

**Environmental Authorisations (Scotland) Regulations 2018**

 May 2025

**Consultation digest**

**on proposed standard conditions for registration level activities**

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# Executive summary

**We asked:**

In September 2024, we conducted a twelve-week consultation on the proposed standard conditions for regulating registration-level activities under the [Environmental Authorisations (Scotland) Regulations 2018](https://www.legislation.gov.uk/sdsi/2018/9780111039014/contents) (EASR).

Our consultation set out the proposals for the standard conditions that we will use to regulate each registration-level activity and explained, where necessary, why we consider a registration-level activity requires the proposed standard conditions.

**You said:**

We received 24 responses: 23 from organisations or businesses and one from an individual.

There was a positive response, and the majority of respondents supported most of the proposals. When respondents disagreed with the proposals, we asked them to provide a rationale to explain why.

**We did:**

In response we engaged directly with some respondents and have revised or clarified certain conditions. We scaled requirements to risk, simplified terminology, improved transparency, added flexibility, and updated or confirmed codes where needed. In some cases where you agreed, we are proceeding with the proposals as set out in the [consultation document](https://consultation.sepa.org.uk/communications/easr_registration_standard_conditions_2024/supporting_documents/240902_SEPA_EASR_Consultation_on_standard_conditions_FINAL.docx).

This report summarises the main points from the feedback gathered during the consultation and describes how we will respond. Please read our Consultation Summary for more information on the proposals, responses, and actions we will take.

## Waste Management Activities

**Section Summary**

We asked for your views on our proposed standard conditions for various waste activities, covering management systems, storage, and specific treatments, including composting, metal recovery, and biomass incineration.

You said our proposals needed greater clarity, flexibility, and proportionality, particularly regarding risk-based approaches, definitions, operational practicality, and specific technical details.

In response, we revised and clarified many of the conditions. We scaled requirements according to risk, simplified terminology, improved transparency, and introduced greater flexibility around waste acceptance, storage and treatment. We also updated or confirmed waste codes where necessary. In some cases where proposals were broadly supported, we proceeded as initially set out.

**Management Systems**

We asked if you agreed with the list of core standard conditions for management systems. You said the conditions could be more proportionate to risk. We have clarified that management systems should be scaled to the environmental risk of the activity, meaning low risk waste management sites with a small number of waste types from the same producers can keep things simple.

**Waste Acceptance**

We asked if you agreed with the proposed waste acceptance conditions. You said that more flexible inspection methods would improve the proposals. We have revised the proposed condition to allow inspections at alternative points.

**Site Security**

We asked if you agreed with the proposed site security rules. You said that some of the proposals for on-site storage were unnecessary. We have updated the conditions to require operators to take all reasonably practicable measures to prevent unauthorised access.

**Waste Storage**

We asked if you agreed with the proposed storage labelling rules. You said that labels aren’t needed for non-hazardous waste. We did clarify that only hazardous waste containers require detailed labelling, while simple identification of waste type(s) is enough for non-hazardous waste.

**Pollution Control**

We asked if you agreed with the proposed odour control rules. You said that relying on our "offensive odour" assessments lacked consistency. We have decided to keep the requirement but made the assessment process more transparent and published our updated guidance.

**Environmental reporting**

We asked if you agreed with the conditions for environmental event reporting. You said you agreed with the proposals. We have decided to proceed with the proposals set out in the consultation.

**Recording and reporting**

We asked if you agreed with the conditions for recording and reporting. You said that six years felt too long. We did check legal requirements across different regimes and confirmed that six years is necessary to align with other regulations. However, we’ve introduced flexibility in how records are kept—digital systems are now encouraged.

**Transporting Waste**

We asked if you agreed with the standard conditions for transporting waste. You said you were unsure about the role of drivers in inspecting waste. We did clarify in guidance that there are several options available to comply with this condition.

**Broker/Dealer of Waste**

We asked if you agreed with the standard conditions for acting as a broker or dealer of waste. You said you agreed with the proposals. We have decided to proceed with the proposals set out in the consultation.

**Asbestos Storage**

We asked if you agreed with the standard conditions for storing asbestos. You said you needed clarification on storing contaminated packaging and protective clothing. We updated the standard conditions to include wrapping and packaging and added to the waste code for asbestos-contaminated protective clothing.

**Storage of Waste for Recovery**

We asked if you agreed with the standard conditions for storing up to 2,500 tonnes of waste per year for recovery. You said that waste codes for specific reusable items needed to be added and that one of the conditions for storing inert waste contained an error. We confirmed that the existing waste codes for separately registering salvageable items remain appropriate, and we revised the condition to specify that inert waste can be stored on either a hardstanding area or an impermeable surface.

**Vehicles**

We asked if you agreed with the storage conditions for electric and hybrid waste motor vehicles. You said you needed more information about the definition of “burning” and wanted more flexibility in storing these vehicles. We decided to retain the standard burning condition, as this registration covers storage only, but we will modify the condition to allow electric and hybrid waste motor vehicles to be stored together.

**Waste Cooking Oil for Biodiesel**

We asked if you agreed with the storage and treatment conditions for waste cooking oil used to manufacture biodiesel. You said there should be a condition requiring containers to be labelled. We did adapt the condition to include a labelling requirement.

**Waste in Water Treatment Works**

We asked if you agreed with the list of standard conditions for storing and treating waste within the boundary of water or wastewater treatment works. You said some of the rules were too strict, so we amended some of the requirements and introduced risk-based standards.

**Inert and Excavation Waste**

We asked if you agreed with the standard conditions for storing inert and excavation waste for construction. You said more clarity was needed, the conditions were too restrictive, and additional waste codes were required. We did revise the surfacing condition to clarify that hardstanding is sufficient, impermeable surfaces are optional, and sealed drainage systems are not required.

**Metal Waste Recovery**

We asked if you agreed with the standard conditions for storing and treating metal waste for recovery. You said the 5-metre height limit on stockpiling metals was unnecessary and suggested adding a waste code. We decided to maintain the 5-metre limit but clarified the option for operators to apply for permits to exceed it. We also added waste code 17 04 10 (cables containing hazardous substances) to the registration.

**Wood Waste Recovery**

We asked if you agreed with the list of standard conditions for storing and treating wood waste for recovery. You said you agreed with the proposals, so we decided to proceed with the proposals set out during the consultation.

**Non-Hazardous Waste Recycling**

We asked if you agreed with the standard conditions for storing and treating segregated non-hazardous waste for recycling. You said clarifying the total limit for each waste type would be helpful. We decided to proceed with the proposals in the consultation, confirming the total aggregate limit as 500 tonnes.

**Preparation for Reuse**

We asked if you agreed with the list of standard conditions for the storage and preparation of waste for reuse. You said you agreed with the proposals. We decided to proceed with the proposals set out in the consultation.

**WEEE Treatment**

We asked if you agreed with the standard conditions for storing and treating up to 35 tonnes of electronic and electrical equipment waste at any one time for repair, refurbishment, or dismantling for reuse or recovery. You said you agreed with the proposals, so we decided to proceed with the proposals set out during the consultation.

**Open and Enclosed Composting**

We asked if you agreed with the standard conditions for both open and enclosed composting systems. You said you needed more precise definitions and raised concerns about operational challenges, including identifying invasive species, managing liquid waste, reheating, and the practicality of emissions abatement for small-scale systems. You also questioned how “biowaste” and “significant contamination” were defined. We did specify acceptable materials and contamination limits, simplified our guidance, and introduced a new condition for small-scale operations. We updated the conditions for enclosed systems to take a risk-based approach to emissions abatement, particularly for smaller facilities like rocket composters.

**Anaerobic Digestion**

We asked for your views on the proposed standard conditions for the anaerobic digestion of biowaste. You said the proposals needed more clarity and flexibility, particularly around definitions, technical requirements for flares, waste codes, and storage options like earth-walled lagoons. You also raised concerns about the definition of biowaste and called for a risk-based approach to leak detection. We did clarify building requirements, updated waste codes to include limited biochar acceptance, simplified terminology, and confirmed that leak detection methods can be tailored to site conditions. We also amended the requirement for flares to be maintained at a specific temperature, recognising that this may not be appropriate in all circumstances.

**Use of Waste on Land**

We asked if you agreed with the standard conditions for using waste on land for soil improvement at a single farm or site, including testing frequencies and restrictions on certain waste types. You said you had concerns about the flexibility of the registration for multiple fields and needed more clarity on management system requirements and conditions for waste application and storage. We did expand the definition of a single location to include up to three small farms within 10km, and we’re committed to finalising guidance that addresses your concerns and aligns management system expectations with the Biosolids Assurance Scheme with whom discussions have already taken place.

**Waste in Construction**

We asked if you agreed with the standard conditions for using 300 tonnes or less of waste per year in construction. You said you needed more clarity on which construction activities the conditions apply to and requested the inclusion of specific waste codes. We updated the conditions to specify the authorised uses of waste, added additional waste codes, and clarified the allowable amount of waste that can be stored at any one time.

**Waste Recovery in Construction**

We asked if you agreed with the standard conditions for using waste for recovery in construction or land improvement projects of up to 100,000 tonnes. You said you had concerns about the tonnage thresholds, soil management, and the types and uses of waste included. We did decide to keep the 100,000-tonne threshold but reduced the maximum amount that can be stored at any one time to 20,000 tonnes. We also introduced a requirement for a written assessment confirming that waste soils pose no health or environmental risks, including specific thresholds for trace asbestos. Our guidance will be updated to reflect these changes and to ensure recovery plans are suitable for the scale of each project.

**Biomass Incineration**

We asked if you agreed with the standard conditions for waste biomass incineration at rates between 50kg and 3,000kg per hour. You said you wanted more explicit rules for start-up and shutdown, had questions about using other waste fuels in auxiliary burners, and requested definitions for terms like “start-up,” “clean wood,” and “chemical treatment,” as well as guidance on monitoring and modelling emissions. We did add specific conditions for start-up and shutdown periods and addressed the remaining points in our accompanying guidance rather than in the standard conditions.

**Water Activities**

**Section Summary**

We asked for your views on our proposed standard conditions for various water-related activities, including sewage discharges, pesticide use, abstractions, and engineering works affecting water bodies.

You supported many proposals but asked for more precise definitions, guidance, and clarity with environmental risks—particularly around treatment standards, discharge quality limits, emergency works, and protecting sensitive species and habitats.

We clarified when and how conditions apply, confirmed standards, and committed to improving guidance—especially for emergency works. Where existing protections already cover your concerns, we explained how these apply. In most areas, we are proceeding with the proposals as consulted.

## New Sewage Discharges

We asked if you agreed with the standard conditions for various sewage discharge activities. You said you were concerned about retrofitting old treatment systems to meet new standards and how discharge quality limits would be assessed. We clarified that the new standard conditions apply only to treatment systems less than two years old and confirmed that the discharge quality limit is a standard the system must meet.

**Sewage in Bathing/Shellfish Zones**

We asked if you agreed with the list of standard conditions for the discharge of sewage within zones designated to protect bathing and shellfish waters. You said you needed clarification about the discharge quality limit. We confirmed that the discharge quality limit is the standard all treatment systems must be designed to meet.

**Grey Water/Composting Toilet Discharges**

We asked if you agreed with the standard conditions for the discharge of grey water or liquid from a composting toilet to a soakaway. You said you agreed, so we proceeded with the proposals set out in the consultation.

**Existing Unauthorised Sewage Discharges**

We asked if you agreed with the standard conditions for discharge from an existing treatment system that has never been authorised. We decided to proceed with the proposals set out in the consultation and will encourage people to apply for authorisation if their discharge is not currently authorised.

**Existing CAR Authorised Sewage Discharges**

We asked if you agreed with the list of standard conditions for discharge from an existing treatment system authorised under CAR. You said you agreed with the proposals and had no additional comments. We proceeded with the proposals set out during the consultation.

**Hot Tubs/** **Swimming Pool Discharges**

We asked if you agreed with the standard conditions for the discharge of hot tub or swimming pool effluent. You asked how SEPA intend to check de-bromination or de-chlorination. We said it is the authorised person’s responsibility to de-brominate or de-chlorinate these discharges to comply with the standard conditions.

**Pesticide Application**

We asked if you agreed with the standard conditions for applying pesticides that are plant protection products. You said registration should be denied if it would negatively impact protected species or protected sites. We proceeded with the proposals set out in the consultation, as there is already a condition requiring pesticides and adjuvants not to enter the water environment.

**Disposal of Disinfectants During the Outbreak of a Notifiable Disease**

We asked if you agreed with the list of standard conditions for disposing of detergents and disinfectants during a notifiable disease outbreak. You said a registration should be denied if it would negatively impact protected species. We proceeded with the proposals set out in the consultation, as there is already a condition requiring that the disposal of substances or heat must not result in harm to the water environment.

**Abstractions**

We asked if you agreed with the list of standard conditions for abstractions. You said we should consider including reporting requirements to support a more strategic approach. We did proceed with the proposed standard conditions, as we don’t believe reporting would be proportionate.

**Boreholes**

We asked if you agreed with the list of standard conditions for boreholes. You said we should consider adding reporting requirements to help inform a more strategic approach. We did proceed with the proposed standard conditions, as we don’t believe reporting would be proportionate.

**Impoundments**

We asked if you agreed with the list of standard conditions for impoundments. You said we needed to alter the threshold for when authorisation is required. For the authorisation of existing impoundments, you said a registration should be denied if it would negatively impact protected species. We did alter the threshold for when authorisation is required in line with the suggestion. Regarding existing impoundments, if we find evidence that a protected species is impacted by ongoing activity, we will consider intervening to prevent, remedy or mitigate any impacts.

**Bank/Channel Works**

We asked if you agreed with the list of standard conditions for bank works, channel modifications, crossings and in-stream structures. You said we need to do more to ensure compliance with conditions and suggested incorporating good design and green engineering techniques. You also highlighted the need for guidance regulating emergency works during sensitive periods, such as fish spawning. We did produce guidance that promotes good practice and compliance with standard conditions, and we are developing specific guidance for emergency works. We will also add a standard condition for in-loch structures based on your feedback.

**Sediment Removal**

We asked for your views on the proposed standard conditions for sediment removal activities. You said that there were concerns about how these activities would be regulated during emergency works—particularly where fish are spawning or developing. You highlighted the need for stronger checks and enforcement for activity, noting that breaches are common. We committed to developing guidance on how emergency work will be managed. In such cases, we will assess activities on a site-specific basis and consult fisheries boards and trusts where practicable to address local sensitivities. We also confirmed that Authorised Persons must comply with their registration conditions, and we can use appropriate enforcement tools if non-compliance is identified.

**Standard conditions for water activities: registration level activities** We asked for any additional feedback on the standard conditions for water activities at the registration level. You said some terms need clearer definitions and conditions to protect species are needed. We did confirm that Authorised Persons must comply with the standard conditions of registration, and we can use of appropriate enforcement tools where non-compliance is identified. We will explain key terms in our glossary, supporting guidance and continue to apply the risk-based approach established under CAR.

**Industrial Activities**

**Section Summary**

We asked for your views on the proposed standard conditions for various registration-level industrial activities, including carbon capture, combustion plants, and sector-specific operations like dry cleaning and petrol refuelling.

You said you generally supported the proposals but highlighted areas where clarity or consistency was needed—particularly around noise control, emissions limits, emerging technologies, and regulatory definitions.

We did proceed with most proposals as consulted. Where concerns were raised, we amended conditions—for example, adding noise controls to non-waste anaerobic digestion, ensuring correct emissions limits for cement production, and clarifying requirements for combustion plants and carbon capture. We also committed to publishing new or updated guidance where needed.

**Standard conditions for industrial activity registrations**

We asked for your views on our proposed standard conditions for registration-level industrial activities, focusing on pollution control, environmental events, and record keeping. You said you generally agreed with the conditions but highlighted an inconsistency in how noise was managed between waste and other industrial activities. We did decide to proceed with the proposals in the consultation, with one amendment: we added “noise” to the list of pollution control conditions for some non-waste anaerobic digestion processes to ensure consistency with similar facilities treating waste material.

**Petrol Station Refuelling and Petrol Storage Tanks**

We asked if you agreed with the standard conditions for the unloading and refuelling of petrol at service stations. You said you agreed with the proposals and had no additional comments. We decided to proceed with the proposals set out during the consultation.

**Dry Cleaning**

We asked if you agreed with the standard conditions for dry cleaning garments, furnishings, and similar goods using volatile organic compounds in an industrial or commercial setting. You said you agreed with the proposals and had no additional comments. We decided to proceed with the proposals set out during the consultation.

**Fish Ensiling**

We asked if you agreed with the standard conditions for the ensiling of dead fish or fish offal, including storing ensiled liquor at the same location. You said you agreed with the proposals and had no additional comments. We proceeded with the proposals set out during the consultation.

**Vehicle Spraying**

We asked if you agreed with the standard conditions for repainting or respraying road vehicles or their parts where organic solvent use is 2 tonnes or more in any 12 months. You said you agreed with the proposals and had no additional comments. We decided to proceed with the proposals set out during the consultation.

**Wood processing**

We asked if you agreed with the list of standard conditions for manufacturing wood products at works with a specified throughput in any 12 months. You said you agreed with the proposals and had no additional comments. We decided to proceed with the proposals set out during the consultation.

**Roadstone Coating**

We asked if you agreed with the standard conditions for coating roadstone with bitumen. You said you agreed with the proposals and had no additional comments, so we decided to proceed with the proposals set out during the consultation.

**Cement Production**

We asked if you agreed with the standard conditions for blending cement in bulk or using cement in bulk outside of construction sites, including bagging and batching ready-mixed concrete, and manufacturing concrete blocks and other cement products. You said we had failed to include the arrestment equipment limit for certain activities. We did amend the standard conditions to ensure that arrestment equipment for silos meets the required limit of 10mg/m³.

**Carbon Capture**

We asked if you agreed with the standard conditions for capturing carbon dioxide from any source, using direct capture or physical separation methods, unless covered by Part 4 of Schedule 20. You said carbon capture is an emerging technology and asked for clarity on regulating trials. You also asked how the minimum capture rate was determined. We did commit to amending the standard conditions in the future if developments require changes and clarified which exemptions from regulation apply to research and development activities.

**Non-Waste Anaerobic Digestion**

We asked if you agreed with the standard conditions for the anaerobic digestion of non-waste materials of less than 100 tonnes per day. You said you needed clarity on whether non-waste AD digestate is considered a product or a waste. You raised concerns about the practicality of several standard conditions and how odour limits would be enforced. We did issue guidance to reflect changes in both waste and non-waste anaerobic digestion and new guidance will be issued closer to the implementation date to provide further clarity and compliance advice. Based on your feedback, we will also update a number of the conditions.

**Combustion Plants Generating Electricity**

We asked if you agreed with the standard conditions for burning fuel in a combustion plant generating electricity on the same site with an aggregated rated thermal input of 1 megawatt or more. You said you needed clarification on new and existing plant registration requirements, procedures for already permitted generators, possible exemptions, and the NOx limit. You also asked for clarity on defining an “authorised place”. You suggested adding a condition to prevent registrations that could harm protected species or designated sites. We did clarify that all new and existing plants within this activity category must apply for authorisation. We will produce guidance to explain terms such as “authorised place,” align NOx limits with those in England and Wales, and reaffirm our responsibility to assess impacts on protected sites.

If you would like this document in an accessible format, such as large print, audio recording or braille, please contact SEPA by emailing equalities@sepa.org.uk