

Notice: Grant of Permit

This permit has been granted by the Scottish Environment Protection Agency (SEPA) in exercise of its powers under Regulation 13 of the Pollution Prevention and Control (Scotland) Regulations 2012.

Permit number:	PPC/A/5009003
Operator:	Sodra Wood Limited 01789912 Unit 18/19 Cirencester Office Park Tetbury Road Cirencester GL7 6JJ
Date of issue:	<<DD/MM/YYYY>>
Permitted activities:	The operation of an installation where the following activities are carried out: Preserving wood or wood products wood with chemicals, other than exclusively treating against sapstain, in an installation with a production capacity of more than 75m ³ per day.
Site location:	Sodra Wood UK (Dundee) Shed 36 Stannergate Rd Port of Dundee Dundee DD1 3LU
Conditions applicable to this permit:	The conditions contained in the schedules of this permit. Terms used in this permit are, unless otherwise specified, defined in the Interpretation of Terms schedule.

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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;

“hazardous substance” means substances or mixtures as defined in Article 3 of Regulation (EC) No 1272/2008 of the European Parliament on classification, labelling and packaging of substances and mixtures.

“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;
- A breach of any condition of this permit;
- 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.

“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;

“timber treatment chemicals” means any substance used for the purpose of treating or preserving wood or wood products;

“Waste Framework Directive” means Directive 2008/98/EC on waste;

“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 licence;

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.

Draft for Consultation

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 Unit 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 (“the Site”) is delineated in red on the Site Plan.

1.1.2 The general location of the Permitted Installation is as shown on the Location Plan.

1.1.3 The Activities carried out at the Stationary Technical Unit are:

1.1.3.1 The preservation of wood and wood products with chemicals, other than exclusively treating against sapstain, in an installation with a production capacity of more than 75m³ per day.

1.1.4 The Stationary Technical Unit comprises the following units:

1.1.4.1 Two low pressure double vacuum autoclaves;

1.1.4.2 53,000 litre Operational Storage Vessel;

1.1.4.3 36,000 litre Bulk Storage Vessel;

1.1.4.4 20,700 litre Operational Storage Vessel;

1.1.4.5 18,000 litre Bulk Storage Vessel;

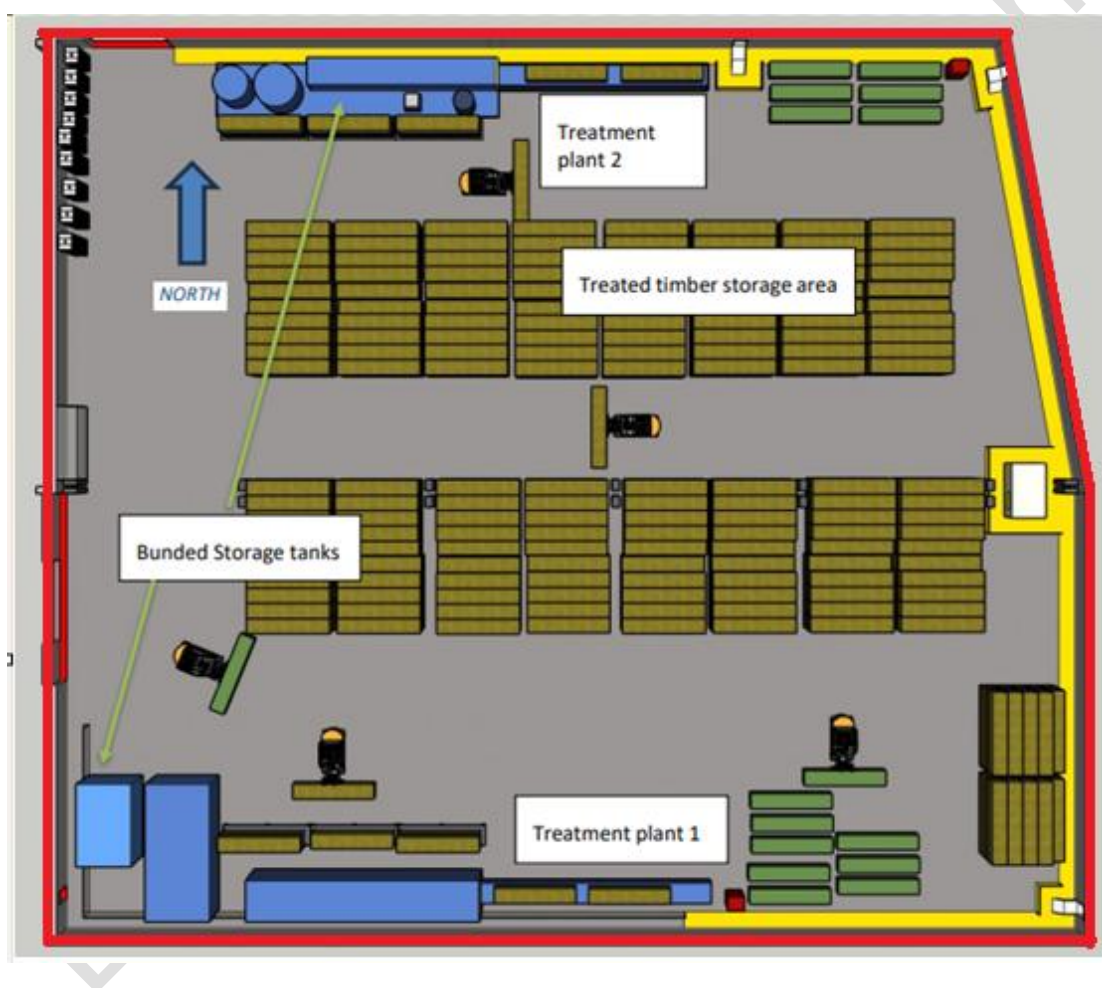
1.1.4.6 Wet treated timber storage.

1.1.5 The following Directly Associated Activities are carried out on the Site:

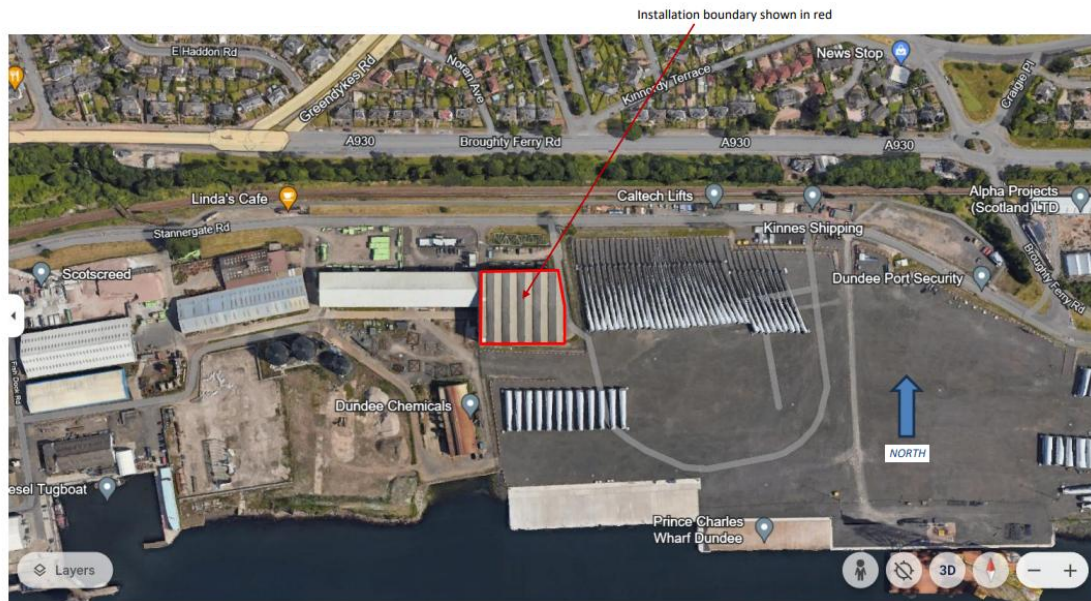
1.1.5.1 Storage of empty IBC's.

1.1.6 For the purposes 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 Administration RequirementsPoint of Contact & Accessibility of Permit

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

2.2 Records

- 2.2.1 Any systems or procedures used to demonstrate compliance with a condition of this Permit shall be recorded.
- 2.2.2 All records made in compliance with this Permit shall be kept in a systematic manner.
- 2.2.3 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.
- 2.2.4 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.

- 2.2.5 Without prejudice to Condition 2.2.3 above, all 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.

2.3 Reporting

- 2.3.1 At least once per year, and without prejudice to any other condition of this Permit, the results of emissions monitoring shall be reported to SEPA in writing.
- 2.3.2 Unless specified otherwise in a condition of this Permit the report required by Condition 2.3.1 shall be supplied in writing no later than 31 January of the year following the year to which the report refers.
- 2.3.3 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.
- 2.3.4 All reports and notifications shall include this Permit number and name of the operator.
- 2.3.5 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 2.3.1 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.

2.4 Incidents

- 2.4.1 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.

- 2.4.2 Without prejudice to the requirements of Condition 2.4.1, in the event of an incident involving the breach of any condition of the Permit all measures necessary to ensure that compliance is restored in the shortest possible time shall immediately be taken.
- 2.4.3 Notwithstanding the requirements of Conditions 2.4.1 and 2.4.2 where a breach of any condition of the Permit poses an immediate danger to human health, or threatens to cause an immediate significant adverse effect on the environment, operation of the Permitted Installation or relevant part thereof shall be immediately suspended until such time as it can be operated in compliance with the conditions of the Permit.
- 2.4.4 In the event of an incident, SEPA shall be notified without delay by telephone to 0800 80 70 60. This notification shall include as far as practicable the information specified in Condition 2.4.5.
- 2.4.5 Any incident shall be confirmed in writing to SEPA 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.
- 2.4.6 Any incident notified to SEPA shall be investigated, and a written 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 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. Unless otherwise agreed with SEPA in writing the report shall be sent to SEPA within 14 days of the date of the incident.

- 2.4.7 For the avoidance of doubt any release of timber treatment chemical to soil, groundwater or the water environment shall be considered to be an incident and in addition any such release shall be considered to threaten to cause a significant adverse impact on the environment and as such the requirements of Conditions 2.4.3 shall apply until the release had stopped.

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3 General Requirements

3.1 Written Management Systems

3.1.1 The Permitted Installation shall be managed and operated, by using sufficient competent persons and sufficient resources, in accordance with a written management system that:

- (i) ensures that the 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 pollution is caused.

3.1.2 The written management system required by Condition 3.1.1 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 technical competent person responsible for ensuring that the operator complies with conditions of this Permit;
- (c) to start up operations of the Permitted Installation;
- (d) to commission the Permitted Installation prior to the first operation of, or the first operation following any significant change to, the Permitted Installation;
- (e) to shut down operations of the Permitted Installation;

- (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.

3.1.3 The written management system required by Condition 3.1.1 shall be implemented:

- (a) prior to the end of the commissioning period of a new installation or an installation that has undergone a significant change; or
- (b) within a period of 6 months from the date this Permit is granted for an installation already in operation in accordance with a Permit made under the 2000 Regulations or a 2015 installation;

3.1.4 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) within a period of one year from the first operation of a new or significantly changed installation; or
- (c) at least once every 4 years in any other circumstance.

3.1.5 All reviews required by Condition 3.1.4 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.

3.1.6 Within 6 months of the date of this Permit, the Environmental Management System (EMS) must be reviewed against the requirements of BAT 1 and BAT 30 of the STS BAT Conclusions. The Operator must produce and implement an action plan to address those improvements required as a result of the review and implement these within a period of 3 months from the end of the review.

3.2 Sampling and Monitoring Facilities

3.2.1 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 or as otherwise agreed in writing by SEPA.

3.2.2 Unrestricted access to all sampling points required by any condition of this Permit shall be provided at all times to Authorised Persons.

3.3 Noise and Vibration

3.3.1 Unless otherwise specified in any other condition of this Permit at least every 4 years a systematic assessment of noise and vibration emissions associated with operations at the Permitted Installation shall be undertaken. The purpose of the assessment shall be to identify methods of reducing noise and vibration emissions. Each assessment shall be recorded and reported to SEPA within one month of the completion of the assessment.

3.4 Odour

- 3.4.1 All emissions to air from the Permitted Installation shall be free from offensive odour, as perceived by an Authorised Person, outside the site boundary.

3.5 Particulate Matter

- 3.5.1 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.

3.6 Resource Utilisation

- 3.6.1 At least every 4 years, a systematic assessment of the raw material, energy and fuel consumption, emissions and waste production associated with the Permitted Installation shall be undertaken. The purpose of the assessment shall be to identify methods of reducing raw material, energy and fuel consumption, emissions and waste production including the identification of methods of avoiding or reducing the impact on the environment of the disposal of waste. Each assessment shall be recorded.

3.7 Avoidance, recovery and disposal of wastes produced by the Permitted Installation

- 3.7.1 All necessary measures shall be taken to ensure that:
- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the Permitted Activities; and
 - (b) any waste generated by the Permitted Activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
 - (c) where further treatment or disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

3.8 Protection of Soil and Groundwater

- 3.8.1 There shall be no emission of any pollutants to groundwater or soil from the Permitted Installation.
- 3.8.2 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.
- 3.8.3 A record shall be maintained of any incident that has, or might have, impacted on the condition of any soil or groundwater under the Permitted Installation, either as a result of that incident or as a result of an accumulation of incidents, together with a record of any further investigation or remediation work carried out.
- 3.8.4 Notwithstanding the requirements of any other condition requiring records to be kept for a limited period of time the record required by Condition 3.7.3 shall be preserved until this Permit is surrendered.
- 3.8.5 Unless otherwise specified in any other condition, all containers used to store any potentially environmentally hazardous material shall be located in a bund. The minimum capacity of any bund shall be either 110% of the capacity of the largest container within the bund, or 25% of the total capacity of all the containers within the bund, whichever is the greater. In the event of any containers being connected to one another, they shall be treated as one container.
- 3.8.6 Unless otherwise specified in any other condition the bunded area(s) and containers referred to in condition 3.8.5 shall conform to the following standards:
- the walls and base of the bund shall be impermeable and the base of the bunded area shall drain to a sump

- when not in use all taps, valves, pipes and every part of each container shall be located within the area served by the bund
- vent pipes shall be directed downwards into the bund
- no part of the bund shall be within 10 metres of a watercourse
- all containers with a design capacity above 1250 litres shall be fitted with a device for continuously monitoring the level of the contents.

3.8.7 At least every 4 years from the date of this permit, a systematic assessment shall be carried out of all measures used to prevent emissions from the Permitted Installation to soil and groundwater. A written report of each assessment shall be recorded and reported to SEPA within 3 months of the completion of the assessment. The report shall include details of and timescales for any additional measures that are required to prevent emissions to soil and groundwater.

3.9 Soil and Groundwater Monitoring

3.9.1 The groundwater at the site shall be monitored for the relevant hazardous substances specified in table 3.1 at the frequency specified in table 3.1, the purpose of which shall be to identify groundwater contamination associated with the activities specified in Table 3.1 by those relevant hazardous substances. Each assessment shall be recorded and reported to SEPA. The first assessment shall be completed by 30 June 2026. Each assessment shall include interpretation of the results with reference to previous monitoring undertaken (including the site and where applicable baseline reports) and operations at the Permitted Installation. Details of corrective actions that are required to protect groundwater and remedy any contamination that has occurred as a result of the Permitted Activities shall be included.

Table 3.1 – Groundwater Monitoring Requirements

Relevant Hazardous Substance	Activity to be Monitored	Frequency
Chemical Oxygen Demand (COD) (total and filtered)	Timber treatment carried out within the permitted installation as delineated in red on the Site Plan	The interval between sampling rounds should be no more than 6 months.
2 2-(2-butoxyethoxy) ethanol (2-Methoxymethylethoxy) propanol)		
Total, Cis- and Trans-Permethrin		The monitoring frequency may be reduced to once every 2 years based on a risk assessment or if pollutant levels are proven to be sufficiently stable (e.g. after a period of 4 years).
Propiconazole		
Tebuconazole		
Phosphoric Acid		
Bronopol		

3.9.2 The soil at the site shall be monitored for the relevant hazardous substances specified in table 3.2 at the frequency specified in Table 3.2, the purpose of which shall be to identify soil contamination associated with the activities specified in Table 3.2 by those relevant hazardous substances. Each assessment shall be recorded and reported to SEPA. The first assessment shall be completed by 30 December 2035. The assessment shall include interpretation of the results with reference to previous monitoring undertaken (including the site and where applicable baseline reports) and operations at the Permitted Installation. Details of corrective actions that are required to protect soil and remedy any contamination that has occurred as a result of the Permitted Activities shall also be included.

Table 3.2 – Soil Monitoring Requirements

Relevant Hazardous Substance	Activity to be Monitored	Frequency
2 2-(2-butoxyethoxy) ethanol	Timber treatment carried out within the permitted installation as delineated in red on the Site Plan	The interval between sampling rounds should be no more than 10 years.
(2-Methoxymethylethoxy) propanol		
Total, Cis- and Trans-Permethrin		
Propiconazole		
Tebuconazole		
Phosphoric Acid		
Bronopol		

3.9.3 A detailed soil and groundwater monitoring plan shall be submitted to SEPA, for the monitoring required by conditions 3.9.1 and 3.9.2, at least three months in advance of carrying out any monitoring. The monitoring plan shall include the locations at which monitoring shall be carried out and the sampling and analytical methodology to be used.

3.9.4 The monitoring required by conditions 3.9.1 and 3.9.2 shall be carried out in accordance with the soil and groundwater monitoring plan required by condition 3.9.3.

3.9.5 The plan required by Condition 3.9.3 shall be reviewed no later than 6 months after each monitoring event. The purpose of the review shall be to determine whether any changes to monitoring locations, frequency or parameters are required. Where changes are proposed, a revised plan shall be submitted to SEPA.

3.9.6 Notwithstanding the requirements of Condition 2.2.3 all plans, monitoring and assessments reports undertaken in accordance with Conditions 3.9.1, 3.9.2, 3.9.3, 3.9.4 and 3.9.5 shall be preserved until the Permit is surrendered.

- 3.9.7 The groundwater monitoring wells detailed in the plan required by Condition 3.9.3 shall be maintained in a condition fit for purpose, unless otherwise agreed in writing with SEPA. Where a well's function is compromised it shall be repaired or replaced to allow sample collection in accordance with Conditions 3.9.1.

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4 Upgrade Conditions

4.1 Containment

- 4.1.1 Prior to treatment chemicals being stored on site, it must be ensured that a suitable form of containment is installed across the entire width of the door and must be completely sealed at the joints with the wall. This containment shall be to a standard suitable to contain at least 110% of the total volume of stored treatment chemical.

4.2 Site Condition Report with Baseline

- 4.2.1 An updated Site Condition Report with baseline is required within 6 months of the date of this Permit. This should be issued following completion of groundwater monitoring as per Condition 3.9.1.

Draft for Consultation

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 a 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
Maxim 6
Parklands Avenue
Eurocentral

Holytown
North Lanarkshire
ML1 4W

Tel No: 0800 80 70 60

6. Review of Conditions

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

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.