes from physical and chemical processing of non metalliferous minerals

01 04 07* wastes containing dangerous substances from physical and chemical processing of non-metalliferous minerals
01 04 08 waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09 waste sand and clays
01 04 10 dusty and powdery wastes other than those mentioned in 01 04 07
01 04 11 wastes from potash and rock salt processing other than those mentioned in 01 04 07
01 04 12 tailings and other wastes from washing and cleaning of minerals other than those mentioned in 01 04 07 and 01 04 11
01 04 13 wastes from stone cutting and sawing other than those mentioned in 01 04 07
01 04 99 wastes not otherwise specified

01 05 drilling muds and other drilling wastes

01 05 04 freshwater drilling muds and wastes
01 05 05* oil-containing drilling muds and wastes
01 05 06* drilling muds and other drilling wastes containing dangerous substances
01 05 07 barite-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06
01 05 08 chloride-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06
01 05 99 wastes not otherwise specified

02 WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING

02 01 wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing

02 01 01 sludges from washing and cleaning
02 01 02 animal-tissue waste
02 01 03 plant-tissue waste
02 01 04 waste plastics (except packaging)

02 01 06 animal faeces, urine and manure (including spoiled straw), effluent, collected separately and treated off-site
02 01 07 wastes from forestry
02 01 08* agrochemical waste containing dangerous substances
02 01 09 agrochemical waste other than those mentioned in 02 01 08
02 01 10 waste metal
02 01 99 wastes not otherwise specified

02 02 wastes from the preparation and processing of meat, fish and other foods of animal origin

02 02 01 sludges from washing and cleaning
02 02 02 animal-tissue waste
02 02 03 materials unsuitable for consumption or processing
02 02 04 sludges from on-site effluent treatment
02 02 99 wastes not otherwise specified

02 03 wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation

02 03 01 sludges from washing, cleaning, peeling, centrifuging and separation
02 03 02 wastes from preserving agents
02 03 03 wastes from solvent extraction
02 03 04 materials unsuitable for consumption or processing
02 03 05 sludges from on-site effluent treatment
02 03 99 wastes not otherwise specified

02 04 wastes from sugar processing

02 04 01 soil from cleaning and washing beet
02 04 02 off-specification calcium carbonate
02 04 03 sludges from on-site effluent treatment
02 04 99 wastes not otherwise specified

02 05 wastes from the dairy products industry

02 05 01 materials unsuitable for consumption or processing
02 05 02 sludges from on-site effluent treatment
02 05 99 wastes not otherwise specified

02 06 wastes from the baking and confectionery industry

02 06 01 materials unsuitable for consumption or processing
02 06 02 wastes from preserving agents

02 06 03 sludges from on-site effluent treatment
02 06 99 wastes not otherwise specified

02 07 wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)

02 07 01 wastes from washing, cleaning and mechanical reduction of raw materials
02 07 02 wastes from spirits distillation
02 07 03 wastes from chemical treatment
02 07 04 materials unsuitable for consumption or processing
02 07 05 sludges from on-site effluent treatment
02 07 99 wastes not otherwise specified

03 WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD

03 01 wastes from wood processing and the production of panels and furniture

03 01 01 waste bark and cork
03 01 04* sawdust, shavings, cuttings, wood, particle board and veneer containing dangerous substances
03 01 05 sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04
03 01 99 wastes not otherwise specified

03 02 wastes from wood preservation

03 02 01* non-halogenated organic wood preservatives
03 02 02* organochlorinated wood preservatives
03 02 03* organometallic wood preservatives
03 02 04* inorganic wood preservatives
03 02 05* other wood preservatives containing dangerous substances
03 02 99 wood preservatives not otherwise specified

03 03 wastes from pulp, paper and cardboard production and processing

03 03 01 waste bark and wood
03 03 02 green liquor sludge (from recovery of cooking liquor)
03 03 05 de-inking sludges from paper recycling
03 03 07 mechanically separated rejects from pulping of waste paper and cardboard
03 03 08 wastes from sorting of paper and cardboard destined for recycling
03 03 09 lime mud waste

03 03 10 fibre rejects, fibre-, filler- and coating-sludges from mechanical separation
03 03 11 sludges from on-site effluent treatment other than those mentioned in 03 03 10
03 03 99 wastes not otherwise specified

04 WASTES FROM THE LEATHER, FUR AND TEXTILE INDUSTRIES

04 01 wastes from the leather and fur industry

04 01 01 fleshings and lime split wastes
04 01 02 liming waste
04 01 03* degreasing wastes containing solvents without a liquid phase
04 01 04 tanning liquor containing chromium
04 01 05 tanning liquor free of chromium
04 01 06 sludges, in particular from on-site effluent treatment containing chromium
04 01 07 sludges, in particular from on-site effluent treatment free of chromium
04 01 08 waste tanned leather (blue sheetings, shavings, cuttings, buffing dust) containing chromium
04 01 09 wastes from dressing and finishing
04 01 99 wastes not otherwise specified

04 02 wastes from the textile industry

04 02 09 wastes from composite materials (impregnated textile, elastomer, plastomer)
04 02 10 organic matter from natural products (for example grease, wax)
04 02 14* wastes from finishing containing organic solvents
04 02 15 wastes from finishing other than those mentioned in 04 02 14
04 02 16* dyestuffs and pigments containing dangerous substances
04 02 17 dyestuffs and pigments other than those mentioned in 04 02 16
04 02 19* sludges from on-site effluent treatment containing dangerous substances
04 02 20 sludges from on-site effluent treatment other than those mentioned in 04 02 19
04 02 21 wastes from unprocessed textile fibres
04 02 22 wastes from processed textile fibres
04 02 99 wastes not otherwise specified

05 WASTES FROM PETROLEUM REFINING, NATURAL GAS PURIFICATION AND PYROLYTIC TREATMENT OF COAL

05 01 wastes from petroleum refining

05 01 02* desalter sludges
05 01 03* tank bottom sludges
05 01 04* acid alkyl sludges
05 01 05* oil spills
05 01 06* oily sludges from maintenance operations of the plant or equipment
05 01 07* acid tars
05 01 08* other tars
05 01 09* sludges from on-site effluent treatment containing dangerous substances
05 01 10 sludges from on-site effluent treatment other than those mentioned in 05 01 09
05 01 11* wastes from cleaning of fuels with bases
05 01 12* oil containing acids
05 01 13 boiler feedwater sludges
05 01 14 wastes from cooling columns
05 01 15* spent filter clays
05 01 16 sulphur-containing wastes from petroleum desulphurisation
05 01 17 bitumen
05 01 99 wastes not otherwise specified

05 06 wastes from the pyrolytic treatment of coal

05 06 01* acid tars
05 06 03* other tars
05 06 04 waste from cooling columns
05 06 99 wastes not otherwise specified

05 07 wastes from natural gas purification and transportation

05 07 01* wastes containing mercury
05 07 02 wastes containing sulphur
05 07 99 wastes not otherwise specified

06 WASTES FROM INORGANIC CHEMICAL PROCESSES

06 01 wastes from the manufacture, formulation, supply and use (MFSU) of acids

06 01 01* sulphuric acid and sulphurous acid
06 01 02* hydrochloric acid
06 01 03* hydrofluoric acid
06 01 04* phosphoric and phosphorous acid
06 01 05* nitric acid and nitrous acid
06 01 06* other acids
06 01 99 wastes not otherwise specified

06 02 wastes from the MFSU of bases

06 02 01* calcium hydroxide
06 02 03* ammonium hydroxide
06 02 04* sodium and potassium hydroxide
06 02 05* other bases
06 02 99 wastes not otherwise specified

06 03 wastes from the MFSU of salts and their solutions and metallic oxides

06 03 11* solid salts and solutions containing cyanides
06 03 13* solid salts and solutions containing heavy metals
06 03 14 solid salts and solutions other than those mentioned in 06 03 11 and 06 03 13
06 03 15* metallic oxides containing heavy metals
06 03 16 metallic oxides other than those mentioned in 06 03 15
06 03 99 wastes not otherwise specified

06 04 metal-containing wastes other than those mentioned in 06 03

06 04 03* wastes containing arsenic
06 04 04* wastes containing mercury
06 04 05* wastes containing other heavy metals
06 04 99 wastes not otherwise specified

06 05 sludges from on-site effluent treatment

06 05 02* sludges from on-site effluent treatment containing dangerous substances
06 05 03 sludges from on-site effluent treatment other than those mentioned in 06 05 02

06 06 wastes from the MFSU of sulphur chemicals, sulphur chemical processes and desulphurisation processes

06 06 02* wastes containing dangerous sulphides
06 06 03 wastes containing sulphides other than those mentioned in 06 06 02
06 06 99 wastes not otherwise specified

06 07 wastes from the MFSU of halogens and halogen chemical processes

06 07 01* wastes containing asbestos from electrolysis
06 07 02* activated carbon from chlorine production
06 07 03* barium sulphate sludge containing mercury

06 07 04* solutions and acids, for example contact acid
06 07 99 wastes not otherwise specified

06 08 wastes from the MFSU of silicon and silicon derivatives

06 08 02 wastes containing chlorosilanes
06 08 99 wastes not otherwise specified

06 09 wastes from the MSFU of phosphorous chemicals and phosphorous chemical processes

06 09 02 phosphorous slag
06 09 03* calcium-based reaction wastes containing or contaminated with dangerous substances
06 09 04 calcium-based reaction wastes other than those mentioned in 06 09 03
06 09 99 wastes not otherwise specified

06 10 wastes from the MFSU of nitrogen chemicals, nitrogen chemical processes and fertiliser manufacture

06 10 02* wastes containing dangerous substances
06 10 99 wastes not otherwise specified

06 11 wastes from the manufacture of inorganic pigments and opacificiers

06 11 01 calcium-based reaction wastes from titanium dioxide production
06 11 99 wastes not otherwise specified

06 13 wastes from inorganic chemical processes not otherwise specified

06 13 01* inorganic plant protection products, wood-preserving agents and other biocides.
06 13 02* spent activated carbon (except 06 07 02)
06 13 03 carbon black
06 13 04* wastes from asbestos processing
06 13 05* soot
06 13 99 wastes not otherwise specified

07 WASTES FROM ORGANIC CHEMICAL PROCESSES

07 01 wastes from the manufacture, formulation, supply and use (MFSU) of basic organic chemicals

07 01 01* aqueous washing liquids and mother liquors
07 01 03* organic halogenated solvents, washing liquids and mother liquors

07 01 04* other organic solvents, washing liquids and mother liquors
07 01 07* halogenated still bottoms and reaction residues
07 01 08* other still bottoms and reaction residues
07 01 09* halogenated filter cakes and spent absorbents
07 01 10* other filter cakes and spent absorbents
07 01 11* sludges from on-site effluent treatment containing dangerous substances
07 01 12 sludges from on-site effluent treatment other than those mentioned in 07 01 11
07 01 99 wastes not otherwise specified

07 02 wastes from the MFSU of plastics, synthetic rubber and man-made fibres

07 02 01* aqueous washing liquids and mother liquors
07 02 03* organic halogenated solvents, washing liquids and mother liquors
07 02 04* other organic solvents, washing liquids and mother liquors
07 02 07* halogenated still bottoms and reaction residues
07 02 08* other still bottoms and reaction residues
07 02 09* halogenated filter cakes and spent absorbents
07 02 10* other filter cakes and spent absorbents
07 02 11* sludges from on-site effluent treatment containing dangerous substances
07 02 12 sludges from on-site effluent treatment other than those mentioned in 07 02 11
07 02 13 waste plastic
07 02 14* wastes from additives containing dangerous substances
07 02 15 wastes from additives other than those mentioned in 07 02 14
07 02 16 wastes containing silicones
07 02 99 wastes not otherwise specified

07 03 wastes from the MFSU of organic dyes and pigments (except 06 11)

07 03 01* aqueous washing liquids and mother liquors
07 03 03* organic halogenated solvents, washing liquids and mother liquors
07 03 04* other organic solvents, washing liquids and mother liquors
07 03 07* halogenated still bottoms and reaction residues
07 03 08* other still bottoms and reaction residues
07 03 09* halogenated filter cakes and spent absorbents
07 03 10* other filter cakes and spent absorbents
07 03 11* sludges from on-site effluent treatment containing dangerous substances
07 03 12 sludges from on-site effluent treatment other than those mentioned in 07 03 11
07 03 99 wastes not otherwise specified

07 04 wastes from the MFSU of organic plant protection products (except 02 01 08 and 02 01 09), wood preserving agents (except 03 02) and other biocides

07 04 01* aqueous washing liquids and mother liquors
07 04 03* organic halogenated solvents, washing liquids and mother liquors
07 04 04* other organic solvents, washing liquids and mother liquors
07 04 07* halogenated still bottoms and reaction residues
07 04 08* other still bottoms and reaction residues
07 04 09* halogenated filter cakes and spent absorbents
07 04 10* other filter cakes and spent absorbents
07 04 11* sludges from on-site effluent treatment containing dangerous substances
07 04 12 sludges from on-site effluent treatment other than those mentioned in 07 04 11
07 04 13* solid wastes containing dangerous substances
07 04 99 wastes not otherwise specified

07 05 wastes from the MFSU of pharmaceuticals

07 05 01* aqueous washing liquids and mother liquors
07 05 03* organic halogenated solvents, washing liquids and mother liquors
07 05 04* other organic solvents, washing liquids and mother liquors
07 05 07* halogenated still bottoms and reaction residues
07 05 08* other still bottoms and reaction residues
07 05 09* halogenated filter cakes and spent absorbents
07 05 10* other filter cakes and spent absorbents
07 05 11* sludges from on-site effluent treatment containing dangerous substances
07 05 12 sludges from on-site effluent treatment other than those mentioned in 07 05 11
07 05 13* solid wastes containing dangerous substances
07 05 14 solid wastes other than those mentioned in 07 05 13
07 05 99 wastes not otherwise specified

07 06 wastes from the MFSU of fats, grease, soaps, detergents, disinfectants and cosmetics

07 06 01* aqueous washing liquids and mother liquors
07 06 03* organic halogenated solvents, washing liquids and mother liquors
07 06 04* other organic solvents, washing liquids and mother liquors
07 06 07* halogenated still bottoms and reaction residues
07 06 08* other still bottoms and reaction residues
07 06 09* halogenated filter cakes and spent absorbents
07 06 10* other filter cakes and spent absorbents
07 06 11* sludges from on-site effluent treatment containing dangerous substances

07 06 12 sludges from on-site effluent treatment other than those mentioned in 07 06 11
07 06 99 wastes not otherwise specified

07 07 wastes from the MFSU of fine chemicals and chemical products not otherwise specified

07 07 01* aqueous washing liquids and mother liquors
07 07 03* organic halogenated solvents, washing liquids and mother liquors
07 07 04* other organic solvents, washing liquids and mother liquors
07 07 07* halogenated still bottoms and reaction residues
07 07 08* other still bottoms and reaction residues
07 07 09* halogenated filter cakes and spent absorbents
07 07 10* other filter cakes and spent absorbents
07 07 11* sludges from on-site effluent treatment containing dangerous substances
07 07 12 sludges from on-site effluent treatment other than those mentioned in 07 07 11
07 07 99 wastes not otherwise specified

08 WASTES FROM THE MANUFACTURE, FORMULATION, SUPPLYAND USE (MFSU) OF COATINGS (PAINTS, VARNISHES AND VITREOUS ENAMELS), ADHESIVES, SEALANTS AND PRINTING INKS

08 01 wastes from MFSU and removal of paint and varnish

08 01 11* waste paint and varnish containing organic solvents or other dangerous substances
08 01 12 waste paint and varnish other than those mentioned in 08 01 11
08 01 13* sludges from paint or varnish containing organic solvents or other dangerous substances
08 01 14 sludges from paint or varnish other than those mentioned in 08 01 13
08 01 15* aqueous sludges containing paint or varnish containing organic solvents or other dangerous substances
08 01 16 aqueous sludges containing paint or varnish other than those mentioned in 08 01 15
08 01 17* wastes from paint or varnish removal containing organic solvents or other dangerous substances
08 01 18 wastes from paint or varnish removal other than those mentioned in 08 01 17
08 01 19* aqueous suspensions containing paint or varnish containing organic solvents or other dangerous substances
08 01 20 aqueous suspensions containing paint or varnish other than those mentioned in 08 01 19
08 01 21* waste paint or varnish remover

08 01 99 wastes not otherwise specified

08 02 wastes from MFSU of other coatings (including ceramic materials)

08 02 01 waste coating powders
08 02 02 aqueous sludges containing ceramic materials
08 02 03 aqueous suspensions containing ceramic materials
08 02 99 wastes not otherwise specified

08 03 wastes from MFSU of printing inks

08 03 07 aqueous sludges containing ink
08 03 08 aqueous liquid waste containing ink
08 03 12* waste ink containing dangerous substances
08 03 13 waste ink other than those mentioned in 08 03 12
08 03 14* ink sludges containing dangerous substances
08 03 15 ink sludges other than those mentioned in 08 03 14
08 03 16* waste etching solutions
08 03 17* waste printing toner containing dangerous substances
08 03 18 waste printing toner other than those mentioned in 08 03 17
08 03 19* disperse oil
08 03 99 wastes not otherwise specified

08 04 wastes from MFSU of adhesives and sealants (including waterproofing products)

08 04 09* waste adhesives and sealants containing organic solvents or other dangerous substances
08 04 10 waste adhesives and sealants other than those mentioned in 08 04 09
08 04 11* adhesive and sealant sludges containing organic solvents or other dangerous substances
08 04 12 adhesive and sealant sludges other than those mentioned in 08 04 11
08 04 13* aqueous sludges containing adhesives or sealants containing organic solvents or other dangerous substances
08 04 14 aqueous sludges containing adhesives or sealants other than those mentioned in 08 04 13
08 04 15* aqueous liquid waste containing adhesives or sealants containing organic solvents or other dangerous substances
08 04 16 aqueous liquid waste containing adhesives or sealants other than those mentioned in 08 04 15
08 04 17* rosin oil
08 04 99 wastes not otherwise specified

08 05 wastes not otherwise specified in 08

08 05 01* waste isocyanates

09 WASTES FROM THE PHOTOGRAPHIC INDUSTRY

09 01 wastes from the photographic industry

09 01 01* water-based developer and activator solutions
09 01 02* water-based offset plate developer solutions
09 01 03* solvent-based developer solutions
09 01 04* fixer solutions
09 01 05* bleach solutions and bleach fixer solutions
09 01 06* wastes containing silver from on-site treatment of photographic wastes
09 01 07 photographic film and paper containing silver or silver compounds
09 01 08 photographic film and paper free of silver or silver compounds
09 01 10 single-use cameras without batteries
09 01 11* single-use cameras containing batteries included in 16 06 01, 16 06 02 or 16 06 03
09 01 12 single-use cameras containing batteries other than those mentioned in 09 01 11
09 01 13* aqueous liquid waste from on-site reclamation of silver other than those mentioned in 09 01 06
09 01 99 wastes not otherwise specified

10 WASTES FROM THERMAL PROCESSES

10 01 wastes from power stations and other combustion plants (except 19)

10 01 01 bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04)
10 01 02 coal fly ash
10 01 03 fly ash from peat and untreated wood
10 01 04* oil fly ash and boiler dust
10 01 05 calcium-based reaction wastes from flue-gas desulphurisation in solid form
10 01 07 calcium-based reaction wastes from flue-gas desulphurisation in sludge form
10 01 09* sulphuric acid
10 01 13* fly ash from emulsified hydrocarbons used as fuel
10 01 14* bottom ash, slag and boiler dust from co-incineration containing dangerous substances
10 01 15 bottom ash, slag and boiler dust from co-incineration other than those mentioned in 10 01 14
10 01 16* fly ash from co-incineration containing dangerous substances
10 01 17 fly ash from co-incineration other than those mentioned in

10 01 16
10 01 18* wastes from gas cleaning containing dangerous substances
10 01 19 wastes from gas cleaning other than those mentioned in 10 01 05, 10 01 07 and 10 01 18
10 01 20* sludges from on-site effluent treatment containing dangerous substances
10 01 21 sludges from on-site effluent treatment other than those mentioned in 10 01 20
10 01 22* aqueous sludges from boiler cleansing containing dangerous substances
10 01 23 aqueous sludges from boiler cleansing other than those mentioned in 10 01 22
10 01 24 sands from fluidised beds
10 01 25 wastes from fuel storage and preparation of coal-fired power plants
10 01 26 wastes from cooling-water treatment
10 01 99 wastes not otherwise specified

10 02 wastes from the iron and steel industry

10 02 01 wastes from the processing of slag
10 02 02 unprocessed slag
10 02 07* solid wastes from gas treatment containing dangerous substances
10 02 08 solid wastes from gas treatment other than those mentioned in 10 02 07
10 02 10 mill scales
10 02 11* wastes from cooling-water treatment containing oil
10 02 12 wastes from cooling-water treatment other than those mentioned in 10 02 11
10 02 13* sludges and filter cakes from gas treatment containing dangerous substances
10 02 14 sludges and filter cakes from gas treatment other than those mentioned in 10 02 13
10 02 15 other sludges and filter cakes
10 02 99 wastes not otherwise specified

10 03 wastes from aluminium thermal metallurgy

10 03 02 anode scraps
10 03 04* primary production slags
10 03 05 waste alumina
10 03 08* salt slags from secondary production
10 03 09* black drosses from secondary production
10 03 15* skimmings that are flammable or emit, upon contact with water, flammable gases in dangerous quantities
10 03 16 skimmings other than those mentioned in 10 03 15
10 03 17* tar-containing wastes from anode manufacture
10 03 18 carbon-containing wastes from anode manufacture other than those

mentioned in 10 03 17
10 03 19* flue-gas dust containing dangerous substances
10 03 20 flue-gas dust other than those mentioned in 10 03 19
10 03 21* other particulates and dust (including ball-mill dust) containing dangerous substances
10 03 22 other particulates and dust (including ball-mill dust) other than those mentioned in 10 03 21
10 03 23* solid wastes from gas treatment containing dangerous substances
10 03 24 solid wastes from gas treatment other than those mentioned in 10 03 23
10 03 25* sludges and filter cakes from gas treatment containing dangerous substances
10 03 26 sludges and filter cakes from gas treatment other than those mentioned in 10 03 25
10 03 27* wastes from cooling-water treatment containing oil
10 03 28 wastes from cooling-water treatment other than those mentioned in 10 03 27
10 03 29* wastes from treatment of salt slags and black drosses containing dangerous substances
10 03 30 wastes from treatment of salt slags and black drosses other than those mentioned in 10 03 29
10 03 99 wastes not otherwise specified

10 04 wastes from lead thermal metallurgy

10 04 01* slags from primary and secondary production
10 04 02* dross and skimmings from primary and secondary production
10 04 03* calcium arsenate
10 04 04* flue-gas dust
10 04 05* other particulates and dust
10 04 06* solid wastes from gas treatment
10 04 07* sludges and filter cakes from gas treatment
10 04 09* wastes from cooling-water treatment containing oil
10 04 10 wastes from cooling-water treatment other than those mentioned in 10 04 09
10 04 99 wastes not otherwise specified

10 05 wastes from zinc thermal metallurgy

10 05 01 slags from primary and secondary production
10 05 03* flue-gas dust
10 05 04 other particulates and dust
10 05 05* solid waste from gas treatment
10 05 06* sludges and filter cakes from gas treatment
10 05 08* wastes from cooling-water treatment containing oil
10 05 09 wastes from cooling-water treatment other than those mentioned in 10 05 08

10 05 10* dross and skimmings that are flammable or emit, upon contact with water, flammable gases in dangerous quantities
10 05 11 dross and skimmings other than those mentioned in 10 05 10
10 05 99 wastes not otherwise specified

10 06 wastes from copper thermal metallurgy

10 06 01 slags from primary and secondary production
10 06 02 dross and skimmings from primary and secondary production
10 06 03* flue-gas dust
10 06 04 other particulates and dust
10 06 06* solid wastes from gas treatment
10 06 07* sludges and filter cakes from gas treatment
10 06 09* wastes from cooling-water treatment containing oil
10 06 10 wastes from cooling-water treatment other than those mentioned in 10 06 09
10 06 99 wastes not otherwise specified

10 07 wastes from silver, gold and platinum thermal metallurgy

10 07 01 slags from primary and secondary production
10 07 02 dross and skimmings from primary and secondary production
10 07 03 solid wastes from gas treatment
10 07 04 other particulates and dust
10 07 05 sludges and filter cakes from gas treatment
10 07 07* wastes from cooling-water treatment containing oil
10 07 08 wastes from cooling-water treatment other than those mentioned in 10 07 07
10 07 99 wastes not otherwise specified

10 08 wastes from other non-ferrous thermal metallurgy

10 08 04 particulates and dust
10 08 08* salt slag from primary and secondary production
10 08 09 other slags
10 08 10* dross and skimmings that are flammable or emit, upon contact with water, flammable gases in dangerous quantities
10 08 11 dross and skimmings other than those mentioned in 10 08 10
10 08 12* tar-containing wastes from anode manufacture
10 08 13 carbon-containing wastes from anode manufacture other than those mentioned in 10 08 12
10 08 14 anode scrap
10 08 15* flue-gas dust containing dangerous substances
10 08 16 flue-gas dust other than those mentioned in 10 08 15
10 08 17* sludges and filter cakes from flue-gas treatment containing dangerous substances
10 08 18 sludges and filter cakes from flue-gas treatment other than those

mentioned in 10 08 17
10 08 19* wastes from cooling-water treatment containing oil
10 08 20 wastes from cooling-water treatment other than those mentioned in 10 08 19
10 08 99 wastes not otherwise specified

10 09 wastes from casting of ferrous pieces

10 09 03 furnace slag
10 09 05* casting cores and moulds which have not undergone pouring containing dangerous substances
10 09 06 casting cores and moulds which have not undergone pouring other than those mentioned in 10 09 05
10 09 07* casting cores and moulds which have undergone pouring containing dangerous substances
10 09 08 casting cores and moulds which have undergone pouring other than those mentioned in 10 09 07
10 09 09* flue-gas dust containing dangerous substances
10 09 10 flue-gas dust other than those mentioned in 10 09 09
10 09 11* other particulates containing dangerous substances
10 09 12 other particulates other than those mentioned in 10 09 11
10 09 13* waste binders containing dangerous substances
10 09 14 waste binders other than those mentioned in 10 09 13
10 09 15* waste crack-indicating agent containing dangerous substances
10 09 16 waste crack-indicating agent other than those mentioned in 10 09 15
10 09 99 wastes not otherwise specified

10 10 wastes from casting of non-ferrous pieces

10 10 03 furnace slag
10 10 05* casting cores and moulds which have not undergone pouring, containing dangerous substances
10 10 06 casting cores and moulds which have not undergone pouring, other than those mentioned in 10 10 05
10 10 07* casting cores and moulds which have undergone pouring, containing dangerous substances
10 10 08 casting cores and moulds which have undergone pouring, other than those mentioned in 10 10 07
10 10 09* flue-gas dust containing dangerous substances
10 10 10 flue-gas dust other than those mentioned in 10 10 09
10 10 11* other particulates containing dangerous substances
10 10 12 other particulates other than those mentioned in 10 10 11
10 10 13* waste binders containing dangerous substances
10 10 14 waste binders other than those mentioned in 10 10 13
10 10 15* waste crack-indicating agent containing dangerous substances
10 10 16 waste crack-indicating agent other than those mentioned in

10 10 15
10 10 99 wastes not otherwise specified

10 11 wastes from manufacture of glass and glass products

10 11 03 waste glass-based fibrous materials
10 11 05 particulates and dust
10 11 09* waste preparation mixture before thermal processing, containing dangerous substances
10 11 10 waste preparation mixture before thermal processing, other than those mentioned in 10 11 09
10 11 11* waste glass in small particles and glass powder containing heavy metals (for example from cathode ray tubes)
10 11 12 waste glass other than those mentioned in 10 11 11
10 11 13* glass-polishing and -grinding sludge containing dangerous substances
10 11 14 glass-polishing and -grinding sludge other than those mentioned in 10 11 13
10 11 15* solid wastes from flue-gas treatment containing dangerous substances
10 11 16 solid wastes from flue-gas treatment other than those mentioned in 10 11 15
10 11 17* sludges and filter cakes from flue-gas treatment containing dangerous substances
10 11 18 sludges and filter cakes from flue-gas treatment other than those mentioned in 10 11 17
10 11 19* solid wastes from on-site effluent treatment containing dangerous substances
10 11 20 solid wastes from on-site effluent treatment other than those mentioned in 10 11 19
10 11 99 wastes not otherwise specified

10 12 wastes from manufacture of ceramic goods, bricks, tiles and construction products

10 12 01 waste preparation mixture before thermal processing
10 12 03 particulates and dust
10 12 05 sludges and filter cakes from gas treatment
10 12 06 discarded moulds
10 12 08 waste ceramics, bricks, tiles and construction products (after thermal processing)
10 12 09* solid wastes from gas treatment containing dangerous substances
10 12 10 solid wastes from gas treatment other than those mentioned in 10 12 09
10 12 11* wastes from glazing containing heavy metals
10 12 12 wastes from glazing other than those mentioned in 10 12 11
10 12 13 sludge from on-site effluent treatment

10 12 99 wastes not otherwise specified

10 13 wastes from manufacture of cement, lime and plaster and articles and products made from them

10 13 01 waste preparation mixture before thermal processing
10 13 04 wastes from calcination and hydration of lime
10 13 06 particulates and dust (except 10 13 12 and 10 13 13)
10 13 07 sludges and filter cakes from gas treatment
10 13 09* wastes from asbestos-cement manufacture containing asbestos
10 13 10 wastes from asbestos-cement manufacture other than those mentioned in 10 13 09
10 13 11 wastes from cement-based composite materials other than those mentioned in 10 13 09 and 10 13 10
10 13 12* solid wastes from gas treatment containing dangerous substances
10 13 13 solid wastes from gas treatment other than those mentioned in 10 13 12
10 13 14 waste concrete and concrete sludge
10 13 99 wastes not otherwise specified

10 14 waste from crematoria

10 14 01* waste from gas cleaning containing mercury

11 WASTES FROM CHEMICAL SURFACE TREATMENT AND COATING OF METALS AND OTHER MATERIALS; NON-FERROUS HYDRO-METALLURGY

11 01 wastes from chemical surface treatment and coating of metals and other materials (for example galvanic processes, zinc coating processes, pickling processes, etching, phosphating, alkaline degreasing, anodising)

11 01 05* pickling acids
11 01 06* acids not otherwise specified
11 01 07* pickling bases
11 01 08* phosphatising sludges
11 01 09* sludges and filter cakes containing dangerous substances
11 01 10 sludges and filter cakes other than those mentioned in 11 01 09
11 01 11* aqueous rinsing liquids containing dangerous substances
11 01 12 aqueous rinsing liquids other than those mentioned in 11 01 11
11 01 13* degreasing wastes containing dangerous substances
11 01 14 degreasing wastes other than those mentioned in 11 01 13
11 01 15* eluate and sludges from membrane systems or ion exchange systems containing dangerous substances
11 01 16* saturated or spent ion exchange resins
11 01 98* other wastes containing dangerous substances

11 01 99 wastes not otherwise specified

11 02 wastes from non-ferrous hydrometallurgical processes

11 02 02* sludges from zinc hydrometallurgy (including jarosite, goethite)
11 02 03 wastes from the production of anodes for aqueous electrolytical processes
11 02 05* wastes from copper hydrometallurgical processes containing dangerous substances
11 02 06 wastes from copper hydrometallurgical processes other than those mentioned in 11 02 05
11 02 07* other wastes containing dangerous substances
11 02 99 wastes not otherwise specified

11 03 sludges and solids from tempering processes

11 03 01* wastes containing cyanide
11 03 02* other wastes

11 05 wastes from hot galvanising processes

11 05 01 hard zinc
11 05 02 zinc ash
11 05 03* solid wastes from gas treatment
11 05 04* spent flux
11 05 99 wastes not otherwise specified

12 WASTES FROM SHAPING AND PHYSICAL AND MECHANICAL SURFACE TREATMENT OF METALS AND PLASTICS

12 01 wastes from shaping and physical and mechanical surface treatment of metals and plastics

12 01 01 ferrous metal filings and turnings
12 01 02 ferrous metal dust and particles
12 01 03 non-ferrous metal filings and turnings
12 01 04 non-ferrous metal dust and particles
12 01 05 plastics shavings and turnings
12 01 06* mineral-based machining oils containing halogens (except emulsions and solutions)
12 01 07* mineral-based machining oils free of halogens (except emulsions and solutions)
12 01 08* machining emulsions and solutions containing halogens
12 01 09* machining emulsions and solutions free of halogens
12 01 10* synthetic machining oils
12 01 12* spent waxes and fats

12 01 13 welding wastes
12 01 14* machining sludges containing dangerous substances
12 01 15 machining sludges other than those mentioned in 12 01 14
12 01 16* waste blasting material containing dangerous substances
12 01 17 waste blasting material other than those mentioned in 12 01 16
12 01 18* metal sludge (grinding, honing and lapping sludge) containing oil
12 01 19* readily biodegradable machining oil
12 01 20* spent grinding bodies and grinding materials containing dangerous substances
12 01 21 spent grinding bodies and grinding materials other than those mentioned in 12 01 20
12 01 99 wastes not otherwise specified

12 03 wastes from water and steam degreasing processes (except 11)

12 03 01* aqueous washing liquids
12 03 02* steam degreasing wastes

13 OILWASTES ANDWASTES OF LIQUID FUELS (except edible oils, and those in chapters 05, 12 and 19)

13 01 waste hydraulic oils

13 01 01* hydraulic oils, containing PCBs (1)
13 01 04* chlorinated emulsions
13 01 05* non-chlorinated emulsions
13 01 09* mineral-based chlorinated hydraulic oils
13 01 10* mineral based non-chlorinated hydraulic oils
13 01 11* synthetic hydraulic oils
13 01 12* readily biodegradable hydraulic oils
13 01 13* other hydraulic oils

13 02 waste engine, gear and lubricating oils

13 02 04* mineral-based chlorinated engine, gear and lubricating oils
13 02 05* mineral-based non-chlorinated engine, gear and lubricating oils
13 02 06* synthetic engine, gear and lubricating oils
13 02 07* readily biodegradable engine, gear and lubricating oils
13 02 08* other engine, gear and lubricating oils

13 03 waste insulating and heat transmission oils

13 03 01* insulating or heat transmission oils containing PCBs
13 03 06* mineral-based chlorinated insulating and heat transmission oils other than those mentioned in 13 03 01
13 03 07* mineral-based non-chlorinated insulating and heat transmission oils
13 03 08* synthetic insulating and heat transmission oils
13 03 09* readily biodegradable insulating and heat transmission oils
13 03 10* other insulating and heat transmission oils

13 04 bilge oils

13 04 01* bilge oils from inland navigation
13 04 02* bilge oils from jetty sewers
13 04 03* bilge oils from other navigation

13 05 oil/water separator contents

13 05 01* solids from grit chambers and oil/water separators
13 05 02* sludges from oil/water separators
13 05 03* interceptor sludges
13 05 06* oil from oil/water separators
13 05 07* oily water from oil/water separators
13 05 08* mixtures of wastes from grit chambers and oil/water separators

13 07 wastes of liquid fuels

13 07 01* fuel oil and diesel
13 07 02* petrol
13 07 03* other fuels (including mixtures)

13 08 oil wastes not otherwise specified

13 08 01* desalter sludges or emulsions
13 08 02* other emulsions
13 08 99* wastes not otherwise specified

14 WASTE ORGANIC SOLVENTS, REFRIGERANTS AND PROPELLANTS
(except 07 and 08)

14 06 waste organic solvents, refrigerants and foam/aerosol propellants

14 06 01* chlorofluorocarbons, HCFC, HFC
14 06 02* other halogenated solvents and solvent mixtures
14 06 03* other solvents and solvent mixtures

14 06 04* sludges or solid wastes containing halogenated solvents
14 06 05* sludges or solid wastes containing other solvents

15 WASTE PACKAGING; ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED

15 01 packaging (including separately collected municipal packaging waste)

15 01 01 paper and cardboard packaging
15 01 02 plastic packaging
15 01 03 wooden packaging
15 01 04 metallic packaging
15 01 05 composite packaging
15 01 06 mixed packaging
15 01 07 glass packaging
15 01 09 textile packaging
15 01 10* packaging containing residues of or contaminated by dangerous substances
15 01 11* metallic packaging containing a dangerous solid porous matrix (for example asbestos), including empty pressure containers

15 02 absorbents, filter materials, wiping cloths and protective clothing

15 02 02* absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by dangerous substances
15 02 03 absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02

16 WASTES NOT OTHERWISE SPECIFIED IN THE LIST

16 01 end-of-life vehicles from different means of transport (including offroad machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)

16 01 03 end-of-life tyres end-of-life vehicles 3; *NB:* This entry is not part of the proposalsubmitted for opinion to the Committee. The necessary changes to this entry will be made on the basis of the outcome of the procedure in Council on the proposal included in document COM(2000) 546
16 01 06 end-of-life vehicles, containing neither liquids nor other hazardous components
16 01 07* oil filters
16 01 08* components containing mercury
16 01 09* components containing PCBs
16 01 10* explosive components (for example air bags)

16 01 11* brake pads containing asbestos
16 01 12 brake pads other than those mentioned in 16 01 11
16 01 13* brake fluids
16 01 14* antifreeze fluids containing dangerous substances
16 01 15 antifreeze fluids other than those mentioned in 16 01 14
16 01 16 tanks for liquefied gas
16 01 17 ferrous metal
16 01 18 non-ferrous metal
16 01 19 plastic
16 01 20 glass
16 01 21* hazardous components other than those mentioned in 16 01 07 to 16 01 11 and 16 01 13 and 16 01 14
16 01 22 components not otherwise specified
16 01 99 wastes not otherwise specified

16 02 wastes from electrical and electronic equipment

16 02 09* transformers and capacitors containing PCBs
16 02 10* discarded equipment containing or contaminated by PCBs other than those mentioned in 16 02 09
16 02 11* discarded equipment containing chlorofluorocarbons, HCFC, HFC
16 02 12* discarded equipment containing free asbestos
16 02 13* discarded equipment containing hazardous components (2) other than those mentioned in 16 02 09 to 16 02 12
16 02 14 discarded equipment other than those mentioned in 16 02 09 to 16 02 13
16 02 15* hazardous components removed from discarded equipment
16 02 16 components removed from discarded equipment other than those mentioned in 16 02 15

16 03 off-specification batches and unused products

16 03 03* inorganic wastes containing dangerous substances
16 03 04 inorganic wastes other than those mentioned in 16 03 03
16 03 05* organic wastes containing dangerous substances
16 03 06 organic wastes other than those mentioned in 16 03 05

16 04 waste explosives

16 04 01* waste ammunition
16 04 02* fireworks wastes
16 04 03* other waste explosives

16 05 gases in pressure containers and discarded chemicals

16 05 04* gases in pressure containers (including halons) containing dangerous substances

16 05 05 gases in pressure containers other than those mentioned in 16 05 04
16 05 06* laboratory chemicals, consisting of or containing dangerous substances, including mixtures of laboratory chemicals
16 05 07* discarded inorganic chemicals consisting of or containing dangerous substances
16 05 08* discarded organic chemicals consisting of or containing dangerous substances
16 05 09 discarded chemicals other than those mentioned in 16 05 06, 16 05 07 or 16 05 08

16 06 batteries and accumulators

16 06 01* lead batteries
16 06 02* Ni-Cd batteries
16 06 03* mercury-containing batteries
16 06 04 alkaline batteries (except 16 06 03)
16 06 05 other batteries and accumulators
16 06 06* separately collected electrolyte from batteries and accumulators

16 07 wastes from transport tank, storage tank and barrel cleaning (except 05 and 13)

16 07 08* wastes containing oil
16 07 09* wastes containing other dangerous substances
16 07 99 wastes not otherwise specified

16 08 spent catalysts

16 08 01 spent catalysts containing gold, silver, rhenium, rhodium, palladium, iridium or platinum (except 16 08 07)
16 08 02* spent catalysts containing dangerous transition metals (3) or dangerous transition metal compounds
16 08 03 spent catalysts containing transition metals or transition metal compounds not otherwise specified
16 08 04 spent fluid catalytic cracking catalysts (except 16 08 07)
16 08 05* spent catalysts containing phosphoric acid
16 08 06* spent liquids used as catalysts
16 08 07* spent catalysts contaminated with dangerous substances

16 09 oxidising substances

16 09 01* permanganates, for example potassium permanganate
16 09 02* chromates, for example potassium chromate, potassium or sodium dichromate
16 09 03* peroxides, for example hydrogen peroxide
16 09 04* oxidising substances, not otherwise specified

16 10 aqueous liquid wastes destined for off-site treatment

16 10 01* aqueous liquid wastes containing dangerous substances
16 10 02 aqueous liquid wastes other than those mentioned in 16 10 01
16 10 03* aqueous concentrates containing dangerous substances
16 10 04 aqueous concentrates other than those mentioned in 16 10 03

16 11 waste linings and refractories

16 11 01* carbon-based linings and refractories from metallurgical processes containing dangerous substances
16 11 02 carbon-based linings and refractories from metallurgical processes others than those mentioned in 16 11 01
16 11 03* other linings and refractories from metallurgical processes containing dangerous substances
16 11 04 other linings and refractories from metallurgical processes other than those mentioned in 16 11 03
16 11 05* linings and refractories from non-metallurgical processes containing dangerous substances
16 11 06 linings and refractories from non-metallurgical processes others than those mentioned in 16 11 05

17 CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)

17 01 concrete, bricks, tiles and ceramics

17 01 01 concrete
17 01 02 bricks
17 01 03 tiles and ceramics
17 01 06* mixtures of, or separate fractions of concrete, bricks, tiles and ceramics containing dangerous substances

17 01 07 mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06

17 02 wood, glass and plastic

17 02 01 wood
17 02 02 glass
17 02 03 plastic
17 02 04* glass, plastic and wood containing or contaminated with dangerous substances

17 03 bituminous mixtures, coal tar and tarred products

17 03 01* bituminous mixtures containing coal tar

17 03 02 bituminous mixtures other than those mentioned in 17 03 01
17 03 03* coal tar and tarred products

17 04 metals (including their alloys)

17 04 01 copper, bronze, brass
17 04 02 aluminium
17 04 03 lead
17 04 04 zinc
17 04 05 iron and steel
17 04 06 tin
17 04 07 mixed metals
17 04 09* metal waste contaminated with dangerous substances
17 04 10* cables containing oil, coal tar and other dangerous substances
17 04 11 cables other than those mentioned in 17 04 10

17 05 soil (including excavated soil from contaminated sites), stones and dredging spoil

17 05 03* soil and stones containing dangerous substances
17 05 04 soil and stones other than those mentioned in 17 05 03
17 05 05* dredging spoil containing dangerous substances
17 05 06 dredging spoil other than those mentioned in 17 05 05
17 05 07* track ballast containing dangerous substances
17 05 08 track ballast other than those mentioned in 17 05 07

17 06 insulation materials and asbestos-containing construction materials

17 06 01* insulation materials containing asbestos
17 06 03* other insulation materials consisting of or containing dangerous substances
17 06 04 insulation materials other than those mentioned in 17 06 01 and 17 06 03
17 06 05 construction materials containing asbestos

17 08 gypsum-based construction material

17 08 01* gypsum-based construction materials contaminated with dangerous substances
17 08 02 gypsum-based construction materials other than those mentioned in 17 08 01

17 09 other construction and demolition wastes

17 09 01* construction and demolition wastes containing mercury

17 09 02* construction and demolition wastes containing PCB (for example PCBcontaining sealants, PCB-containing resin-based floorings, PCB-containing sealed glazing units, PCB-containing capacitors)
17 09 03* other construction and demolition wastes (including mixed wastes) containing dangerous substances
17 09 04 mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03

18 WASTES FROM HUMAN OR ANIMAL HEALTH CARE AND/OR
RELATED RESEARCH (except kitchen and restaurant wastes not arising from immediate health care)

18 01 wastes from natal care, diagnosis, treatment or prevention of disease in humans

18 01 01 sharps (except 18 01 03)
18 01 02 body parts and organs including blood bags and blood preserves (except 18 01 03)
18 01 03* wastes whose collection and disposal is subject to special requirements in order to prevent infection
18 01 04 wastes whose collection and disposal is not subject to special requirements in order to prevent infection (for example dressings, plaster casts, linen, disposable clothing, diapers)
18 01 06* chemicals consisting of or containing dangerous substances
18 01 07 chemicals other than those mentioned in 18 01 06
18 01 08* cytotoxic and cytostatic medicines
18 01 09 medicines other than those mentioned in 18 01 08
18 01 10* amalgam waste from dental care

18 02 wastes from research, diagnosis, treatment or prevention of disease involving animals

18 02 01 sharps (except 18 02 02)
18 02 02* wastes whose collection and disposal is subject to special requirements in order to prevent infection
18 02 03 wastes whose collection and disposal is not subject to special requirements in order to prevent infection
18 02 05* chemicals consisting of or containing dangerous substances
18 02 06 chemicals other than those mentioned in 18 02 05
18 02 07* cytotoxic and cytostatic medicines
18 02 08 medicines other than those mentioned in 18 02 07

19 WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE

19 01 wastes from incineration or pyrolysis of waste

19 01 02 ferrous materials removed from bottom ash
19 01 05* filter cake from gas treatment
19 01 06* aqueous liquid wastes from gas treatment and other aqueous liquid wastes
19 01 07* solid wastes from gas treatment
19 01 10* spent activated carbon from flue-gas treatment
19 01 11* bottom ash and slag containing dangerous substances
19 01 12 bottom ash and slag other than those mentioned in 19 01 11
19 01 13* fly ash containing dangerous substances
19 01 14 fly ash other than those mentioned in 19 01 13
19 01 15* boiler dust containing dangerous substances
19 01 16 boiler dust other than those mentioned in 19 01 15
19 01 17***** pyrolysis wastes containing dangerous substances
19 01 18 pyrolysis wastes other than those mentioned in 19 01 17
19 01 19 sands from fluidised beds
19 01 99 wastes not otherwise specified

19 02 wastes from physico/chemical treatments of waste (including dechromatation, decyanidation, neutralisation)

19 02 03 premixed wastes composed only of non-hazardous wastes
19 02 04* premixed wastes composed of at least one hazardous waste
19 02 05* sludges from physico/chemical treatment containing dangerous substances
19 02 06 sludges from physico/chemical treatment other than those mentioned in 19 02 05
19 02 07* oil and concentrates from separation
19 02 08* liquid combustible wastes containing dangerous substances
19 02 09* solid combustible wastes containing dangerous substances
19 02 10 combustible wastes other than those mentioned in 19 02 08 and 19 02 09
19 02 11* other wastes containing dangerous substances
19 02 99 wastes not otherwise specified

19 03 stabilised/solidified wastes (4)

19 03 04* wastes marked as hazardous, partly (5) stabilised
19 03 05 stabilised wastes other than those mentioned in 19 03 04
19 03 06* wastes marked as hazardous, solidified
19 03 07 solidified wastes other than those mentioned in 19 03 06

19 04 vitrified waste and wastes from vitrification

19 04 01 vitrified waste

19 04 02* fly ash and other flue-gas treatment wastes
19 04 03* non-vitrified solid phase
19 04 04 aqueous liquid wastes from vitrified waste tempering

19 05 wastes from aerobic treatment of solid wastes

19 05 01 non-composted fraction of municipal and similar wastes
19 05 02 non-composted fraction of animal and vegetable waste
19 05 03 off-specification compost
19 05 99 wastes not otherwise specified

19 06 wastes from anaerobic treatment of waste

19 06 03 liquor from anaerobic treatment of municipal waste
19 06 04 digestate from anaerobic treatment of municipal waste
19 06 05 liquor from anaerobic treatment of animal and vegetable waste
19 06 06 digestate from anaerobic treatment of animal and vegetable waste
19 06 99 wastes not otherwise specified

19 07 landfill leachate

19 07 02* landfill leachate containing dangerous substances
19 07 03 landfill leachate other than those mentioned in 19 07 02

19 08 wastes from waste water treatment plants not otherwise specified

19 08 01 screenings
19 08 02 waste from desanding
19 08 05 sludges from treatment of urban waste water
19 08 06* saturated or spent ion exchange resins
19 08 07* solutions and sludges from regeneration of ion exchangers
19 08 08* membrane system waste containing heavy metals
19 08 09* grease and oil mixture from oil/water separation containing edible oil and fats
19 08 10* grease and oil mixture from oil/water separation other than those mentioned in 19 08 09
19 08 11* sludges containing dangerous substances from biological treatment of industrial waste water 19 08 12 sludges from biological treatment of industrial waste water other than those mentioned in 19 08 11
19 08 13* sludges containing dangerous substances from other treatment of industrial waste water
19 08 14 sludges from other treatment of industrial waste water other than those mentioned in 19 08 13
19 08 99 wastes not otherwise specified

19 09 wastes from the preparation of water intended for human consumption or water for industrial use

19 09 01 solid waste from primary filtration and screenings
19 09 02 sludges from water clarification
19 09 03 sludges from decarbonation
19 09 04 spent activated carbon
19 09 05 saturated or spent ion exchange resins
19 09 06 solutions and sludges from regeneration of ion exchangers
19 09 99 wastes not otherwise specified

19 10 wastes from shredding of metal-containing wastes

19 10 01 iron and steel waste
19 10 02 non-ferrous waste
19 10 03* fluff-light fraction and dust containing dangerous substances
19 10 04 fluff-light fraction and dust other than those mentioned in 19 10 03
19 10 05* other fractions containing dangerous substances
19 10 06 other fractions other than those mentioned in 19 10 05

19 11 wastes from oil regeneration

19 11 01* spent filter clays
19 11 02* acid tars
19 11 03* aqueous liquid wastes
19 11 04* wastes from cleaning of fuel with bases
19 11 05* sludges from on-site effluent treatment containing dangerous substances
19 11 06 sludges from on-site effluent treatment other than those mentioned in 19 11 05
19 11 07* wastes from flue-gas cleaning
19 11 99 wastes not otherwise specified

19 12 wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified

19 12 01 paper and cardboard
19 12 02 ferrous metal
19 12 03 non-ferrous metal
19 12 04 plastic and rubber
19 12 05 glass
19 12 06* wood containing dangerous substances
19 12 07 wood other than that mentioned in 19 12 06
19 12 08 textiles
19 12 09 minerals (for example sand, stones)
19 12 10 combustible waste (refuse derived fuel)
19 12 11* other wastes (including mixtures of materials) from mechanical treatment of waste containing dangerous substances

19 12 12 other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11

19 13 wastes from soil and groundwater remediation

19 13 01* solid wastes from soil remediation containing dangerous substances
19 13 02 solid wastes from soil remediation other than those mentioned in 19 13 01
19 13 03* sludges from soil remediation containing dangerous substances
19 13 04 sludges from soil remediation other than those mentioned in 19 13 03
19 13 05* sludges from groundwater remediation containing dangerous substances
19 13 06 sludges from groundwater remediation other than those mentioned in 19 13 05
19 13 07* aqueous liquid wastes and aqueous concentrates from groundwater remediation containing dangerous substances
19 13 08 aqueous liquid wastes and aqueous concentrates from groundwater remediation other than those mentioned in 19 13 07

20 MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS

20 01 separately collected fractions (except 15 01)

20 01 01 paper and cardboard
20 01 02 glass
20 01 08 biodegradable kitchen and canteen waste
20 01 10 clothes
20 01 11 textiles
20 01 13* solvents
20 01 14* acids
20 01 15* alkalines
20 01 17* photochemicals
20 01 19* pesticides
20 01 21* fluorescent tubes and other mercury-containing waste
20 01 23* discarded equipment containing chlorofluorocarbons
20 01 25 edible oil and fat
20 01 26* oil and fat other than those mentioned in 20 01 25
20 01 27* paint, inks, adhesives and resins containing dangerous substances
20 01 28 paint, inks, adhesives and resins other than those mentioned in 20 01 27
20 01 29* detergents containing dangerous substances
20 01 30 detergents other than those mentioned in 20 01 29

20 01 31* cytotoxic and cytostatic medicines
20 01 32 medicines other than those mentioned in 20 01 31
20 01 33* batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries
20 01 34 batteries and accumulators other than those mentioned in 20 01 33
20 01 35* discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components (6)
20 01 36 discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35
20 01 37* wood containing dangerous substances
20 01 38 wood other than that mentioned in 20 01 37
20 01 39 plastics
20 01 40 metals
20 01 41 wastes from chimney sweeping
20 01 99 other fractions not otherwise specified

20 02 garden and park wastes (including cemetery waste)

20 02 01 biodegradable waste
20 02 02 soil and stones
20 02 03 other non-biodegradable wastes

20 03 other municipal wastes

20 03 01 mixed municipal waste
20 03 02 waste from markets
20 03 03 street-cleaning residues
20 03 04 septic tank sludge
20 03 06 waste from sewage cleaning
20 03 07 bulky waste
20 03 99 municipal wastes not otherwise specified

(1) For the purpose of this list of wastes, PCBs will be defined as in Directive 96/59/EC.

(2) Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous; mercury switches, glass from cathode ray tubes and other activated glass, etc.

(3) For the purpose of this entry, transition metals are: scandium, vanadium, manganese, cobalt, copper, yttrium, niobium, hafnium, tungsten, titanium, chromium, iron, nickel, zinc, zirconium, molybdenum and tantalum. These metals or their compounds are dangerous if they are classified as dangerous substances. The classification of dangerous substances shall determine which among those transition metals and which transition metal compounds are hazardous.

(4) Stabilisation processes change the dangerousness of the constituents in the waste and thus transform hazardous waste into non-hazardous waste. Solidification processes only change the physical state of the waste (e.g. liquid into solid) by using additives without changing the chemical properties of the waste.

(5) A waste is considered as partly stabilised if, after the stalibisation process, dangerous constituents which have not been changed completely into non-dangerous constituents could be released into the environment in the short, middle or long term.

(6) Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous; mercury switches, glass from cathode ray tubes and other activated glass etc.

SCHEDULE 2

Section 22

EQUIVALENCE FACTORS FOR DIBENZO-P-DIOXINS AND DIBENZOFURANS

For the determination of the total concentration (TE) of dioxins and furans, the mass concentrations of the following dibenzo-p-dioxins and dibenzofurans shall be multiplied by the following equivalence factors before summing:

		Total Equivalence Factor
2,3,7,8	— Tetrachlorodibenzodioxin (TCDD)	1
1,2,3,7,8	— Pentachlorodibenzodioxin (PeCDD)	0.5
1,2,3,4,7,8	— Hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,6,7,8	— Hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,7,8,9	— Hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,4,6,7,8	— Heptachlorodibenzodioxin (HpCDD)	0.01
	— Octachlorodibenzodioxin (OCDD)	0.001
2,3,7,8	— Tetrachlorodibenzofuran (TCDF)	0.1
2,3,4,7,8	— Pentachlorodibenzofuran (PeCDF)	0.5
1,2,3,7,8	— Pentachlorodibenzofuran (PeCDF)	0.05
1,2,3,4,7,8	— Hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,6,7,8	— Hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,7,8,9	— Hexachlorodibenzofuran (HxCDF)	0.1
2,3,4,6,7,8	— Hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,4,6,7,8	— Heptachlorodibenzofuran (HpCDF)	0.01
1,2,3,4,7,8,9	— Heptachlorodibenzofuran (HpCDF)	0.01
	— Octachlorodibenzofuran (OCDF)	0.001

SCHEDULE 3

Section 3

PROPERTIES OF WASTE WHICH RENDER IT HAZARDOUS

H1 "Explosive": substances and preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene.

H2 "Oxidizing": substances and preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances.

H3-A "Highly flammable":

- liquid substances and preparations having a flash point below 21°C (including extremely flammable liquids), or

- substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or

- solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or

- gaseous substances and preparations which are flammable in air at normal pressure, or

- substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities.

H3-B "Flammable": liquid substances and preparations having a flash point equal to or greater than 21°C and less than or equal to 55°C.

H4 "Irritant": non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membrane, can cause inflammation.

H5 "Harmful": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may involve limited health risks.

H6 "Toxic": substances and preparations (including very toxic substances and preparations) which, if they are inhaled or ingested or if they

penetrate the skin, may involve serious, acute or chronic health risks and even death.

H7 "Carcinogenic": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence.

H8 "Corrosive": substances and preparations which may destroy living tissue on contact.

H9 "Infectious": substances containing viable micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms.

H10 "Toxic for reproduction": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence.

H11 "Mutagenic": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence.

H12 Substances and preparations which release toxic or very toxic gases in contact with water, air or an acid.

H13(*) "Sensitising": substances and preparations which, if they are inhaled or if they penetrate the sin, are capable of eliciting a reaction of hypersensitisation such that on further exposure to the substance or preparation, characteristic adverse effects are produced.

H14 "Ecotoxic": substances and preparations which present or may present immediate or delayed risks for one or more sectors of the environment.
(*) As far as testing methods are available.

H15 Waste capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics listed above.

Notes

1. Attribution of the hazardous properties 'toxic' (and 'very toxic'), 'harmful', 'corrosive', 'irritant', 'carcinogenic', 'toxic to reproduction', 'mutagenic' and 'eco-toxic' is made on the basis of the criteria laid down by Annex VI, to Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and

administrative provisions relating to the classification, packaging and labelling of dangerous substances (1).

2. Where relevant the limit values listed in Annex II and III to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (2) shall apply.

Test methods

The methods to be used are described in Annex V to Directive 67/548/EEC and in other relevant CEN-notes.

SCHEDULE 4

Section 22

MEASUREMENT TECHNIQUES

1. Measurements for the determination of concentrations of air and water polluting substances have to be carried out representatively.

2. Sampling and analysis of all pollutants including dioxins and furans as well as reference measurement methods to calibrate automated measurement systems shall be carried out as given by CEN-standards. If CEN standards are not available, ISO standards, national or international standards which will ensure the provision of data of an equivalent scientific quality shall apply.

3. At the daily emission limit value level, the values of the 95 % confidence intervals of a single measured result shall not exceed the following percentages of the emission limit values:

Pollutant	**Percentage of the Daily Emission Limit Value not to be Exceeded**
Carbon monoxide	10 %
Sulphur dioxide	20 %
Nitrogen dioxide	20 %
Total dust	30 %
Total organic carbon	30 %
Hydrogen chloride	40 %
Hydrogen fluoride	40 %.

SCHEDULE 5

Section 22

AIR EMISSION LIMIT VALUES

(a) Daily average values

Total dust	10 mg/m^3
Gaseous and vaporous organic substances, expressed as total organic carbon	10 mg/m^3
Hydrogen chloride (HCl)	10 mg/m^3
Hydrogen fluoride (HF)	1 mg/m^3
Sulphur dioxide (SO_2)	50 mg/m^3
Nitrogen monoxide (NO) and nitrogen dioxide (NO_2), expressed as nitrogen dioxide for existing incineration plants with a nominal capacity exceeding 6 tonnes per hour or new incineration plants	200 mg/m^3 (*)
Nitrogen monoxide (NO) and nitrogen dioxide (NO_2), expressed as nitrogen dioxide for existing incineration plants with a nominal capacity of 6 tonnes per hour or less	400 mg/m^3 (*)

(*) Until 1 January 2007 and without prejudice to relevant Community legislation the emission limit value for NOx does not apply to plants only incinerating hazardous waste.

Exemptions for NO_x may be authorised by the competent authority for existing incineration plants:

— with a nominal capacity of 6 tonnes per hour, provided that the permit foresees the daily average values do not exceed 500 mg/m3 and this until 1 January 2008,

— with a nominal capacity of >6 tonnes per hour but equal or less than 16 tonnes per hour, provided the permit foresees the daily average values do not exceed 400 mg/m_3 and this until 1 January 2010,

— with a nominal capacity of >16 tonnes per hour but <25 tonnes per hour and which do not produce water discharges, provided that the permit foresees the daily average values do not exceed 400 mg/m^3 and this until 1 January 2008.

Until 1 January 2008, exemptions for dust may be authorised by the competent authority for existing incinerating plants, provided that the permit foresees the daily average values do not exceed 20 mg/m^3.

(b) Half-hourly average values

	(100%)A	(97%)B
Total dust	30 mg/m^3–	10 mg/m^3–
Gaseous and vaporous organic substances, expressed as total organic carbon	20 mg/m^3–	10 mg/m^3–
Hydrogen chloride (HCl)	60 mg/m^3–	10 mg/m^3–
Hydrogen fluoride (HF)	4 mg/m^3–	2 mg/m^3–
Sulphur dioxide (SO_2)	200 mg/m^3–	50 mg/m^3–
Nitrogen monoxide (NO) and nitrogen dioxide (NO_2), expressed as nitrogen dixoide for existing incineration plants with a nominal capacity exceeding 6 tonnes per hour or new incineration plants	400 mg/m^3–(*)	200 mg/m^3–(*)

(*) Until 1 January 2007 and without prejudice to relevant Community legislation the emission limit value for NOx does not apply to plants only incinerating hazardous waste.

Until 1 January 2010, exemptions for NO_x may be authorised by the competent authority for existing incineration plants with a nominal capacity between 6 and 16 tonnes per hour, provided the half-hourly average value does not exceed 600 mg/m^3 for column A or 400 mg/m^3– for column B.

(c) All average values over the sample period of a minimum of 30 minutes and a maximum of 8 hours

Cadmium and its compounds, expressed as cadmium (Cd)	total 0.05 mg/m^3–	total 0,1 mg/m^3– (*)
Thallium and its compounds, expressed as thallium (Tl)		
Mercury and its compounds, expressed as mercury (Hg)	0.05 mg/m^3–	0,1 mg/m^3– (*)
Antimony and its compounds, expressed as antimony (Sb)	total 0.5 mg/m^3–	total 1 mg/m^3– (*)
Arsenic and its compounds, expressed as arsenic (As)		
Lead and its compounds, expressed as lead (Pb)		
Chromium and its compounds, expressed as chromium (Cr)		
Cobalt and its compounds, expressed as cobalt (Co)		
Copper and its compounds, expressed as copper (Cu)		
Manganese and its compounds, expressed as manganese (Mn)		
Nickel and its compounds, expressed as nickel (Ni)		
Vanadium and its compounds, expressed as vanadium (V)		

(*) Until 1 January 2007 average values for existing plants for which the permit to operate has been granted before 31 December 1996, and which incinerate hazardous waste only.

These average values cover also gaseous and the vapour forms of the relevant heavy metal emissions as well as their compounds.

(d) Average values shall be measured over a sample period of a minimum of 6 hours and a maximum of 8 hours. The emission limit value refers to the total concentration of dioxins and furans calculated using the concept of toxic equivalence in accordance with Schedule 2 of this Act.

Dioxins and furans	0.1 ng/m^3–

(e) The following emission limit values of carbon monoxide (CO) concentrations shall not be exceeded in the combustion gases (excluding the start-up and shut-down phase):

— 50 milligrams/m^3 of combustion gas determined as daily average value;

— 150 milligrams/m^3 of combustion gas of at least 95 % of all measurements determined as 10-minute average values or 100 mg/m^3 of combustion gas of all measurements determined as half-hourly average values taken in any 24-hour period.

Exemptions may be authorised by the competent authority for incineration plants using fluidised bed technology, provided that the permit foresees an emission limit value for carbon monoxide (CO) of not more than 100 mg/m^3 as an hourly average value.

SCHEDULE 6

Section 22

DETERMINATION OF AIR EMISSION LIMIT VALUES FOR THE CO-INCINERATION OF WASTE

The following formula (mixing rule) is to be applied whenever a specific total emission limit value 'C' has not been set out in a table in this Schedule.

The limit value for each relevant pollutant and carbon monoxide in the exhaust gas resulting from the co-incineration of waste shall be calculated as follows:

$$\frac{V_{waste} \times C_{waste} + V_{proc} \times C_{proc}}{V_{waste} + V_{proc1}}$$

V_{waste}:	Exhaust gas volume resulting from the incineration of waste only determined from the waste with the lowest calorific value specified in the permit and standardised at the conditions given by this Act. If the resulting heat release from the incineration of hazardous waste amounts to less than 10% of the total heat released in the plant, V_{waste} must be calculated from a (notional) quantity of waste that, being incinerated, would equal 10% heat release, the total heat release being fixed.
C_{waste}	Emission limit values set for incineration plants in Schedule 5 for the relevant pollutants and carbon monoxide .
V_{proc}	Exhaust gas volume resulting from the plant process including the combustion of the authorised fuels normally used in the plant (wastes excluded) determined on the basis of oxygen contents at which the emissions must be standardised as laid down in Community or national regulations. In the absence of regulations for this kind of plant, the real oxygen content in the exhaust gas without being thinned by addition of air unnecessary for the process must be used. The standardisation at the other conditions is given in this Act.
C_{proc}	Emission limit values as laid down in the tables of this annex for certain industrial sectors or in the case of the absence of such a table or such values, emission limit values of the relevant pollutants and carbon monoxide in the flue gas of plants which comply with the national laws, regulations and administrative provisions for such plants while burning the normally authorised fuels (wastes excluded). In the absence of these measures the emission limit values laid down in the permit are used. In the absence of such permit values the real mass concentrations are used.
C:	Total emission limit values and oxygen content as laid down in the tables of this Schedule for certain industrial sectors and certain pollutants or in the case of the absence of such a table or such values total emission limit values for CO and the relevant pollutants replacing the emission limit values as laid down in this Act. The total oxygen content to replace the oxygen content for the standardisation is calculated on the basis of the content above respecting the partial volumes.

Special provisions for cement kilns co-incinerating waste

Daily average values (for continuous measurements) Sample periods and other measurement requirements as in Article 7. All values in mg/m^3– (Dioxins and furans ng/m^3–). Half-hourly average values shall only be needed in view of calculating the daily average values.

The results of the measurements made to verify compliance with the emission limit values shall be standardised at the following conditions: Temperature 273 K, pressure 101,3 kPa, 10% oxygen, dry gas.

total emission limit values

Pollutant	C
Total dust	30
HCl	10
HF	1
NO_2 for existing plants NO_X for new plants	800 500 ([1])
Cd + Tl	0.05
Hg	0.05
Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V	0.5
Dioxins and furans	0.1
([1]) For the implementation of the NO_2 emission limit values, cement kilns which are in operation and have a permit in accordance with existing Community legislation and which start co-incinerating waste after the date mentioned in Article 20(3) are not to be regarded as new plants.	

Until 1 January 2008, exemptions for NO_X may be authorised by the competent authorities for existing wet process cement kilns or cement kilns which burn less than three tonnes of waste per hour, provided that the permit foresees a total emission limit value for NO_X of not more than 1200 mg/m^3–.

Until 1 January 2008, exemptions for dust may be authorised by the competent authority for cement kilns which burn less than three tonnes of waste per hour, provided that the permit foresees a total emission limit value of not more than 50 mg/m^3–.

total emission limit values for SO_2 and TOC

Pollutant	C
SO_2	50
TOC	10

Exemptions may be authorised by the competent authority in cases where TOC and SO_2 do not result from the incineration of waste.

Emission limit value for CO

Emission limit values for CO can be set by the competent authority.

Special provisions for combustion plants co-incinerating waste

Daily average values

Without prejudice to Directive 88/609/EEC and in the case where, for large combustion plants, more stringent emission limit values are set according to future Community legislation, the latter shall replace, for the plants and pollutants concerned, the emission limit values as laid down in the following tables (C_{prox}). In that case, the following tables shall be adapted to these more stringent emission limit values in accordance with the procedure laid down in Article 17 without delay.

Half-hourly average values shall only be needed in view of calculating the daily average values.

C_{proc}:

C_{prox} for solid fuels expressed in mg/Nm^3 (O_2 content 6%):

Pollutants	< 50 MWth	50-100 MWth	100 to 300 MWth	> 300 MWth
SO_2 General case Indigenous fuels		850 or rate of desulphurisation $\geq$ 90%	850 to 200 (linear decrease from 100 to 300 Mwth) or rate of desulphurisation $\geq$ 92%	200 or rate of desulphurisation $\geq$ 95%
NO_X		400	300	200
Dust	50	50	30	30

Until 1 January 2007 and without prejudice to relevant Community legislation, the emission limit value for NO_x does not apply to plants only co-incinerating hazardous waste.

Until 1 January 2008, exemptions for NO_x and SO_2 may be authorised by the competent authorities for existing co-incineration plants between 100 and 300 MWth using fluidised bed technology and burning solid fuels provided that the permit foresees a C_{prox} value of not more than 350 mg/Nm^{3-} for NO_x and not more than 850 to 400 mg/Nm^{3-} (linear decrease from 100 to 300 MWth) for SO_2.

C_{prox} for biomass expressed in mg/Nm^{3-} (O_2 content 6%):

'Biomass' means: products consisting of any whole or part of a vegetable matter from agriculture or forestry, which can be used for the purpose of recovering its energy content as well as wastes listed in section 4 (1)(a)(i) to (v).

Pollutants	< 50 MWth	50 to 100 MWth	100 to 300 MWth	> 300 MWth
SO_2		200	200	200
NO_x		350	300	300
Dust	50	50	30	30

Until 1 January 2008, exemptions for NO_x may be authorised by the competent authorities for existing co-incineration plants between 100 and 300 MWth using fluidised bed technology and burning biomass provided that the permit foresees a C_{proc} value of not more than 350 mg/Nm^{3-}.

C_{proc} for liquid fuels expressed in mg/Nm^{3-} (O_2 content 3%):

Pollutants	< 50 MWth	50 to 100 MWth	100 to 300 MWth	> 300 MWth
SO_2		850	850 to 200 (linear decrease from 100 to 300 MWth)	200
NO_x		400	300	200
Dust	50	50	30	30

total emission limit values

C expressed in mg/Nm^3 (O_2 content 6%). All average values over the sample period of a minimum of 30 minutes and a maximum of 8 hours:

Pollutant	*C*
Cd + Tl	0.05
Hg	0.05
Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V	0.5

C expressed in ng/Nm^3 (O_2 content 6%). All average values measured over the sample period of a minimum of 6 hours and a maximum of 8 hours:

Pollutant	*C*
Dioxins and furans	*0.1*

Special provisions for industrial sectors not covered under the provisions for cement kilns or combustion plants for the co-incineration of waste

total emission limit values:

C expressed in ng/Nm^3. All average values measured over the sample period of a minimum of 6 hours and a maximum of 8 hours:

Pollutant	*C*
Dioxins and furans	*0.1*

C expressed in ng/Nm^3. All average values measured over the sample period of a minimum of 6 hours and a maximum of 8 hours:

Pollutant	*C*
Cd + Tl	*0.05*
Hg	*0.05*

SCHEDULE 7

Section 22

EMISSION LIMIT VALUES FOR DISCHARGES OF WASTE WATER FROM THE CLEANING OF EXHAUST GASES

Polluting substances	Emission limit values expressed in mass concentrations for unfiltered samples	
1. Total suspended solids as defined by directive 91/271/EEC	95% 30 mg/l^3	100% 45 mg/l^3
2. Mercury and its compounds, expressed as mercury (Hg)	0,03 mg/l^3	
3. Cadmium and its compounds, expressed as cadmium (Cd)	0,05 mg/l^3	
4. Thallium and its compounds, expressed as thallium (Tl)	0,05 mg/l^3	
5. Arsenic and its compounds, expressed as arsenic (As)	0,15 mg/l^3	
6. Lead and its compounds, expressed as lead (Pb)	0,2 mg/l^3	
7. Chromium and its compounds, expressed as chromium (Cr)	0,5 mg/l^3	
8. Copper and its compounds, expressed as copper (Cu)	0,5 mg/l^3	
9. Nickel and its compounds, expressed as nickel (Ni)	0,5 mg/l^3	
10. Zinc and its compounds, expressed as zinc (Zn)	1,5 mg/l^3	
11. Dioxins and furans, defined as the sum of the individual dioxins and furans evaluated in accordance with Schedule 2	0,3 mg/l^3	

Until 1 January 2008, exemptions for total suspended solids may be authorised by the competent authority for existing incineration plants provided the permit foresees that 80% of the measured values do not exceed 30 mg/l and none of them exceed 45 mg/l.

SCHEDULE 8

Section 22

FORMULA TO CALCULATE THE EMISSION CONCENTRATION AT THE STANDARD PERCENTAGE OXYGEN CONCENTRATION

$$E_s = \frac{21 - O_s}{21 - Om} \cdot Em$$

E_s = Calculated emission concentration at the standard percentage oxygen concentration

E_m = Measured emission concentration

O_s = Standard oxygen concentration

O_m = Measured oxygen concentration

SCHEDULE 9

Section 22

CONSEQUENTIAL AMENDMENTS

The Public Health Act shall be amended as follows–

(a) for section 192B(2)(bbb) there shall be substituted the following paragraph–

"(bbb) Directive 2000/76/EC of the European Parliament and of the Council on the incineration of waste;

(b) section 192D(2)(c) shall be amended by deleting the words "specified hazardous";

(c) for section 192JA there shall be substituted the following section–

"Provisions as to waste

192JA. Disposal by way of incineration of waste as defined in the Waste (Incineration) Act 2003 shall be carried out in accordance with the provisions of that Act.".