

SCOTTISH ENVIRONMENT PROTECTION AGENCY
POLLUTION PREVENTION AND CONTROL ACT 1999
POLLUTION PREVENTION AND CONTROL (SCOTLAND) REGULATIONS 2012
(“THE REGULATIONS”)
PERMIT TO OPERATE A ‘PART A’ INSTALLATION

Permit Number: PPC/A/1197753
Operator: Collier Quarrying and Recycling Limited
Address: Goathill Quarry
Easter Bucklyvie
Cowdenbeath
Fife
KY4 8ES

The Scottish Environment Protection Agency (“SEPA”), in accordance with the Regulations hereby grants a permit to Collier Quarrying and Recycling Limited, company registration number SC212435, having its registered office at Goathill Quarry, Easter Bucklyvie, Cowdenbeath, Fife, KY4 8ES (“the Operator”) to operate an installation on a site at Goathill Quarry, Easter Bucklyvie, Cowdenbeath, Fife, KY4 8ES, more particularly described in Schedule 1 of this permit, subject to the requirements of the Regulations and to the conditions contained in the Schedules in this Permit

.....
Authorised to sign on behalf of the
Scottish Environment Protection Agency

Date:

Right of Appeal

Under Regulation 58 of the Regulations you are entitled to appeal to the Scottish Ministers against any condition or conditions of this Permit, within six months of the date of this Permit, except where SEPA has granted this Permit in implementation of a direction to SEPA of the Scottish Ministers. The bringing of an appeal will not have the effect of suspending the operation of the condition or conditions. The procedures and timescales for the making of an appeal are set out in Schedule 8 of the Regulations.

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INTERPRETATION OF TERMS

For the purposes of this permit, and unless the context requires otherwise, the following definitions shall apply:

“Authorised Person” means a person who is authorised in writing under section 108 of the Environment Act 1995 to carry out duties on behalf of SEPA;

“emission” has the same meaning as in the Regulations;

“incident” means any of the following situations:

- Where an accident occurs which has caused or may have the potential to cause pollution;
- Where any malfunction, breakdown or failure of plant or techniques is detected which has caused or may have the potential to cause pollution;
- Where any substance, vibration, heat or noise specified in any condition of this permit is detected in an emission from a source not authorised by a condition of this permit and in a quantity which may cause pollution;
- Where an emission of any pollutant not authorised to be released under any condition of this permit is detected;
- Where an emission of any substance, vibration, heat or noise is detected that has exceeded, or is likely to exceed, or has caused, or is likely to cause to be exceeded any limit on emissions specified in a condition of this permit.

“IBA” means Incinerator Bottom Ash

“IBAA” means Incinerator Bottom Ash Aggregate

“Location Plan” means the plan attached to schedule 1 of this permit;

“the Permitted Activities” are defined in schedule 1 of this permit;

“the Permitted Installation” is defined in schedule 1 of this permit and includes references to parts of the permitted installation;

“pollutant” and “pollution” have the same meaning as in the Regulations;

“relevant test method” means any method designed to test, sample, analyse, or to otherwise monitor an emission or the environment and is either specified in the permit or a CEN standard or a British Standard or such other method approved in writing by SEPA.

“SEPA” means the Scottish Environment Protection Agency;

“Site Plan” means the plan attached at schedule 1;

“the Regulations” means The Pollution Prevention and Control (Scotland) Regulations 2012;

“water environment” has the same meaning as in the Water Environment and Water Services (Scotland) Act 2003 that is all surface water, groundwater and wetlands; and “surface water”, “groundwater” and “wetlands” shall have the same meanings as in the Act.

Any reference to a numbered condition, group of conditions, schedule, table, appendix, figure or paragraph is a reference to the condition, group of conditions, schedule, table, appendix, figure or paragraph bearing that number in this permit;

Except where specified otherwise in this permit:

“day” means any period of 24 consecutive hours,

“week” means any period of 7 consecutive days,

“month” means a calendar month,

“quarter” means a calendar quarter

“year” means any period of 12 consecutive months; and any derived words (e.g. “monthly”,

“quarterly”) shall be interpreted accordingly;

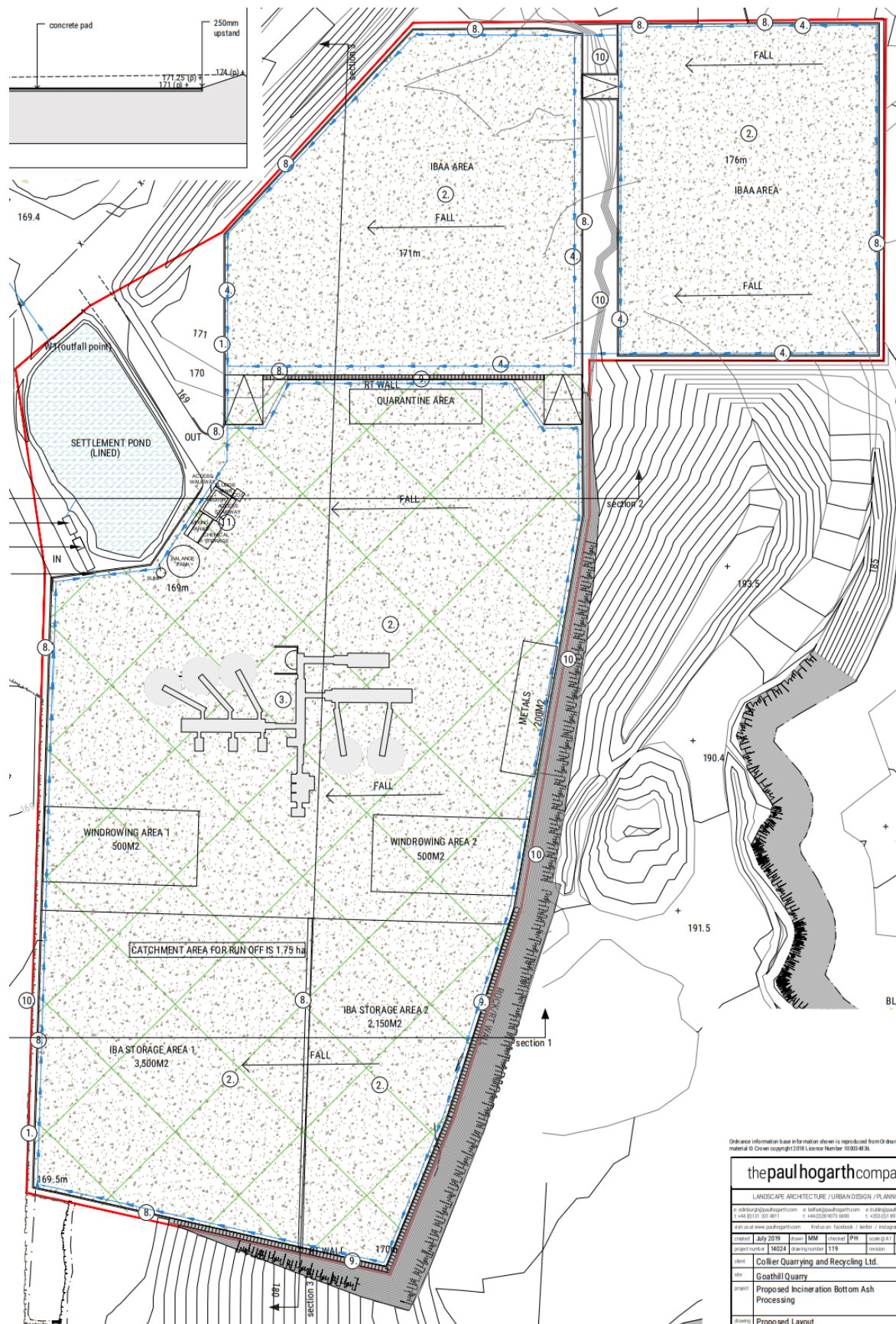
Except where specified otherwise in this permit, any reference to an enactment or statutory instrument includes a reference to it as amended (whether before or after the date of this permit) and to any other enactment, which may, after the date of this permit, directly or indirectly replace it, with or without amendment.

1. THE PERMITTED INSTALLATION

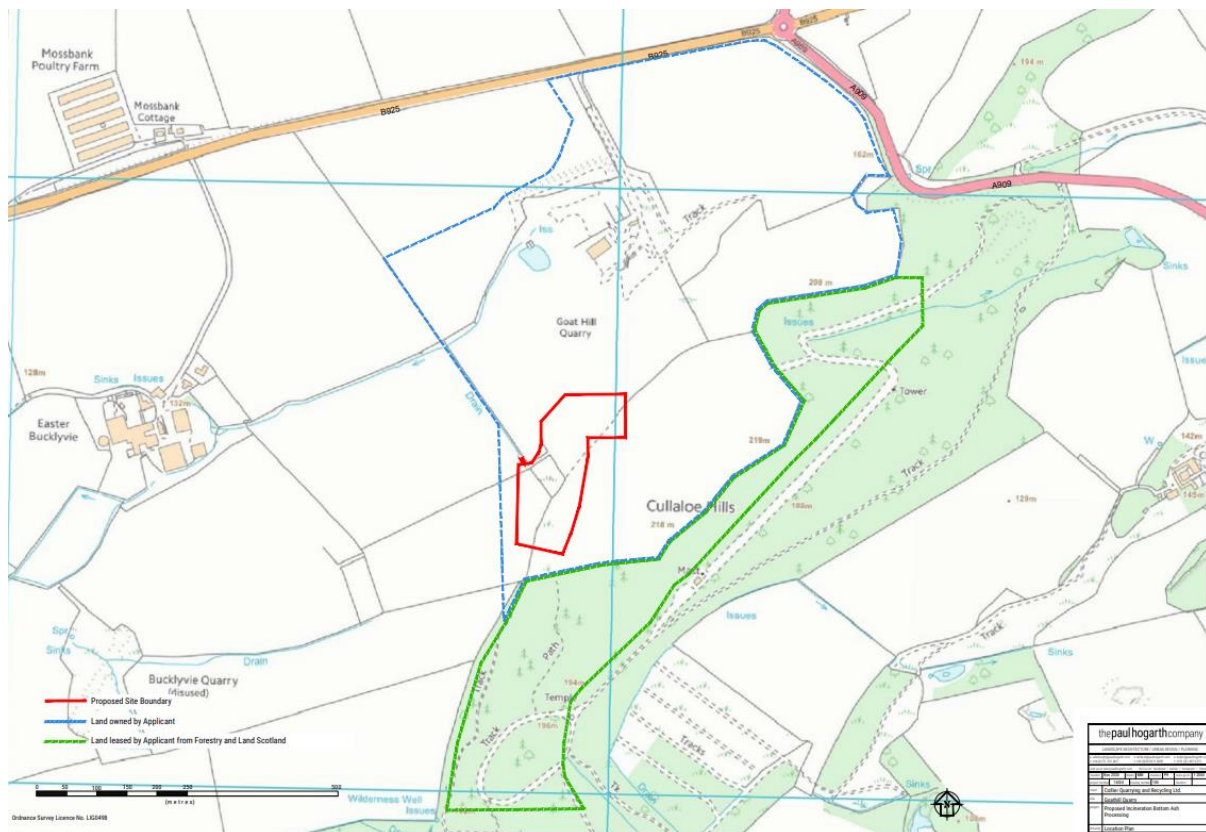
1.1 Description of Permitted Installation

- 1.1.1 The Permitted Installation to which this Permit applies ("the Permitted Installation") is:
 - 1.1.1.1 The Stationary Technical Units specified in paragraph 1.1.4 (the Stationary Technical Unit), where the activities specified in paragraph 1.1.3 are carried out ("the Activities"), together with the directly associated activities specified in paragraph 1.1.5 ("the Directly Associated Activities").
 - 1.1.1.2 The site of the Permitted Installation is delineated in red on the Site Plan ("the Site Boundary").
- 1.1.2 The general location of the Permitted Installation is shown on the Location Plan.
- 1.1.3 The Activities carried out at the Stationary Technical Unit are:
 - 1.1.3.1 The recovery or a mix of recovery and disposal of non-hazardous waste at an installation with a capacity exceeding 75 tonnes per day, by treatment of ashes, being an activity falling within paragraph (b)(iii) of Part A of Schedule 5.4 of Schedule 1 of the Regulations.
- 1.1.4 The Stationary Technical Unit comprises the following units:
 - a) The waste storage areas;
 - b) The Incinerator Bottom Ash processing equipment;
- 1.1.5 The following Directly Associated Activities are carried out on the site:
 - a) The storage of Incinerator Bottom Ash Aggregate and recovered metals;
 - b) The treatment of leachate in a Leachate Treatment Plant.
- 1.1.6 For the purpose of this Permit, the Activities and Directly Associated Activities shall be known together as "the Permitted Activities".

1.2 Site Plan



1.3 Location Plan



2. GENERAL CONDITIONS

2.1 Point of Contact & Accessibility of Permit

- 2.1.1 The Operator shall have an appropriate person (and deputy) as the primary point of contact with SEPA and shall notify SEPA in writing of the name of the appointed person (and deputy) within 4 weeks of the date of this Permit.
- 2.1.2 In the event of a different person being appointed to act as a primary point of contact (or deputy) the Operator shall notify SEPA in writing of the name of the appointed person without delay.
- 2.1.3 A copy of this Permit shall be kept at the Permitted Installation and shall be made readily available for examination by all staff.

2.2 Technical Competence and Staffing

- 2.2.1 All staff engaged in carrying on the Permitted Activities shall be provided with adequate professional and technical development and training and written operating instructions to enable them to carry out their duties.
- 2.2.2 The Operator shall maintain a record of the skills and training requirements for each job and shall keep records of all relevant training.
- 2.2.3 The Permitted Installation shall be managed and supervised by a designated technically competent person to ensure that the Conditions of the Permit are being complied with.
- 2.2.4 The Operator shall inform SEPA in writing of all persons, and their qualifications, engaged in the operation or management of the Permitted Installation who are designated as technically competent.
- 2.2.5 Where the Operator or another Relevant Person is convicted of an offence prescribed under section 74(6) of the Environmental Protection Act 1990 for the purposes of section 74(3)(a) of the Environmental Protection Act 1990 the Operator must notify SEPA in writing within seven days of the conviction, whether or not the conviction is subsequently appealed.

2.3 Written Management System

- 2.3.1 The Permitted Installation shall be operated, by using sufficient competent persons and sufficient resources and in accordance with a written management system in a way that:
 - i) ensures that the Permitted Installation is operated in compliance with this Permit;
 - ii) identifies and minimises risks of pollution;
 - iii) ensures that all appropriate preventative measures are taken against pollution; and
 - iv) ensures that no significant pollution is caused.

2.3.2 The written management system required by Condition 2.3.1 shall include, as a minimum, systems and procedures setting out the necessary steps to be taken:

- a) to ensure that all staff engaged in carrying on operations at the Permitted Installation are provided with adequate professional and technical development and training and written operating instructions to enable them to carry on their duties. The operator shall maintain a record of the skills and training requirements for each job and of all relevant training undertaken by staff;
- b) to ensure that the Permitted Installation is managed and supervised by a designated technically competent person;
- c) to start up operations of IBA treatment campaigns;
- d) to shut down operations of IBA treatment campaigns;
- e) to monitor and maintain the IBAA output quality;
- f) following final cessation of activities to decommission the Permitted Installation and to take all necessary measures avoid any pollution risk and to return the site to a satisfactory state;
- g) to monitor the condition of, and maintain, the Permitted Installation including as a minimum, process plant, instrumentation, equipment, drains, underground structures and buildings which it relies on for the prevention, or limitation, of pollution from the Permitted Installation;
- h) to undertake maintenance of the Permitted Installation;
- i) investigate and rectify any non-conformance with this Permit or pollution resulting from the Permitted Installation identified by the operator or drawn to the attention of the operator whether by an Authorised Person or by complaint by another person; and
- j) in the event of an incident, leak, malfunction, momentary stoppage or other defect of the Permitted Installation.

2.3.3 The written management system required by Condition 2.3.1 shall be implemented within 6 months of the date of this Permit.

2.3.4 The written management systems shall be reviewed on a regular basis and in any event shall be reviewed:

- a) where there is any significant change in the operations carried on at the Permitted Installation;
- b) at least once every 4 years in any other circumstance.

2.3.5 All reviews required by Condition 2.3.4 shall be recorded and the results of any review incorporated in the written management systems and implemented within a period of 3 months from the end of the review.

2.4 Records

- 2.4.1 Any systems or procedures used by the Operator to demonstrate compliance with a Condition of this Permit shall be recorded.
- 2.4.2 Unless otherwise specified in a Condition of this Permit, every record made in compliance with a Condition of this Permit shall be preserved for not less than 5 years from the date of its being made. Every such record shall be kept at the Permitted Installation for not less than one year from the date of its being made and thereafter preserved at a location, previously notified to SEPA in writing, if that location is not the Permitted Installation.
- 2.4.3 All records shall be legible, and any amendment made to any record made in compliance with a Condition of this Permit shall be made in such a way as to leave the original entry clear and legible. The reason for each amendment shall be explained in the said record.
- 2.4.4 Without prejudice to Condition 2.4.2, all Operators' records relevant to the operation or maintenance of the Permitted Installation shall be kept at the Permitted Installation for not less than one year from the end of the period to which they apply.

2.5 Reporting

- 2.5.1 Without prejudice to any other condition of this Permit, the results of all emissions monitoring shall be reported to SEPA in writing.
- 2.5.2 Unless specified otherwise in a condition of this Permit the report required by Condition 2.5.1 shall be supplied in writing no later than 31 January of the year following the year to which the report refers.
- 2.5.3 All other reports and notifications required by any condition of this Permit shall be made to SEPA in the manner specified in that condition to the address specified to the operator by SEPA by the date(s) or within the period or at the frequency specified in this Permit.
- 2.5.4 All reports and notifications shall include this Permit number and name of the operator.
- 2.5.5 Where the Permitted Installation has not operated for the duration of any reporting period specified in this Permit, a written notification to that effect shall be provided to SEPA. This notification shall confirm that no reports have been made in terms of Condition 2.5.1 because the Permitted Installation has not operated during the said period. Such notifications shall be submitted within one month of the end of the reporting period concerned.

2.6 Waste Data Reporting

- 2.6.1 The Operator shall compile the data required to complete the "Licensed/Permitted Site Returns Form" located on SEPA's website at www.sepa.org.uk.
- 2.6.2 A copy of the completed form shall be submitted to SEPA within 28 days of the last day of March, June, September and December each year.

2.7 Incidents

- 2.7.1 In the event of an incident all necessary measures shall immediately be taken:
- a) to prevent, or where that is not practicable to reduce, emissions from the Permitted Installation;
 - b) to limit the environmental consequences as a result of that incident; and
 - c) to prevent further possible incidents.
- 2.7.2 Without prejudice to the requirements of Condition 2.7.1, in the event of a breach of any Condition of this Permit the Operator shall immediately take the measures necessary to ensure that compliance is restored in the shortest possible time.
- 2.7.3 Notwithstanding the requirements of Condition 2.7.1 and 2.7.2 where a breach of any Condition of this Permit or an incident poses an immediate danger to human health, or threatens to cause an immediate significant adverse effect on the environment, the Operator shall suspend operation of the Permitted Installation or relevant part thereof until such time as it can be operated in compliance with this Permit.
- 2.7.4 In the event of an incident and/ or a breach of any Condition of this Permit, the Operator shall notify SEPA by telephone without delay to 0800 80 70 60. A notification that relates to an incident shall include as far as practicable the information specified in Condition 2.7.5.
- 2.7.5 The Operator shall confirm any incident to SEPA in writing by the next working day after identification of the incident. This confirmation shall include: the time and duration of the incident, the receiving environmental medium or media where there has been any emission as a result of the incident, an initial estimate of the quantity and composition of any emission, the measures taken to prevent or minimise any emission or further emission and a preliminary assessment of the cause of the incident.
- 2.7.6 Any incident notified to SEPA shall be investigated by the Operator, and a report of the investigation sent to SEPA. The report shall detail, as a minimum, the circumstances of the incident, an assessment of any harm to the environment and the steps taken by the Operator to bring the incident to an end. The report shall also set out proposals for remediation, where necessary, and for preventing a repetition of the incident.

2.8 Sampling Plan

- 2.8.1 Within 6 months of the date of this Permit, the Operator shall prepare and implement a sampling plan "the Sampling Plan" for discharges to the Water Environment as required by Condition 5.4.5 and the processed IBAA as required by Condition 4.3.3. The Sampling Plan shall be agreed in writing with SEPA.
- 2.8.2 The Sampling Plan shall be maintained and reviewed annually. The reviewed Sampling Plan shall be reported to SEPA by 1 December each year for the forthcoming calendar year.

3. CONDITIONS APPLYING TO THE PERMITTED INSTALLATION AS A WHOLE

3.1 Site Security

- 3.1.1 The site shall be maintained in a secure condition to prevent unauthorised access.

3.2 Odour

- 3.2.1 All emissions to air from the Permitted Installation shall be free from offensive odour, as perceived by an Authorised Person, outside the Site Boundary.

3.3 Dust

- 3.3.1 All emissions to atmosphere from the Permitted Installation shall be free from visible emissions of particulate matter and fallout of particulate matter beyond the Site Boundary.

3.4 Noise and Vibration

- 3.4.1 At least every 4 years, the Operator shall carry out a systematic assessment of noise and vibration emissions associated with the Permitted Activities, the purpose of which shall be to identify methods of reducing these emissions. Each assessment shall be recorded and reported to SEPA.
- 3.4.2 All monitoring and assessments undertaken in accordance with Condition 3.4.1 shall be recorded and reported to SEPA.

3.5 Litter

- 3.5.1 All operations on the Permitted Installation shall be carried out such that no litter escapes beyond the Permitted Installation boundary. On a daily basis any litter lying within the Permitted Installation shall be removed and contained.

3.6 Vermin / Insect / Bird Control

- 3.6.1 All operations on the Permitted Installation shall be carried out so as to minimise the nuisance and hazards arising from the Permitted Installation in respect of the presence of birds, vermin and insects.

4. WASTE ACCEPTANCE & TREATMENT

4.1 Waste Types and Quantities

- 4.1.1 Only non-hazardous Incinerator Bottom Ash shall be accepted at the permitted installation.
- 4.1.2 The total quantity of unprocessed IBA on site at any one time shall not exceed 60,000 tonnes.
- 4.1.3 The total quantity of waste on site at any time shall not exceed 110,000 tonnes.

4.2 Waste Acceptance

- 4.2.1 Waste shall only be accepted on site if there is sufficient capacity to receive it and that the specified limits in Condition 4.1.2 are complied with.
- 4.2.2 The Operator shall monitor all wastes entering the site (including weight recording of waste loads) to ensure that they are within the types/ quantities permitted under the conditions of this Permit.
- 4.2.3 Vehicles shall not be permitted to proceed to the waste storage areas unless the source of waste has been ascertained and where practicable, the load visually inspected by a suitably trained member of staff and found to comply with the requirements of this Permit.
- 4.2.4 All waste received shall be further inspected by a suitably trained member of staff when it is unloaded, to check that the waste is permitted for acceptance under the Conditions of this Permit.
- 4.2.6 The Operator shall maintain a quarantine area to store wastes not conforming to the conditions of this Permit. The quarantine area shall be clearly designated with trained staff controlling the management of all materials at the site.
- 4.2.5 Any waste found not to conform to the Conditions of this Permit detected during this inspection shall be immediately removed to the quarantine area and removed from the site as soon as reasonably practicable.
- 4.2.7 Where the Operator refuses any person permission to deposit waste at the site the Operator shall take all reasonable steps to obtain the following details: name and address of person, registration number of vehicles, quantity and type of waste, date and time of refusal. Details of the occurrence shall be passed to SEPA as soon as practicable and no later than the following working day.

4.3 Waste Treatment

- 4.3.1 IBA shall be treated using effective techniques for separating and recovering metals and organics (i.e. unburnt material) and reducing the leachability of the treated material.
- 4.3.3 The processed IBAA shall be sampled according to the Sampling Plan to assess and confirm the end of the treatment process, ensuring quality control and suitability for use as aggregate.

- 4.3.4 Untreated IBA and Treated IBA Aggregate shall be stored separately to avoid cross-contamination.

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5. EMISSIONS TO THE WATER ENVIRONMENT AND SOIL

5.1 Protection of Soil and Groundwater

- 5.1.1 Unless specified elsewhere in this Permit there shall be no emission of any pollutants to groundwater or soil from the Permitted Installation.

5.2 Impermeable Working Surfaces

- 5.2.1 All waste storage and treatment areas shall be constructed of impermeable material and maintained so as to prevent emission to soil and/or the water environment.
- 5.2.2 Impermeable surfaces shall be laid to a fall that prevents ponding and water logging and directs all surface run-off to a purpose designed sealed drainage system.
- 5.2.3 Plans shall be maintained that identify the configuration and specification of all drains and subsurface pipe-work and the position and purpose of all sub-surface sumps and storage vessels that are used or have been used within the Permitted Installation from the date of this Permit until the Permit is surrendered.
- 5.2.4 The Operator shall, at least once per year, carry out a systematic assessment and inspection of all working surfaces in order to ensure compliance with Condition 5.1.1. The assessment shall include photographs of the area inspected. Each assessment shall be recorded and reported to SEPA.

5.3 Sampling and Monitoring Facilities

- 5.3.1 Sampling, measurement and monitoring facilities at the Permitted Installation shall conform to the requirements of the relevant test methods specified in any condition of the permit.
- 5.3.1 Unrestricted access to all sampling points required by any Condition of this Permit shall be provided at all times.

5.4 Discharge to the Water Environment

- 5.4.1 All surface water run off from the IBA storage and treatment areas shall be treated in the Leachate Treatment Plant prior to discharge to the settlement pond as shown in the Site Plan.
- 5.4.2 All surface water run off from the IBA Aggregate storage areas shall be collected and discharged into the settlement pond as shown in the Site Plan
- 5.4.3 There shall be no emissions to the water environment from the installation other than those specified in Table 5.1 and only after having passed through the specified sample points.
- 5.4.4 No emission specified in Table 5.1 shall exceed the limit for the parameters specified in said Table 5.1.
- 5.4.5 Measurement and/or sampling of the emissions in Table 5.1 shall be carried out by the operator in accordance with the Sampling Plan at the locations specified in Table 5.1 subject to the requirements for monitoring specified in Table 5.2.

- 5.4.6 The date, time and results of all samples and measurements carried out in compliance with condition 5.4.5 shall be recorded by the operator and reported in accordance with Condition 2.5.1.

Table 5.1 – Emissions to Water Environment ELVs

Source of Emissions	Emission Number Point	W1
	Source of Emission	Settlement Pond serving both the Leachate Treatment Plant & IBAA storage area drainage
	Destination	Quarry SUDS ponds
	Sampling Location	Outfall from Settlement Pond
Limits for Parameters	Total suspended solids	10 mg/l
	Total Organic Carbon	15 mg/l
	Lead (Pb)	0.02 mg/l
	Ammonium-Nitrogen (NH ₄ -N)	10 mg/l
	Sulphate (SO ₄ ⁻²)	400 mg/l

Table 5.2 – Emissions to Water Environment Sampling Requirements

Parameter	Emission Point	Test Method	Frequency
Flow rate	W1	As agreed in writing with SEPA	Continuous
Conductivity			Continuous
pH			Continuous
Total Suspended Solids			Monthly unless otherwise agreed in writing with SEPA
Total Organic Carbon			
Lead (Pb)			
Ammonium-Nitrogen (NH ₄ -N)			
Sulphate (SO ₄ ⁻²)			

EXPLANATORY NOTES

(These Explanatory Notes do not form part of the Permit)

1. BAT

It should be noted that Regulation 22(1) of the Regulations specify that there is an implied Condition in every Permit that, in operating the installation or mobile plant, the Operator must use the best available techniques (BAT) for preventing or, where that is not practicable, reducing emissions from the installation or mobile plant.

This Condition does not apply in relation to any aspect of the operation of the installation or mobile plant, which is regulated by a specific condition of the Permit or standard rule.

BAT is defined in Regulation 4 of the Regulations as follows:

"Best available techniques" means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values and other Permit conditions designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole.

"available techniques" means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the operator.

"best" means in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole.

"techniques" includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Schedule 3 of the Regulations specifies the matters to be taken into account in determining BAT.

In considering BAT, SEPA would expect the Operator to have regard to all relevant PPC sectoral or other technical guidance, including BAT Conclusions, BAT Reference Documents published by the European Commission and technical guidance published by the Environment Agency and other relevant regulatory authorities.

2. GENERAL STATUTORY REQUIREMENTS

The Permit does not detract from any other statutory requirements applicable to you in respect of the Permitted Installation, such as any need to obtain planning permission or building regulations approval or any responsibilities under legislation for health, safety and welfare in the workplace.

3. APPEALS

If you are aggrieved by any of the Conditions of the Permit, you should initially contact the local SEPA Office at the address or telephone number below. Further information on your right of appeal and the appeals procedure is contained Regulation 58 and Schedule 8 of the Regulations.

4. SUBSISTENCE CHARGES

An annual subsistence charge will be payable in respect of the Permit in terms of the Pollution Prevention and Control (Scotland) Charging Scheme or any relevant charging scheme made under Section 41 of the Environment Act 1995, copies of which are available from SEPA.

5. ADDRESS AND TELEPHONE NUMBERS

The contact address and telephone number for all information to be reported in terms of the Permit, is as follows:

Scottish Environment Protection Agency
Angus Smith Building
6 Parklands Avenue
Eurocentral
Holytown
North Lanarkshire
ML1 4WQ

Tel No: 0800 80 70 60 and/or 03000 99 66 99

6. WASTE DATA RETURNS

The information required for each Reporting Quarter may be submitted in any format, however a submission form in Excel format is available should you wish to use it.

www.sepa.org.uk/environment/waste/waste-data/guidance-and-forms-for-operators/licensed-and-permitted-sites/

Alternatively a submission form in Word Format is available on request by emailing waste.data@sepa.org.uk

Completed Licensed/Permitted Site Return forms can be submitted to:

waste.data@sepa.org.uk or posted to

SEPA Data Unit
Strathallan House
Castle Business Park
Stirling
FK9 4TZ

Further guidance on the submission of quarterly returns can be found at:

www.sepa.org.uk/environment/waste/waste-data/guidance-and-forms-for-operators/licensed-and-permitted-sites/

7. REVIEW OF CONDITIONS

The Conditions of the Permit will be periodically reviewed by SEPA.

8. PROPOSED CHANGE IN OPERATION OF INSTALLATION

It is a requirement of Regulation 45 of the Regulations that if you propose to make a change in the operation of the installation, you must notify SEPA at least 14 days before making the change. The requirement under Regulation 45 does not apply if you have already made an application to SEPA for the variation of the Conditions of the Permit containing a description of the proposed change.

N.B. the requirements of Regulation 45 are in addition to any obligations you may have under the Permit itself to only operate the Permitted Installation in the manner set out in the Permit and to notify SEPA of proposed changes to the Permitted Installation.

Regulation 16 and Schedule 7 of the Regulations provide details on applications for variation of the Permit in respect of proposed changes and substantial changes in operation.

“Change in operation” and “substantial change in operation” are defined in Regulation 2 of the Regulations.

9. ENFORCEMENT & OFFENCES

Regulation 52 places a duty on operators to immediately give notice to SEPA of any breach of condition of the Permit for the installation or mobile plant.

If SEPA is of the opinion that you have contravened, or are contravening or are likely to contravene a condition of the Permit it may serve an enforcement notice. Further details on Enforcement Notices are provided in Regulation 55 of the Regulations.

If SEPA is of the opinion that the operation of an installation or mobile plant: poses an immediate danger to human health; or threatens to create an immediate significant adverse effect upon the environment; or involves a risk of serious pollution it must, in certain circumstances, serve a Suspension Notice on you. Further details on Suspension Notices are provided in Regulation 56 of the Regulations.

It is an offence to operate an installation or mobile plant covered by the Regulations without a Permit or in breach of the Conditions of the Permit. It is an offence to fail to comply with the requirements of an Enforcement or Suspension Notice. It is an offence to intentionally make a false entry in any record required to be kept under a Condition of a Permit. Further details on offences and on penalties liable to be imposed upon conviction of an offence are provided in Regulation 67 of the Regulations.

Directors, managers and other individuals within a company may be held personally liable for offences under the Regulations.

All personnel who are responsible for fulfilling any Condition of the Permit should be made aware of these facts.

10. BREACH OF A PERMIT CONDITION

Regulation 52 of the Regulations specifies that the operator of an installation must immediately give notice to SEPA of any breach of a condition of the Permit. It is an offence to fail, without reasonable excuse to comply with Regulation 52.

Any statement made by an operator to SEPA for the purposes of complying with regulation 52 may only be used in a prosecution for an offence where in giving evidence the operator makes a statement inconsistent with the initial notification.

All personnel who are responsible for fulfilling any condition of the Permit should be made aware of these facts.

11. RECORDED SYSTEMS, PROCEDURES OR INFORMATION RECORDING/ RETURN REQUIREMENTS

Where a Condition requires any system, procedure or information record/return, the Operator may demonstrate compliance by making use of any relevant existing written system used for any other purpose and which meets the requirements of the relevant Condition.

12. SYSTEMATIC ASSESSMENT (AND REVIEW)

Where a condition of the Permit requires a “systematic assessment (and review)” the assessment should be undertaken in a methodical and arranged manner. If you require guidance on the scope or extent of any assessment and review) required to be undertaken, you should contact your local SEPA office at the address or telephone number given above.