

# GUERNSEY STATUTORY INSTRUMENT

ENTITLED

## **The Environmental Pollution (Prescribed Operations) (Fees) Regulations, 2019 \***

*[CONSOLIDATED TEXT]*

### **NOTE**

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\* G.S.I. No. 118 of 2019; as amended by the: Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2022 (G.S.I. No. 85 of 2022); Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2024 (G.S.I. No. 1 of 2024).

# GUERNSEY STATUTORY INSTRUMENT

ENTITLED

## **The Environmental Pollution (Prescribed Operations) (Fees) Regulations, 2019**

### ARRANGEMENT OF REGULATIONS

#### PART I

##### FEEES FOR OPERATIONS PRESCRIBED UNDER THE WASTE ORDINANCE

1. Fee to accompany application in relation to a licence for a waste transport operation.
2. Fee to accompany application in relation to a licence for a prescribed waste operation other than a waste transport operation.
3. Annual licence fee for a prescribed waste operation other than a waste transport operation.

#### PART II

##### FEEES FOR OPERATIONS PRESCRIBED UNDER THE AIR POLLUTION ORDINANCE

4. Fee to accompany application in relation to a licence for a prescribed air pollution operation.
5. Annual licence fee for a prescribed air pollution operation.

#### PART IIA

##### FEEES FOR OPERATIONS PRESCRIBED UNDER THE WATER POLLUTION ORDINANCE

- 5A. Fee to accompany application in relation to a licence for a prescribed water pollution operation.
- 5B. Annual licence fee for a prescribed water pollution operation.

#### PART III

##### GENERAL PROVISIONS

6. Application fee payable where a person carries on a waste transport operation and another prescribed operation.
7. Application fee payable where a person carries on more than one prescribed operation other than a waste transport operation.

8. Annual licence fee payable where a person carries on more than one prescribed operation other than a waste transport operation.
9. Payment of annual licence fee.
10. Penalty for late payment of annual licence fee.
11. Interpretation.
12. Revocations.
13. Citation and commencement.

SCHEDULE 1 Prescribed fee to accompany application in relation to a waste transport operation.

SCHEDULE 2 Prescribed fee to accompany application in relation to a prescribed waste operation other a waste transport operation.

SCHEDULE 3 Annual licence fee for prescribed waste operations other than waste transport operations.

SCHEDULE 4 Descriptions of prescribed air pollution operations by reference to paragraphs of Schedule 2 to the Air Pollution Ordinance.

Part I

Part II

Explanatory Note.

(Made on 29th November, 2019.)

## **The Environmental Pollution (Prescribed Operations) (Fees) Regulations, 2019**

**THE DIRECTOR OF ENVIRONMENTAL HEALTH AND POLLUTION REGULATION**, in exercise of the powers conferred on him by section 4(2)(c) and 4(3) of the Environmental Pollution (Waste Control and Disposal) Ordinance, 2010<sup>a</sup>, that section as applied by section 3 of the Environmental Pollution (Air Pollution) Ordinance, 2019<sup>b</sup> and section 72 of the Environmental Pollution (Guernsey) Law, 2004<sup>c</sup> and all other powers enabling him in that behalf, hereby makes the following Regulations: –

### PART I

#### FEES FOR OPERATIONS PRESCRIBED UNDER THE WASTE ORDINANCE

##### **Fee to accompany application in relation to a licence for a waste transport operation.**

1. (1) The prescribed fee to accompany an application in relation to a licence for a waste transport operation for the purpose of section 4(2)(c) of the Waste Ordinance –

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<sup>a</sup> Ordinance No. XVIII of 2010; amended by Ordinance No. IX of 2016 and the Environmental Pollution (Air Pollution) Ordinance, 2019.

<sup>b</sup> Approved by resolution of the States on 27<sup>th</sup> November, 2019.

<sup>c</sup> Order in Council No. XIII of 2004; as amended by Order in Council No. XIII of 2010; Nos. XV and XVI of 2015; Ordinance No. XXXIII of 2003; No. XXXVIII of 2006; No. XLIX of 2006; No. XIII of 2007; No. XVIII of 2010; No. V of 2011; No. IX of 2016 and the Environmental Pollution (Enforcement and Appeals) Ordinance, 2019.

- (a) is the fee specified in column 2 of Schedule 1 for the type of application specified in the corresponding entry in column 1 of Schedule 1, and
- (b) is payable to the States of Guernsey.

(2) For the avoidance of doubt, no fee is prescribed to accompany an application for the surrender of a waste transport licence.

**Fee to accompany application in relation to a licence for a prescribed waste operation other than a waste transport operation.**

2. (1) The prescribed fee to accompany an application in relation to a licence for a prescribed waste operation other than a waste transport operation, for the purpose of section 4(2)(c) of the Waste Ordinance –

- (a) is as set out in Schedule 2 for the type of application and description of prescribed operation in question, and
- (b) is payable to the States of Guernsey.

(2) Paragraph (1) is subject to regulation 7.

**Annual licence fee for a prescribed waste operation other than a waste transport operation.**

3. (1) The prescribed annual fee payable by a licensee, for the purpose of section 4(3) of the Waste Ordinance, in respect of a licence to carry on a prescribed operation, other than a waste transport operation –

- (a) is the fee specified in column 2 of Schedule 3 for the description of prescribed operation specified in the corresponding entry in column 1 of Schedule 3, and

(b) is payable to the States of Guernsey.

(2) For the avoidance of doubt, no annual licence fee is payable by a licensee in respect of a licence to carry on a waste transport operation.

(3) Paragraph (1) is subject to regulation 8.

## PART II

### FEES FOR OPERATIONS PRESCRIBED UNDER THE AIR POLLUTION ORDINANCE

#### **Fee to accompany application in relation to a licence for a prescribed air pollution operation.**

4. (1) This regulation prescribes the fee payable for an application in relation to a licence for a prescribed air pollution operation for the purpose of section 4(2)(c) of the Waste Ordinance as applied by section 3 of the Air Pollution Ordinance.

(2) The prescribed fee, in relation to a description of operation set out in Part I of Schedule 4, to accompany an application for –

- (a) a licence (including a renewal of a licence) is £634,
- (b) a variation of a condition of a licence is £329,
- (c) the transfer of a licence is £222,
- (d) the surrender of a licence is £222,

and is payable to the States of Guernsey.

(3) The prescribed fee, in relation to a description of operation set out in Part II of Schedule 4, to accompany an application for –

- (a) a licence (including a renewal of a licence) is £329,
- (b) a variation of a condition of a licence is £329,
- (c) the transfer of a licence is £222,
- (d) the surrender of a licence is £222,

and is payable to the States of Guernsey.

(4) The descriptions of prescribed operation in Schedule 4 are by reference to the relevant heading and paragraph numbers of Schedule 2 to the Air Pollution Ordinance.

(5) Paragraphs (2) and (3) are subject to regulation 7.

**Annual licence fee for a prescribed air pollution operation.**

5. (1) This regulation prescribes the annual fee payable by a licensee for the purpose of section 4(3) of the Waste Ordinance as applied by section 3 of the Air Pollution Ordinance.

(2) The prescribed annual licence fee, in relation to a description of prescribed operation set out in –

- (a) Part I of Schedule 4, is £898, or
- (b) Part II of Schedule 4, is £461,

and is payable to the States of Guernsey.

- (3) Paragraph (2) is subject to regulation 8.

[PART IIA  
FEES FOR OPERATIONS PRESCRIBED UNDER THE WATER POLLUTION  
ORDINANCE

**Fee to accompany application in relation to a licence for a prescribed water pollution operation.**

**5A.** (1) This regulation prescribes the fee payable for an application in relation to a licence for a prescribed water pollution operation for the purpose of section 4(2)(c) of the Waste Ordinance as applied by section 2 of the Water Pollution Ordinance.

(2) The prescribed fee, in relation to a prescribed water pollution operation, to accompany an application for –

- (a) a licence (including a renewal of a licence) is £405,
- (b) a variation of a condition of a licence is £222,
- (c) the transfer of a licence is £142,
- (d) the surrender of a licence is £142,

and is payable to the States of Guernsey.

- (3) Paragraph (2) is subject to regulation 7.]

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**NOTE**

*Part IIA, and regulation 5A thereof, were inserted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2022, regulation 2, with effect from 28th November, 2022.*

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**[Annual licence fee for a prescribed water pollution operation.]**

**5B.** (1) This regulation prescribes the annual fee payable by a licensee for the purpose of section 4(3) of the Waste Ordinance as applied by section 2 of the Water Pollution Ordinance.

(2) The prescribed annual licence fee, in relation to a prescribed water pollution operation is £355 and is payable to the States of Guernsey.

(3) Paragraph (2) is subject to regulation 8.]

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**NOTE**

*Regulation 5B was inserted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2022, regulation 2, with effect from 28th November, 2022.*

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**PART III**

**GENERAL PROVISIONS**

**Application fee payable where a person carries on a waste transport operation and another prescribed operation.**

**6.** For the avoidance of doubt, where a person carries on, or proposes to carry on, a waste transport operation and any other prescribed operation a separate fee is required to accompany –

- (a) any application made in relation to the waste transport operation, and
- (b) any application made in relation to any other prescribed operation,

and that separate fee is as set out for the type of application and description of operation in question in accordance with regulation 1, 2[, 4 or 5A] respectively.

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**NOTE**

*In regulation 6, the words in square brackets were substituted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2022, regulation 3, with effect from 28th November, 2022.*

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**Application fee payable where a person carries on more than one prescribed operation other than a waste transport operation.**

7. Where a person carries on or proposes to carry on –
- (a) prescribed waste operations falling within more than one category of the Table in Schedule 2,
  - (b) prescribed air pollution operations falling within more than one description of operation referred to in Schedule 4, or
  - [(c) prescribed operations falling within subparagraphs (a) and (b) or a prescribed operation falling within either of those subparagraphs and a prescribed water pollution operation,]

the prescribed fee to accompany the application in question is the highest of the fees

specified in the Table in Schedule 2[, in regulations 4(2) or (3) and 5A(2)] for the relevant type of application in relation to any of the prescribed operations in question.

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**NOTE**

*In regulation 7, first, paragraph (c) and, second, the words in the second pair of square brackets were both substituted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2022, regulation 4, respectively paragraph (a) and paragraph (b), with effect from 28th November, 2022.*

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**Annual licence fee payable where a person carries on more than one prescribed operation other than a waste transport operation.**

8. Where a person carries on or proposes to carry on –
- (a) prescribed waste operations falling within more than one category of the Table in Schedule 3,
  - (b) prescribed air pollution operations falling within more than one description of operation referred to in Schedule 4, or
  - [(c) prescribed operations falling within subparagraphs (a) and (b) or a prescribed operation falling within either of those subparagraphs and a prescribed water pollution operation,]

the prescribed annual licence fee is the highest of the fees specified in the Table in Schedule 3[, regulations 5(2) and 5B(2)] for any of the prescribed operations in question.

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**NOTE**

*In regulation 8, first, paragraph (c) and, second, the words in the second pair of square brackets were both substituted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2022, regulation 5, respectively paragraph (a) and paragraph (b), with effect from 28th November, 2022.*

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**Payment of annual licence fee.**

9. An annual licence fee is payable –
- (a) within 30 days of the date of issue of a licence for the prescribed operation in question, and
  - (b) thereafter, within 30 days of the 31<sup>st</sup> January in each calendar year following the calendar year of issue of the licence for the prescribed operation in question.

**Penalty for late payment of annual licence fee.**

10. If a licensee fails to pay an annual licence fee within the relevant period set out in regulation 9 ("**the period for payment**"), the licensee must pay a penalty, rounded up to the nearest £10, of –

- (a) where payment is received after 30, but before 60, days have expired from the date following the expiry of the period for payment, 1% of the annual licence fee,
- (b) where payment is received after 60, but before 90, days have expired from the date following the expiry of the period for payment, 2% of the annual licence fee, and
- (c) where payment has not been received after the expiry of 90 days from the date following the expiry of the period for payment, 5% of the annual licence fee.

**Interpretation.**

**11.** (1) In these Regulations, unless the context requires otherwise –

**"the Air Pollution Ordinance"** means the Environmental Pollution (Air Pollution) Ordinance, 2019,

**"annual licence fee"** means a fee prescribed under regulation 3(1)[, 5(2) or 5B(2)],

**"application for the renewal of a licence"** means an application for a licence –

- (a) to replace an existing licence which is due to expire, and
- (b) where the application is for substantially the same prescribed operation as is licensed by the existing licence,

**"clinical waste"** means –

- (a) any waste which consists wholly or partly of human or animal tissue, blood or other body fluids, excretions, drugs or other pharmaceutical products, swabs or dressings, or syringes, needles or other sharp instruments, being waste which unless rendered safe may prove hazardous to any person coming into contact with it, and

- (b) any other waste arising from medical, nursing, dental, veterinary, pharmaceutical or similar practice, investigation, treatment, care, teaching or research, or the collection of blood for transfusion, being waste which may cause infection to any person coming into contact with it,

**"incineration"** means the thermal treatment of waste, with or without recovery of the combustion heat generated including –

- (a) incineration by oxidation of waste, and
- (b) other thermal treatment processes such as pyrolysis, gasification or plasma processes, insofar as substances resulting from the treatment are subsequently incinerated,

**"inert waste"** means waste which –

- (a) does not undergo any significant physical, chemical or biological transformations,
- (b) does not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution, and
- (c) has insignificant total leachability and pollutant content and the leachate of which has insignificant ecotoxicity (and, in particular, does not endanger the quality of any water),

**"landfill"** means a waste disposal site for the deposit of waste into or under land,

**"landfill gas"** means gas formed by the digestion of material in a landfill,

**"period for payment"**: see regulation 10,

**"a prescribed air pollution operation"** means an operation prescribed under section 2 of the Air Pollution Ordinance but excluding one which is treated as only being prescribed under the Waste Ordinance in accordance with section 2(2) of the Air Pollution Ordinance,

**"a prescribed operation"**: see section 13(1) of the Law, section 1 of the Waste Ordinance[, section 2 of the Air Pollution Ordinance and section 1 of the Water Pollution Ordinance],

**"a prescribed waste operation"** means an operation prescribed under section 1 of the Waste Ordinance,

[ **"a prescribed water pollution operation"** means an operation prescribed under section 1 of the Water Pollution Ordinance but excluding one which is treated as only being prescribed under the Air Pollution Ordinance or the Waste Ordinance in accordance with section 1(4) or (5) of the Water Pollution Ordinance,]

**"specially controlled waste"** means any description of waste identified by Ordinance under section 37 of the Law as so dangerous or

difficult to dispose of that special measures need to be taken in respect of it<sup>d</sup>,

**"waste"** has the meaning in the Law except that it does not include –

- (a) radioactive waste, or
- (b) any substance which is explosive within the meaning of the Explosives (Guernsey) Law, 1905<sup>e</sup>,

**"the Waste Ordinance"** means the Environmental Pollution (Waste Control and Disposal) Ordinance, 2010,

**"waste transport licence"** means a licence to carry on the collection, removal, transportation or handling of waste (other than specially controlled waste), when carried on by way of business or as a public service, [...]

**"waste transport operation"** means the collection, removal, transportation or handling of waste (other than specially controlled waste), when carried on by way of business or as a public service, [and]

[ **"the Water Pollution Ordinance"** means the Environmental Pollution (Water Pollution) Ordinance, 2022].

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**NOTE**

*In regulation 11, first, the words in square brackets in the definitions of the expressions, first, "annual licence fee" and, second, "a prescribed operation" were substituted, third, the definition of the expression "a prescribed water*

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<sup>d</sup> See section 26 of the Ordinance and regulation 2 of the Waste Control and Disposal (Specially Controlled Waste) Regulations, 2010.

<sup>e</sup> Ordres en Conseil Vol. III, p.414 and Vol. XXXIV p. 586.

*pollution operation" was inserted, fourth, the words omitted in square brackets in the definition of the expression "waste transport licence" were revoked and fifth, the word in square brackets in the definition of the expression "waste transport operation" and the definition of the expression "the Water Pollution Ordinance" were both inserted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2022, regulation 6, respectively paragraph (a), paragraph (b), paragraph (c), paragraph (d) and paragraph (e), with effect from 28th November, 2022.*

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**Revocations.**

**12.** The Environmental Pollution (Waste Control and Disposal) (Fees) Regulations, 2010<sup>f</sup> and the Environmental Pollution (Waste Control and Disposal) (Fees) (Amendment) Regulations, 2011<sup>g</sup> are revoked.

**Citation and commencement.**

**13.** These Regulations may be cited as the Environmental Pollution (Prescribed Operations) (Fees) Regulations, 2019 and shall come into force on the 2nd December, 2019.

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<sup>f</sup> G.S.I. No. 46 of 2010 as amended by G.S.I. No. 21 of 2011

<sup>g</sup> G.S.I. No. 21 of 2011.

SCHEDULE 1

Regulation 1

PRESCRIBED FEE TO ACCOMPANY APPLICATION IN RELATION TO A  
WASTE TRANSPORT OPERATION

[

Type of Application	Fee
Application for licence (including a renewal of a licence) for a waste transport operation using no more than 4 vehicles	£100
Application for licence (including a renewal of a licence) for a waste transport operation using 5 to 10 vehicles	£150
For a waste transport operation using more than 10 vehicles	£200
Application for variation of condition of licence	£25 for each condition
Application for transfer of licence	£100

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**NOTE**

*In Schedule 1, the Table was substituted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2024, regulation 2, with effect from 1st February, 2024.*

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SCHEDULE 2

Regulation 2

PREScribed FEE TO ACCOMPANY APPLICATION IN RELATION TO  
PREScribed WASTE OPERATION OTHER THAN A WASTE TRANSPORT  
OPERATION

**Interpretation of the Schedule.**

This Schedule is interpreted in accordance with the notes to the Schedule.

[

Description of Operation	Fee to accompany application for licence (including a renewal of a licence)	Fee to accompany application for variation of condition of licence	Fee to accompany application for transfer of licence	Fee to accompany application for surrender of licence
<b>Category 1.</b> An operation consisting only of the storage of waste (not including any specially controlled waste).	£550	£550	£550	£550
<b>Category 2.</b> An operation consisting only of the storage of waste including specially controlled waste.	£1,100	£1,100	£1,100	£1,100
<b>Category 3.</b> An operation consisting of the sorting, processing or treatment of waste (not including any specially controlled waste) and any storage of such waste forming part of the same operation.	£2,200	£1,100	£1,100	£1,100
<b>Category 4.</b> An				

Consolidated text

operation consisting of the sorting, processing or treatment of waste including any specially controlled waste and any storage of such waste forming part of the same operation.	£3,300	£1,100	£1,100	£2,200
<b>Category 5.</b> An operation involving the disposal of household waste or commercial waste by landfill.	£5,500	£1,100	£1,100	£13,200
<b>Category 6.</b> An operation involving the disposal of clinical waste by incineration.	£5,500	£1,100	£1,100	£3,300
<b>Category 7.</b> An operation involving the disposal of animal carcasses by incineration.	£2,200	£1,100	£1,100	£3,300
<b>Category 8.</b> An operation involving the disposal of household waste or commercial waste by incineration other than an operation falling within Category 6, 7 or 11.	£11,000	£1,100	£1,100	£5,500
<b>Category 9.</b> An operation involving the disposal of waste landfill gas.	£3,300	£1,100	£1,100	£3,300
<b>Category 10.</b> An operation involving the disposal of inert waste by means of a land reclamation operation.	£1,100	£1,100	£1,100	£3,300
<b>Category 11.</b> An operation involving the				

disposal of waste wood, which has been sorted by incineration in a boiler with a thermal rated output of not less than 0.4 megawatts and not more than 3 megawatts.	£1,100	£550	£550	£550
<b>Category 12.</b> An operation involving the disposal of waste by means of an operation not falling within any of the descriptions of operation in Categories 5 to 11.	£11,000	£1,100	£1,100	£5,500

]

**Notes to the Schedule**

1. For the avoidance of doubt, where an operation falling within a description of operation in category 3 to 12 also involves the provision or operation of any site, plant or equipment for the sorting, treatment, processing or disposal of waste no further fee, in respect of such provision or operation, is required to accompany an application.

2. The relevant fee specified in the Table to accompany an application for the variation of a condition is the same irrespective of the number of conditions in respect of which the application is made.

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**NOTE**

*In Schedule 2, the Table was substituted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2024, regulation 3, with effect from 1st February, 2024.*

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SCHEDULE 3

Regulation 3

ANNUAL LICENCE FEE FOR PRESCRIBED WASTE OPERATIONS OTHER  
THAN WASTE TRANSPORT OPERATIONS

**Interpretation of the Schedule.**

This Schedule is interpreted in accordance with the notes to the Schedule.

[

Description of Operation licenced	Annual licence fee
<b>Category 1.</b> An operation consisting only of the storage of waste (not including any specially controlled waste).	£550
<b>Category 2.</b> An operation consisting only of the storage of waste including specially controlled waste.	£1,650
<b>Category 3.</b> An operation consisting of the sorting, processing or treatment of waste (not including any specially controlled waste) and any storage of such waste forming part of the same operation.	£1,650
<b>Category 4.</b> An operation consisting of the sorting, processing or treatment of waste including any specially controlled waste and any storage of such waste forming part of the same operation.	£2,750
<b>Category 5.</b> An operation involving the disposal of household waste or commercial waste by landfill.	£6,600
<b>Category 6.</b> An operation involving the disposal of clinical waste by incineration.	£2,750
<b>Category 7.</b> An operation involving the disposal of animal carcasses by incineration.	£2,750
<b>Category 8.</b> An operation involving the disposal of household waste or commercial waste by incineration other than an operation falling within Category 6, 7 or 10A.	£6,600
<b>Category 9.</b> An operation involving the disposal of waste landfill gas.	£1,980
<b>Category 10.</b> An operation involving the disposal of inert	£2,200

waste by means of a land reclamation operation.	
<b>Category 11.</b> An operation involving the disposal of waste wood, which has been sorted, by incineration in a boiler with a thermal rated output of not less than 0.4 megawatts and not more than 3 megawatts.	£550
<b>Category 12.</b> An operation involving the disposal of waste by means of an operation not falling within the descriptions of operation in Categories 5 to 11 above.	£6,600

]

**Notes to the Schedule**

1. For the avoidance of doubt, where the description of operation licensed falls within any description of operation in category 3 to 12 and also involves the provision or operation of any site, plant or equipment for the sorting, treatment, processing or disposal of waste no further annual licence fee is payable in respect of the licensing of such provision or operation.
2. The relevant fee specified in the Table to accompany an application for the variation of a condition is the same irrespective of the number of conditions in respect of which the application is made.

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**NOTE**

*In Schedule 3, the Table was substituted by the Environmental Pollution (Prescribed Operations) (Fees) (Amendment) Regulations, 2024, regulation 4, with effect from 1st February, 2024.*

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SCHEDULE 4

Regulations 4 and 5

DESCRIPTIONS OF PRESCRIBED AIR POLLUTION OPERATIONS BY  
REFERENCE TO PARAGRAPHS OF SCHEDULE 2 TO THE AIR POLLUTION  
ORDINANCE

PART I

1. Paragraph 1(1) (combustion operations).
2. Paragraph 2(1) to (6) (refining, gasification and liquefaction operations).
3. Paragraph 3(1) to (7) and 3(10)(operations in relation to ferrous metals).
4. Paragraph 4(1) to (4) (operations in relation to non-ferrous metals).
5. Paragraph 5(1) and (2) (operations in relation to the surface treatment of metals and plastic materials).
6. Paragraph 6(1) and (2) and 6(5) and (7) (operations in relation to the production of cement, lime and magnesium oxide).
7. Paragraph 7(1) and (2) (operations involving asbestos).
8. Paragraph 8(1) (operations involving glass and glass fibre manufacture).
9. Paragraph 9 (operations in relation to the production of other mineral fibres).
10. Paragraph 10(1) (other mineral operations).
11. Paragraph 11(1) (operations relating to ceramic production).

- 12.** Paragraph 12(1) and (2) (operations in relation to organic chemicals).
  
- 13.** Paragraphs 13 (operations in relation to inorganic chemicals), 14 (operations in relation to chemical fertiliser production), 15 (operations in relation to biocide production), 16 (operations in relation to pharmaceutical production), 17 (operations in relation to explosives production) and 18 (manufacturing operations involving ammonia).
  
- 14.** Paragraphs 21 (operations in relation to paper, pulp and panel manufacturing), 22 (operations in relation to carbon activities) and 23(1) (tar and bitumen operations).
  
- 15.** Paragraph 24(1) and (2) (operations in relation to coating, printing and textile treatments).
  
- 16.** Paragraph 26(1) (operations in relation to timber).
  
- 17.** Paragraph 27(1) (operations involving rubber).
  
- 18.** Paragraph 28(1) to (5) (operations involving treatment of animal and vegetable matter and food industries).
  
- 19.** Paragraphs 29 (intensive farming) and 30 (carbon capture and storage).

## PART II

- 1.** Paragraph 2(7) to (12) (refining, gasification and liquefaction operations).
  
- 2.** Paragraph 3(8) and (9) (operations in relation to ferrous metals).
  
- 3.** Paragraph 4(5) to (9) (operations in relation to non-ferrous metals).

4. Paragraph 5(3) (operations in relation to the surface treatment of metals and plastic materials).
5. Paragraph 6(3) and (4) and 6(6) (operations in relation to the production of cement, lime and magnesium oxide).
6. Paragraph 7(3) (operations involving asbestos).
7. Paragraph 8(2) (operations involving glass and glass fibre manufacture).
8. Paragraph 10(2) to (8) (other mineral operations).
9. Paragraph 11(2) and (3) (operations relating to ceramic production).
10. Paragraph 12(3) to (5) (operations in relation to organic chemicals).
11. Paragraph 19 (operations in relation to storage of chemicals in bulk).
12. Paragraph 23(2) to (4) (tar and bitumen operations).
13. Paragraph 24(3) to (5) (operations in relation to coating, printing and textile treatments).
14. Paragraph 25 (operations in relation to the manufacture of dyestuffs, printing ink and coating materials).
15. Paragraph 26(2) (operations in relation to timber).
16. Paragraph 27(2) and (3) (operations involving rubber).

**17.** Paragraph 28(6) to (8) (operations involving treatment of animal and vegetable matter and food industries).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)\*\**

These Regulations revoke and replace the Environmental Pollution (Waste Control and Disposal) (Fees) Regulations, 2010 ("2010 Regulations"), as amended.

The 2010 Regulations provided for the fees payable in relation to licences in respect of waste operations for the carrying on of which a licence is required under the Environmental Pollution (Guernsey) Law, 2004 ("the Law") and the Environmental Pollution (Waste Control and Disposal) Ordinance, 2010 ("prescribed waste operations").

The main difference between these Regulations and the 2010 Regulations are that new provisions are added in Part II providing for fees payable in relation to licences in respect of operations for the carrying on of which a licence is required under the Law and the Environmental Pollution (Air Pollution) Ordinance, 2019 ("Air Pollution Ordinance").

Regulation 4 sets out the fees to accompany an application in relation to a licence for the operations, prescribed under the Air Pollution Ordinance ("prescribed air pollution operations"), which are described in Schedule 4. Regulation 5 sets out the annual licence fee for such operations.

Regulations 6 to 8 provide for the application fee or annual licence fee payable where a person carries on more than one prescribed operation. This carries forward some existing provisions in the 2010 Regulations but also provides for the fees payable where someone carries on both a prescribed waste operation and a prescribed air pollution operation.

The fees for applications in relation to licences for waste operations remain unchanged from those set out in the 2010 Regulations (see in particular Part I and Schedules 1 to 3).

The previous provisions relating to time for payment of an annual licence fee and a penalty on the late payment of the same have been retained but extended to apply to the new annual licence fees for prescribed air pollution operations. There are also some minor amendments to the descriptions of waste operations in Schedules 2 and 3, with Category 10A being renamed as Category 11 and Category 11 renamed as Category 12. Finally, some amendments are made to the notes to Schedules 2 and 3

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\*\* The text of this Explanatory Note is as it was when the Statutory Instrument was first made – that is to say that the Explanatory Note has not been updated to take account of any changes made by subsequent amending Statutory Instruments with their own Explanatory Notes.

because the fees payable where a person carries on more than one prescribed operation are now covered in regulations 7 and 8.

The Regulations come into force on the 2<sup>nd</sup> December, 2019.