

# Summary of responses to the proposed changes for the Transfrontier Shipment of Waste (Scotland) Charging Scheme consultation with SEPA's views



Summary Responses to the proposed changes for the Transfrontier Shipment of Waste  
(Scotland) Charging Scheme Consultation with SEPA's Views

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## Contents

1	Introduction .....	3
2	Background.....	3
2.1	Why Did SEPA Consult? .....	3
2.2	How did we consult? .....	3
3	Overview of comments and our proposals .....	4
3.1	Question 4: Do you agree with the proposals on the new charge for notifications for offshore installations and ships? .....	4
3.1.1	Consultation Response .....	4
3.1.2	SEPA's Response .....	4
3.2	Question 5: Do you agree with the proposals which are outlined in this consultation? ...	5
3.2.1	Consultation Response .....	5
3.2.2	SEPA's Response .....	5
3.3	Question 6: What are your views on the increase to shipment bands charges? .....	6
3.3.1	Consultation Response .....	6
3.3.2	SEPA's Response .....	6
3.4	Question 7: What are your views on the introduction of hourly charges where SEPA has to undertake additional work? .....	6
3.4.1	Consultation Response .....	6
3.4.2	SEPA's Response .....	7
3.5	Question 8: What are your views on a new charging activity for the export of notifiable waste for interim recovery charge for notifications? .....	7
3.5.1	Consultation Response .....	7
3.5.2	SEPA's Response .....	7

Summary Responses to the proposed changes for the Transfrontier Shipment of Waste  
(Scotland) Charging Scheme Consultation with SEPA's Views

---

3.6	Question 9: What are your views on the new charge which cover costs associated with financial guarantees where operators do not use SEPA's standard financial guarantee template?.....	8
3.6.1	Consultation Response .....	8
3.6.2	SEPA's Response .....	8
3.7	Question 10: What are your views on the new fee for exporters if they choose not to input their data for export notifications?.....	8
3.7.1	Consultation Response .....	8
3.7.2	SEPA's Response .....	8
3.8	Question 11: What are your views on the new fee where an amendment is made after transmission? .....	9
3.8.1	Consultation Response .....	9
3.8.2	SEPA's Response .....	9
3.9	Question 12: What are your views on the new charging activity for assessing and determining applications for pre-consented facilities? .....	9
3.9.1	Consultation Response .....	9
3.9.2	SEPA's Response .....	9
3.10	Question 13: What are your views on the proposals for RPI increment and payment referencing?.....	10
3.10.1	Consultation Response .....	10
	Another commenter asked the significance of "emission plans". .....	10
3.10.2	SEPA's Response .....	10
3.11	Question 14: Do you have any other comments or suggestions to make about this consultation? .....	10
3.11.1	Consultation Response .....	11

3.11.2 SEPA's Response .....	11
4 Conclusion .....	11

## 1 Introduction

This is a summary of the responses to SEPA's consultation on the proposed changes to the fees we currently charge for regulating the shipment of notifiable waste (i.e. those wastes subject to the procedure of prior written notification and consent). The introduction of a new charging activity for the export of waste for interim recovery and the introduction of new fees for movement forms for export notifications where SEPA inputs data, notifications that do not follow SEPA's financial guarantee template, amendments to notifications and applications for pre-consented facilities.

The consultation ran from 29 August 2023 until 21 November 2023.

## 2 Background

### 2.1 Why did SEPA consult?

SEPA are responsible for enforcing the requirements of the waste shipment regime in Scotland. Part of this work involves assessing and determining applications to ship notifiable waste.

It has been 12 years since our charges for this regime were first set and following our review of these, we are now proposing some changes and additions to ensure that they are appropriate and secure full cost recovery.

### 2.2 How did we consult?

The main way to access and respond to the consultation is through the online consultation platform on the SEPA website. The platform integrates the consultation document with the questions allowing the stakeholder to respond to each question and provide their views.

We proactively wrote to stakeholders to advise the dates of the consultation and how they could access and respond to the consultation.

Summary Responses to the proposed changes for the Transfrontier Shipment of Waste (Scotland) Charging Scheme Consultation with SEPA's Views

We also offered to do a workshop with industry to hear their views and asked stakeholders whether this would be something of interest.

## 3 Overview of comments and our proposals

The following goes through the consultation responses and outlines how SEPA will implement within the charging scheme. Questions 1 to 3 are to identify the responder and their interest in the charging scheme.

### 3.1 Question 4: Do you agree with the proposals on the new charge for notifications for offshore installations and ships?

#### 3.1.1 Consultation response

The following table summarises the overall response to this question.

Response	Number (%)	Comment summary
Yes	3 (23%)	These are complex applications to process that the charge is justified
No	3 (23%)	Those not involved in the offshore industry commented that this was a large increase
Not Sure	5 (38%)	Respondents were not involved in this sector and did not feel they could respond
Not answered	2 (15%)	

#### 3.1.2 SEPA's response

The only consultee working in this sector agreed that this was a reasonable increase. Another respondent – who is not involved in the offshore sector – asked why an additional charge for ozone-depleting substances, naturally occurring radioactive material (NORM), and other difficult

Summary Responses to the proposed changes for the Transfrontier Shipment of Waste (Scotland) Charging Scheme Consultation with SEPA's Views

to treat wastes had not been included. We believe that this respondent has read the Environment Agency's consultation on this subject and has not understood that the time needed to assess these wastes in offshore notifications has already been factored into SEPA's proposed charge.

Based on the consultation responses, we will implement this proposed increase, subject to governmental approval.

### 3.2 Question 5: Do you agree with the proposals which are outlined in this consultation?

#### 3.2.1 Consultation response

Response	Number (%)	Comment summary
Yes	3 (23%)	These are complex applications to process that the charge is justified
No	2 (15%)	Those not involved in the offshore industry commented that this was a large increase
Not Sure	6 (46%)	
Not answered	2 (15%)	

#### 3.2.2 SEPA's response

No further commentary was requested for this question. The different elements of the consultation are broken down in subsequent questions and responses.

### **3.3 Question 6: What are your views on the increase to shipment bands charges?**

#### **3.3.1 Consultation response**

Those respondents who were in favour of the increase to shipment band charges thought that the proposals were reasonable. One respondent commented that the majority of the work involved in processing applications is in the early stages with movement tracking being much less time consuming, and therefore was content that the larger increase proposed for general notifications with fewer shipment is reasonable. Another respondent disagreed with this and commented that this was not reasonable and that each band should be increased by the same percentage. A consultee commented that the increases should be in line with inflation.

Another consultee was hoping to avoid charges altogether and suggested that he would ship notifiable waste to other countries with lower or no notification charges. As stated in the consultation, SEPA is required to recover its costs, so disapplying charges for processing an application is not possible.

#### **3.3.2 SEPA's response**

Using RPI since the last charging review, a single shipment would attract a charge of £2,116 from 1 April 2023. The new proposed charge for a single shipment is £2,600. The above average inflation increase better reflects the workload involved in the initial application stages.

### **3.4 Question 7: What are your views on the introduction of hourly charges where SEPA has to undertake additional work?**

#### **3.4.1 Consultation response**

Most respondents were in favour of this proposal where it concerned work such as administering the repatriation of waste. One consultee thought that the proposed charge was "highly irregular", but this was not the general view of those who also responded to the consultation. Another respondent considered the proposal to be reasonable where a shipment is rejected but was concerned that this should not impact on financial guarantees. It was not clear from the response whether this comment related to financial guarantees for future

notifications or that covering a “rejected shipment”.

A consultee stated that they had no concerns with the proposal but that invoices should be clear as to what was being charged for.

### **3.4.2 SEPA's response**

The majority of those who responded to this question, thought the proposal reasonable. SEPA will make clear on any invoice issued for additional work that the charges cover and how they are to be paid. Where a shipment is covered by a financial guarantee, which SEPA calls on, any invoice will clearly set out work undertaken by SEPA staff that is not covered by the guarantee.

## **3.5 Question 8: What are your views on a new charging activity for the export of notifiable waste for interim recovery charge for notifications?**

### **3.5.1 Consultation response**

The responses to this question varied considerably. Some thought the proposal was reasonable, it was not applicable to others, and one thought it was unreasonable. One respondent did not see the need for this charging activity to be distinguished from those not involving interim movements. Finally, another consultee considered that the cost for interim recovery should be higher for bands 101-500 and over 500 to reflect the workload per movement.

### **3.5.2 SEPA's response**

There are obviously varying opinions from the consultees on this proposal. We do not consider that the charge should be weighted towards those shipping higher numbers of loads under general notifications. As stated previously, the majority of SEPA officers' work is weighted towards the initial stages of the application to ensure that the treatment of waste after the initial recovery operation, is undertaken at appropriately permitted facilities and in accordance with waste shipment rules.



### **3.6 Question 9: What are your views on the new charge which cover costs associated with financial guarantees where operators do not use SEPA's standard financial guarantee template?**

#### **3.6.1 Consultation response**

Most respondents agreed with this charge. One respondent did not agree as they do not think SEPA's standard financial guarantee template encompasses enough detail; however, they also stated that they did not know that SEPA has a template. It was clear that this consultee was used to the forms used in England for the approval of financial guarantees.

#### **3.6.2 SEPA's response**

We consider that the proposed new charge for applicants not wishing to use SEPA's template for financial guarantees is reasonable, and that this is the view held by the majority of consultees who responded on this point.

### **3.7 Question 10: What are your views on the new fee for exporters if they choose not to input their data for export notifications?**

#### **3.7.1 Consultation response**

There were few responses on this question. However, those that did provide an answer agreed that the proposed fee was reasonable. One consultee stated that there is a clear choice for the exporter to either enter their data themselves, or pay SEPA to do it on their behalf, and that this is no different to many other aspects of business management. One thought a fee of £25 was too high and that they would have to do a lot of additional administrative work to avoid being charged.

#### **3.7.2 SEPA's response**

We agree that with the majority of respondents who answered this question that the fee is reasonable. If a notifier chooses the option for SEPA to upload their data onto the [IWS portal](#), we have a duty to recover our administrative costs.

### **3.8 Question 11: What are your views on the new fee where an amendment is made after transmission?**

#### **3.8.1 Consultation response**

There were mixed views on this new charge. It was remarked that only significant changes should incur a charge. Another respondent commented that it could result in high costs for notifiers if several competent authorities wanted to make changes to the notification. One strongly disagrees with this charge as they do not know the exact boat that will be used for sea transportation when submitting the notification.

#### **3.8.2 SEPA's response**

We will not charge for changes requested by competent authorities in other countries. The charge will be implemented when notifiers request to make changes to the notification after transmission.

Details of all carriers must be provided when submitting the notification. However, in the instance of sea transportation, a declaration from the carrier that each vessel in their fleet will have the appropriate level of insurance is acceptable.

### **3.9 Question 12: What are your views on the new charging activity for assessing and determining applications for pre-consented facilities?**

#### **3.9.1 Consultation response**

Most respondents agreed this charge was reasonable. It was questioned whether this work justified an additional charge as documents stating whether the recovery facility is pre-consented are supplied by the notifier in the application and therefore this does not take a significant amount of time.

#### **3.9.2 SEPA's response**

This question appears to have been misunderstood by more than one respondent. Notifications where waste is imported or exported to a pre-consented recovery facility will not incur this

Summary Responses to the proposed changes for the Transfrontier Shipment of Waste (Scotland) Charging Scheme Consultation with SEPA's Views

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charge. This charge is for applications for recovery facilities in Scotland to become pre-consented.

### 3.10 Question 13: What are your views on the proposals for RPI increment and payment referencing?

#### 3.10.1 Consultation response

Several respondents agreed that RPI increases were reasonable. It was suggested that the increase in price for each of the shipment bands should solely use RPI and there should be no additional increase. One respondent thought CPI would be more appropriate than RPI.

Another commenter asked the significance of “emission plans”.

#### 3.10.2 SEPA's response

As stated previously, the above average inflation increase better reflects the workload involved in the initial application stages.

SEPA has the ability to increase by up to RPI per the charging schemes. Any additional increase must be consulted on and agreed with Scottish Government.

There was an error in the consultation as “emission plan number” should have read “notification number”.

### 3.11 Question 14: Do you have any other comments or suggestions to make about this consultation?

The following table summarises the responses to this question under different themes and against each one documents our response.

Consultation response	SEPA's response
Green listed waste	Charges will be consulted on separately.
Refunds	We will be retaining our current refund policy.

### 3.11.1 Consultation response

It was suggested that the charging of green listed waste should be considered under this charging scheme for amber listed waste. It was also noted that refunds had not been addressed in the consultation.

### 3.11.2 SEPA's response

Charges for green listed waste will be consulted on separately before the introduction of mandatory digital waste tracking for green-listed waste throughout the UK in April 2025.

We are not consulting on changes to refunds and will be retaining our current refund policy.

## 4 Conclusion

We thank all stakeholders that have taken the time to respond to the consultation. We have reviewed and taken onboard these responses and have taken the following actions:

1. Implement the charges proposed from 1 April 2025, subject to the approval of Scottish Ministers.
2. Outline clearly in our charging booklet (which will be available on our website) that fees for 'pre-consented' facilities only apply to applications for waste management sites in Scotland to be granted this status, and not to movements of waste to or from these sites.

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