

# Environmental Authorisations (Scotland) Regulations 2018

## Proposed Changes to SEPA Guidance on:

- **Who Can Hold an Authorisation;**
- **Public Participation;**
- **Types of Authorisations; and**

**Amendments to Standard Conditions for  
Registration level activities for water,  
waste and industrial activities**

## Contents

How to respond.....	8
Handling your response.....	8
1. Introduction.....	9
Structure of the consultation document.....	10
Previous consultation and conclusions .....	10
2. Changes to ‘Guidance on who can hold an authorisation: In control and Fit and proper person test’.....	12
Overview.....	12
Proposed changes .....	13
Question .....	13
3. Changes to our Public Participation Statement.....	14
Overview.....	14
Proposed changes .....	14
Change to Table 2 content in the ‘Public Participation Statement’ .....	14
Question .....	15
Change to Step 3 in the application process.....	15
Question .....	16
4. Proposed changes to our guidance on types of authorisations, new authorised activities and proposed changes to Standard Conditions for EASR registration level activities .....	18
Overview.....	18
Types of authorisations.....	18
General Binding Rules (GBRs).....	19
Notifications .....	19
Registrations.....	19
Permits	20

5. Waste Activities: Proposed new registration level waste activity and changes to Standard Conditions .....	21
5.1 Introduction.....	21
5.2 Proposed new EASR registration level activity and associated Standard Conditions ...	22
5.2.1 Storage and treatment of clean waste scallop shells less than or equal to 1,500 tonnes	22
Standard Conditions.....	22
Interpretation of Terms.....	25
Rationale.....	27
Questions.....	27
5.3 Proposed amendments to EASR Standard Conditions .....	28
5.3.1 Anaerobic digestion of waste up to 100 tonnes.....	28
Rationale.....	31
Question .....	31
5.3.2 Composting in an open system less than or equal to 500 tonnes .....	31
Rationale.....	32
Question .....	32
5.3.3 Storage and treatment of waste at a water or wastewater treatment works .....	32
Rationale.....	33
Question .....	33
5.3.4 Storage and treatment of metal waste less than or equal to 10,000 tonnes .....	33
Rationale.....	34
Questions.....	34
5.3.5 Storage and treatment of wood waste less than or equal to 1,000 tonnes .....	35
Rationale.....	35
Question .....	36
5.4 Compatibility of Registrations for Waste Activities .....	37

Overview.....	37
Waste Motor Vehicles .....	37
Storage of Waste for Recovery.....	37
Rationale.....	38
Questions.....	38
5.5 Insertion of POPs storage standard condition.....	39
Overview.....	39
Proposed changes .....	39
Rationale.....	40
Question .....	40
6. Water Activities: Proposed new permit level activity, changes to Standard Conditions and activity descriptions for registration level activities .....	41
6.1 Introduction.....	41
6.2 Marine Pen fish farms between 3 and 12 nautical miles .....	42
Question .....	42
6.3 Proposed amendments to the Interpretation of Terms for registration level activities ...	43
6.3.1 New sewage discharge from less than or equal to 10 domestic properties or 50 population equivalent .....	43
Current Interpretation of Terms for zone to protect bathing waters.....	45
Current Interpretation of Terms for zone to protect shellfish waters .....	45
Proposed Interpretation of Terms for zone to protect bathing waters .....	46
Proposed interpretation of zone to protect shellfish waters .....	46
Rationale.....	47
Question .....	47
6.4 Proposed amendments to activity descriptions and Standard Conditions for registration level activities .....	49
6.4.1 Borehole abstraction for testing and sampling more than 150m <sup>3</sup> water per year ...	49

Activity description as currently published.....	49
Proposed activity description .....	49
Standard Condition as currently published.....	50
Proposed amendment to the Standard conditions .....	50
Rationale.....	50
Question .....	50
6.4.2 Channel modifications .....	51
Activity descriptions as currently published:.....	51
Proposed activity descriptions .....	51
Rationale.....	52
Question .....	52
7. Industrial Activities: Proposed changes to Standard Conditions and new registration level activities .....	53
7.1 Introduction.....	53
7.2 Proposed amendments to EASR Standard Conditions .....	54
7.2.1 Ensiling of fish less than or equal to 10m <sup>3</sup> .....	54
Proposed amendment to the Standard Conditions .....	54
Rationale.....	54
Question .....	54
7.2.2 Non-waste anaerobic digestion less than 100 tonnes per day .....	55
Proposed amendment to the Standard Conditions .....	55
Standard Condition as currently published.....	55
Rationale.....	57
Question .....	57
7.3 Proposed new registration level activities and EASR Standard Conditions.....	59
7.3.1 Coating roadstone with heated bitumen at a static location.....	59
Standard Conditions.....	59

Interpretation of Terms .....	63
Rationale.....	65
Question .....	65
7.3.2 Coating of roadstone with bitumen at ambient temperature at a temporary location 66	
Standard Conditions.....	66
Interpretation of Terms.....	69
Rationale.....	71
Question .....	71
7.3.3 Blending or using cement in bulk at a static location .....	72
Standard Conditions.....	72
Interpretation of Terms.....	74
Rationale.....	75
Question .....	75
7.3.4 Blending or using cement in bulk at a temporary location .....	76
Standard Conditions.....	76
Interpretation of Terms.....	78
Rationale.....	79
Question .....	80

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](mailto:equalities@sepa.org.uk)

## How to respond

The preferred way to respond to this consultation is digitally via [SEPA's consultation hub](#).

Where it is not possible to respond via SEPA's consultation hub, you can respond to this consultation by sending an email to [iaf@sepa.org.uk](mailto:iaf@sepa.org.uk). If responding by email, please complete and return the Respondent Information Form with your response.

If you wish to respond another way, please [contact us using our online contact form](#) or by phone: 0300 099 6699 and we'll arrange for an Officer to call you back.

**Responses must be submitted by midnight on 24 August 2026.** Earlier responses are welcomed.

## Handling your response

We would like to know if you are happy for your response to be made public. If you ask for your response not to be published, it will be regarded as confidential and treated in accordance with SEPA's published [Privacy Policy](#).

You can indicate your preference in the [Respondent Information Form](#).

Please note, the questions in this document have been numbered to correspond to the Respondent Information Form. Questions 1 – 4 are included on the Respondent Information Form and relate to personal and contact information.

# 1. Introduction

The Scottish Environment Protection Agency (SEPA) is Scotland's principal environmental regulator, protecting and improving Scotland's environment.

In 2018, Scottish Government brought in the [Environmental Authorisations \(Scotland\) Regulations 2018](#) (EASR 2018). The aim of these Regulations is to provide a standardised, simplified, common framework for environmental authorisations in Scotland, known as an Integrated Authorisation Framework (IAF).

Radioactive substances were the first activities to be regulated under this framework in 2018 and since 1 November 2025 waste, water, and industrial activities are also regulated under these Regulations.

Prior to 1 November 2025 we consulted and updated our guidance on:

- Types of authorisations.
- Who can hold an authorisation: In control and Fit and Proper Person test.
- Public Participation Statement.

We also consulted on and published Standard Conditions for Registration level water, waste and industrial activities.

Following its implementation we have received feedback from industry, and we are proposing changes to our guidance and changes to Standard Conditions for water, waste and industrial activities. In addition, following a legislative change, we now regulate marine pen fish farms in the Scottish Marine Area outside of the water environment (between 3 and 12 nautical miles).

We are seeking your views and feedback.

This consultation:

- Clarifies what information we require in an application for Permit or Registration to allow SEPA to undertake a fit and proper person test.
- Proposes changes to the SEPA guidance on public participation by clarifying what information we will make available and removing the requirement for SEPA to share

draft decisions and draft permits with responders who made representation during a public consultation for a permit authorisation.

- Proposes the type of authorisation required for a marine pen fish farm located in the Scottish Marine Area outside of the water environment.
- Proposes five new Registration level activities and associated Standard Conditions:
  - One waste activity.
  - Four industrial activities.
- Proposes changes to activity descriptions for three Registration level activities.
- Proposes amendments to the Standard Conditions for:
  - Nine waste activities.
  - One water activity.
  - Six industrial activities.

## Structure of the consultation document

Proposed changes to 'Who Can Hold an Authorisation' is in Section 2 and proposed changes to our 'Public Participation Statement' is in Section 3.

To make it easier to navigate we bundled together changes to the Types of Authorisation Guidance and proposed Standard Conditions and separated them between waste activities (section 5), water activities (section 6) and industrial activities (section 7).

## Previous consultation and conclusions

In January 2024, we published a consultation on the [Proposed types of authorisation for Waste, Water and Industrial activities](#) that would be required under the extended Integrated Authorisation Framework. You can [read our consultation digest](#), which summarises the responses we received on the proposals and what we have done in response.

In July 2025 we published a consultation on [Proposed Changes to the Environmental Regulation \(Scotland\) Guidance on Public Participation and Fit and Proper Person Test](#). You can [read our consultation digest](#), which summarises the responses we received and how we responded.

In September 2024 we also consulted on the [Proposed Standard Conditions for Registration level activities](#) for water, waste and industrial activities, which proposed the Standard Conditions

for each registration level activity and the explanation as to why this is necessary. The consultation digest is available through the [We asked, you said, we did section](#) of our website.

## 2. Changes to ‘Guidance on who can hold an authorisation: In control and Fit and proper person test’

### Overview

The guidance on [‘Who can hold an authorisation: In control and Fit and Proper Person test’](#) is for any person who applies for or holds a permit or registration under the Environmental Authorisations (Scotland) Regulations 2018. It explains how we will decide whether you are ‘in control’ of the regulated activity and whether you are a ‘fit and proper person’ to hold or continue to hold an environmental authorisation. The guidance was first published in 2018. In 2025 prior to the amendment to the regulations to incorporate waste, water and industrial activities we consulted and published an updated version. The main change to the guidance in 2025 was widening the scope of relevant convictions to include non-environmental convictions.

The guidance contains some examples of the non-environmental offences that we are likely to consider relevant. They are:

- Offences that appear on Schedule 4 of the Proceeds of Crime Act 2002 are considered ‘lifestyle’ offences and may indicate a history of using crime for profit making.
- Dishonesty, for example, fraud and theft.
- Violence or abusive behaviour (particularly if towards public officials).

We publish a full list of relevant offences on our website: [List of relevant convictions | Beta | SEPA | Scottish Environment Protection Agency.](#)

Widening the scope of relevant convictions to include non-environmental convictions has increased the need to identify individuals to allow us to undertake a fit and proper person test. From 1 November 2025 our application process now requires the submission of individuals’ date of birth and home address. We have since received feedback from industry asking why this information is required and highlighting that the requirements are not clear in our guidance on ‘Who can hold an authorisation’.

## Proposed changes

We are therefore proposing to update the Table in Annex 1 of the guidance clarifying that we require date of birth and home address of individuals. This includes individuals who may be part of a partnership, registered company and, in some circumstances, associations. For example, for registered companies, we require date of birth and home address for all directors and company secretaries.

We are also proposing to replace the introductory text in Annex 1 with the following:

“Only a legal person can apply for or hold an authorisation.

A legal person can be natural i.e. a human being or artificial e.g. a company or a partnership

The following table covers:

- different types of legal person;
- what information they may need to provide with an application to enable us to be satisfied that they are a legal person.

This information allows us to undertake background checks to assess against the fit and proper person criteria set out in this document and are necessary and lawful purposes under the [UK GDPR](#) and the [Data Protection Act 2018](#).”

## Question

- 5. Do you agree with the proposal to change the guidance to clarify the information SEPA requires from applicants in order to assess if they are a fit and proper person to hold an EASR authorisation?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain why.**

## 3. Changes to our Public Participation Statement

### Overview

Our [Public Participation Statement](#) (PPS) sets out when and how we will involve the public and our partners in decisions relating to environmental authorisations, and what information we will make available.

We want communities and individuals to take part in significant decisions that might affect them, and we recognise that the quality of these decisions can be improved through the active involvement of the public concerned. We also recognise other statutory bodies make a valuable contribution to environmental decision-making by providing specialist knowledge and perspective. The statement was first published in 2018 and was reconsulted upon and published in 2025 following changes to the Environmental Authorisations (Scotland) Regulations 2018 by the Scottish Ministers. The main changes were:

- Further information on the process requiring an applicant to carry out pre-application engagement on certain activities due to their nature or location being of significant public interest or where experience has shown this would be beneficial to the application process (for example, in relation to marine pen fish farms).
- Simplification of the procedure by which the Scottish Ministers can require a particular application to be referred to them for a determination (known as the call-in procedure).

### Proposed changes

Since publishing our guidance, we have received feedback which requires us to clarify our guidance, and therefore we are proposing the following in this consultation.

#### Change to Table 2 content in the ‘Public Participation Statement’

In Table 2, (when will you be consulted and when will we provide information), we are proposing to include the text “We will make available either on our website or on request” for clarification. While we aspire to have all relevant regulatory information available on our website, we may not have the capacity to do this. Where the information is not available on our website, we will be able to make it available on request. The exception to this is certain information we cannot make available due to the sensitivity of its nature, for example, it is commercially confidential, for reasons of national security or personal information.

## Question

6. Do you agree with the proposal to change the guidance in Table 2 to clarify that we will make the relevant information available on our website or by request?

Yes / No / Don't know.

If you answered 'No' or 'Don't know', please explain why.

## Change to Step 3 in the application process

Under the section "Steps in the application process for a permit" we are also proposing to amend Step 3 relating to contacting you if you have responded to a public consultation, and what information we will make available.

The current text states:

"Step 3, the final step in the process is where the permit decision will be made and the permit will be granted or refused. If you have responded to the public consultation, we will contact you with information about the draft permit and the decision document (a record of how the decision has been made). In addition, we will consult on the draft decision for some permits. For certain applications (those subject to the Industrial Emissions Directive) we will consult on the draft decisions for 28 days regardless of if a public response has been received or not. This gives you and other interested parties the opportunity to review our decision."

We are proposing to amend Step 3 to remove the commitment to directly contact individuals who have responded to a public consultation and to clarify how information will be made available following a determination. The current wording reflects a previous process linked to the third-party call-in mechanism, which has now been removed from legislation by Scottish Ministers. As a result, there is no longer a procedural step requiring SEPA to notify respondents of draft decisions.

The proposed amendment aligns the guidance with the current legislative framework and clarifies the different approaches to decision making and engagement under the Environmental Authorisations (Scotland) Regulations (EASR):

- Applications associated with Schedule 20 industrial emissions activities – SEPA is required to publish and consult on draft decisions for a statutory 28-day period, providing an opportunity for further representations before a final decision is made.
- Other applications – there is no statutory requirement to consult on draft decisions. Decisions are made following the initial public consultation and no further representations are sought before determination.
- Applications with a high level of public interest – SEPA may, where appropriate, carry out a voluntary consultation on the draft decision.

Under all approaches, information relating to the determination process, including decision documents, will be made available via SEPA’s Consultation Hub or Public Register. This provides a consistent and transparent means for all interested parties to access information.

Overall, the amendment improves clarity by reflecting the current legislative position and clearly setting out when consultation on draft decisions will, and will not, take place.

We are therefore proposing to replace the text with the following:

“Step 3, the final step in the process is where the permit decision will be made and the permit will be granted or refused. Information about the outcome of the determination process, including decision documents, will be made available via our Consultation Hub or Public Register.

For applications associated with Schedule 20 industrial emissions activities, we will consult on draft decisions for 28 days, allowing you and other interested parties to review and comment before the decision is finalised. For other applications, decisions are made following the initial public consultation and we will not normally consult on draft decisions, although we may do so in cases where there is a high level of public interest.”

## Question

7. **Do you agree with the proposal to remove the need for SEPA to contact all responders to a public consultation for a permit application with the draft permit and our draft decision?**

**Yes / No / Don’t know.**

**If you answered 'No' or 'Don't know', please explain why.**

## 4. Proposed changes to our guidance on types of authorisations, new authorised activities and proposed changes to Standard Conditions for EASR registration level activities

### Overview

This section of the consultation covers the following areas:

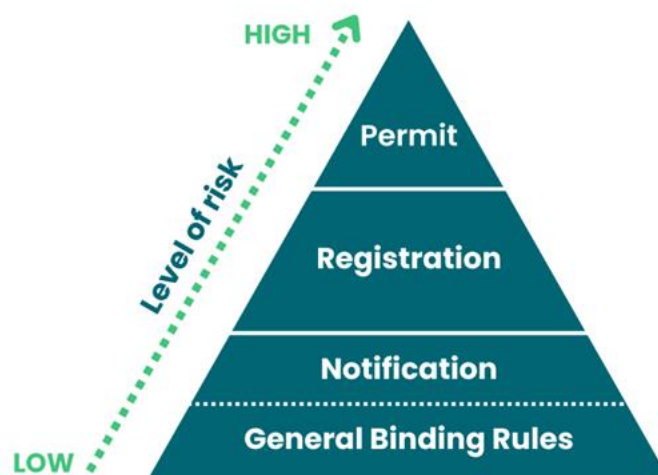
- Changes to our authorisation guidance.
- New regulated activities.
- New registration level activities and proposed Standard Conditions.
- Changes to activity descriptions for registration level activities.
- Changes to Standard Conditions, including Interpretation of Terms.

There are no changes proposed for the regulation of radioactive substances. These changes only apply to waste, water and industrial activities and for ease of use we have split them by regime.

### Types of authorisations

There are four types of authorisations in the Environmental Authorisations (Scotland) Regulations 2018: General Binding Rules, Notification, Registration, and Permit. These are shown in Image 1 and explained in further detail below.

Image 1: Types of authorisation tier



When proposing the type of authorisation required for each activity, SEPA have considered:

- Risk to the environment and human health.
- Legislative requirements.
- Fairness to the operator.
- Public and third-party interests.

## General Binding Rules (GBRs)

General Binding Rules (GBRs) are mandatory rules that apply to activities described in Schedule 9 of the Regulations. Providing the activity is carried out in accordance with these rules, SEPA would consider the activity as authorised. In most cases, there would be no requirement to contact SEPA.

## Notifications

Notifications are for low-risk activities where SEPA does not need to decide whether to grant or refuse an authorisation, but we must be notified the activity is being carried out and by who.

Activities in this category will be authorised as soon as SEPA have received notification. In most cases, an activity that requires a Notification to SEPA, will also have to follow a General Binding Rule.

Unless specifically stated, Notifications do not expire. The authorisation is granted until it is surrendered by the authorised person.

## Registrations

Registrations are for lower risk activities that require a simple assessment prior to SEPA deciding whether to grant or refuse the authorisation.

SEPA have 28 days to determine an application. If authorised, the Registration will be issued to the authorised person with Standard Conditions. Standard Conditions are a set of rules that apply to a particular activity and must be consulted upon before they are used. Once they have been published, they cannot be appealed. If the person wishing to undertake a registration activity cannot comply with the associated Standard Conditions, they must apply for a permit instead.

Unless specifically stated, Registrations do not expire. The authorisation exists until it is surrendered by the authorised person or revoked by SEPA.

## **Permits**

Permits are for higher risk or non-standard activities. Permit applications are likely to require a rigorous assessment before SEPA decides whether to grant or refuse the authorisation.

If an activity requires a detailed Fit and Proper Person assessment, or involves a public consultation process, it will need a Permit authorisation.

A Permit may include Standard Conditions, and any other conditions that SEPA believe are required to mitigate the risk of environmental harm from the activity (these are referred to as bespoke conditions). Unless specifically stated, Permits do not expire. The authorisation exists until it is surrendered by the authorised person or revoked by SEPA.

## 5. Waste Activities: Proposed new registration level waste activity and changes to Standard Conditions

### 5.1 Introduction

In this section on Waste activities, we are proposing:

- One new registration level activity and associated Standard Conditions.
- Amendments to Standard Conditions and definitions for five registration level activities.
- A change to our guidance on circumstances when we will not accept registration applications for certain activities.
- Inserting POPs “Persistent Organic Pollutants” Standard Conditions into four sets of Standard Conditions for registration level activities.

Unless specifically stated in this section we are not proposing any changes to the existing Interpretation of Terms which can be viewed on our website under the relevant Standard Conditions for each registration level activity.

## 5.2 Proposed new EASR registration level activity and associated Standard Conditions

Following informal feedback from industry, one new registration level waste activity is proposed. The Standard Conditions proposed for this registration level activity are set out in this section.

### 5.2.1 Storage and treatment of clean waste scallop shells less than or equal to 1,500 tonnes

This activity applies to the storage and treatment of up to 1,500 tonnes of clean waste scallop shells at any one time.

For the purpose of this Registration, 'treatment' is defined as sorting, grading, crushing and screening.

This Registration will be subject to charging band 7. The application fee for 2026/27 is £707.47 and an annual activity fee of £562.21.

#### Standard Conditions

Below is the list of Standard Conditions for the storage and treatment of waste scallop shells less than or equal to 1,500 tonnes.

1. The Authorised Person must have a written management system in place.
2. The Authorised Person must regularly carry out a review of the management system and its effectiveness in terms of achieving compliance with the conditions of the authorisation.
3. Only the waste types listed in Table 1 can be accepted at the Authorised Place.

**Table 1: Waste codes for waste scallop shells**

Waste Code	Authorised Wastes
02 01 99	Clean scallop shells completely free from flesh

4. All waste entering the Authorised Place must be inspected to ensure it meets the types and quantities authorised.
5. Waste identified at the Authorised Place which is not authorised must be:

- a. stored on an impermeable surface with a sealed drainage system;
  - b. stored separately from other waste; and
  - c. removed from the Authorised Place as soon as reasonably practicable.
6. All reasonable precautions must be taken to ensure that:
- a. the waste cannot escape, and
  - b. members of the public are unable to gain access to the waste.
7. All waste storage areas must be clearly labelled to allow the identification of:
- a. the waste type(s) being stored; and
  - b. the hazards presented by each waste type.
8. The maximum storage time limit for waste is 12 months.
9. Waste must be stored and treated on hardstanding or an impermeable surface that drains to a sealed drainage system.
10. Measures must be taken to prevent, or where that is not practicable, minimise:
- a. odour;
  - b. noise;
  - c. dust;
  - d. litter; and
  - e. the presence of vermin;
- arising from the authorised activities.
11. Offensive odours from the authorised activities as perceived by a SEPA Officer must not be emitted beyond the boundary of the Authorised Place.
12. Noise from the authorised activities, which has a significant impact on the environment, people or property, must not be emitted beyond the boundary of the Authorised Place.
13. Dust from the authorised activities, which has a significant impact on the environment, people or property, must not be emitted beyond the boundary of the Authorised Place.

14. Litter from the authorised activities, which has a significant impact on the environment, people or property, must not be emitted beyond the boundary of the Authorised Place.
15. Waste must not be burned at the Authorised Place.
16. SEPA must be notified via its pollution hotline contact telephone number as soon as reasonably practicable, and in any case within 24 hours of identification of an event, of any of the following:
  - a. an event that has caused or could cause adverse impact to the environment or harm to human health;
  - b. an event that results, or could result, in an emission to the environment that is not authorised;
  - c. an event that has caused a breach of a condition of this authorisation.

In this condition, the meaning of 'event' is as defined in the Interpretation of Terms of this authorisation.

17. All measures that are reasonably practicable must be taken to stop an event and to minimise its effect on the environment.
18. Within 14 days of an event a report must be submitted to SEPA detailing:
  - a. the reason(s) for the event;
  - b. the action(s) taken to stop the event and minimise the impacts; and
  - c. the action(s) taken to prevent the event from recurring.
19. All information recorded, kept or submitted to SEPA in accordance with a condition of this authorisation must be:
  - a. true and accurate;
  - b. kept for a minimum of six years; and
  - c. provided to SEPA upon request.
20. For each calendar year the information detailed in Appendix 1 must be submitted to SEPA on or before 28 January in the following year.

21. The information detailed in Appendix 1 must be submitted to SEPA via email, in the excel spreadsheet supplied by SEPA, to [waste.data@sepa.org.uk](mailto:waste.data@sepa.org.uk).

## Interpretation of Terms

The Interpretation of Terms relating to the storage and treatment of waste scallop shells less than or equal to 1,500 tonnes is listed below.

### Environmental harm

- a. harm to the health of human beings or living organisms,
- b. harm to the quality of the environment, including:
  - (i) harm to the quality of the environment taken as a whole,
  - (ii) harm to the quality of air, water or land, and
  - (iii) other impairment of, or interference with, ecosystems,
- c. offence to the senses of human beings,
- d. damage to property, or
- e. impairment of, or any interference with, amenities or other legitimate uses of the environment.

### Event

- any accident which has caused or could cause environmental harm; or
- any malfunction, breakdown or failure of plant, infrastructure or techniques which has caused or could cause environmental harm; or
- force majeure or action taken to save human life or limb.

### Hardstanding

Ground that is surfaced with a durable and hard material to create a level, load-bearing and permeable surface that:

- a. does not accumulate rainwater or water run-off; and
- b. is not susceptible to rutting or potholes.

### Impermeable surface

A surface constructed of impermeable material to a standard sufficient to prevent the transmission of liquids beyond the surface. Should be read in conjunction with the term 'sealed drainage system'.

### **List of waste**

The list of waste established by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended from time to time.

### **Sealed drainage system**

In relation to an impermeable surface, a drainage system with impermeable components which does not leak and which will ensure that:

- a. no liquid will run off the surfaces otherwise than via the system; and
- b. except where they may be lawfully discharged, all liquids entering the system are collected in a sealed sump.

### **SEPA Officer**

Any person who is authorised in writing by SEPA under section 108 of the Environment Act 1995.

### **Storage**

Storage, in relation to waste, includes the keeping, managing, and depositing of waste.

### **Treatment**

Sorting, grading, crushing and screening.

### **Waste code**

The six-digit code referable to a type of waste in accordance with the List of Waste and in relation to hazardous waste, includes the asterisk.

### **Waste directive**

Directive 2008/98/EC of the European Parliament and of the Council on waste, as last amended by Directive (EU) 2018/851, and read in accordance with section 75A Environmental Protection Act 1990.

## Rationale

Following informal consultation with industry, a new registration level activity has been developed for the storage and treatment of clean waste scallop shells. This is to support the processing of waste scallop shells into products suitable for recycling markets including as an agricultural liming agent, landscaping or horticultural material, or biofilter media or similar industrial uses.

The key condition is that the shells must be clean and free from flesh. This registration does not authorise the acceptance of scallop shells containing flesh for cleaning.

## Questions

8. **Do you agree with a new registration level activity for the storage and treatment of clean waste scallop shells less than or equal to 1,500 tonnes?**

**Yes / No / Don't know.**

**If you answered 'No' or 'Don't know', please explain your answer.**

9. **Do you agree with the Standard Conditions for the storage and treatment of clean waste scallop shells less than or equal to 1,500 tonnes?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 5.3 Proposed amendments to EASR Standard Conditions

### 5.3.1 Anaerobic digestion of waste up to 100 tonnes

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-016.

We propose to delete Standard Conditions 16, 23 to 30 and 43 that currently apply to this activity and renumber as appropriate.

All other conditions under reference EASR-SC-016 will remain as currently published.

Standard Conditions as currently published:

16. Any gas engine and/or combined heat and power (CHP) plant stack height associated with the authorised activities must be:
  - a. greater than or equal to 3 metres above the roof ridge height of the building on which it is located; or,
  - b. greater than or equal to 3 metres above the ground if it is located separate to any building; and
  - c. greater than or equal to the height of any part of a building which is located within a distance of 5 times the uncorrected stack height.
23. Point source emissions to air from the authorised activities must only be made from the gas engine and/or the combined heat and power (CHP) plant stack(s).
24. Emissions of substance(s) to the air from the gas engine and/or CHP plant stack(s) must not exceed the specified emission limit value specified in Table 1.
25. Air must not be added to dilute emissions in order to achieve emission limit values specified in Table 1.
26. The emission of any substance, not specified in Table 1, from the authorised activities must not cause environmental harm.

**Table 1: Emissions to air from gas engine and/or CHP: limits**

Substance	Emission Limit Value
Dust	50 mg/m <sup>3</sup>
Oxides of Nitrogen (NO <sub>x</sub> )	190 mg/m <sup>3</sup>
Sulphur Dioxide	15 mg/m <sup>3</sup>
Total Volatile Organic Compounds	20 mg/m <sup>3</sup>
Carbon Monoxide	1000 mg/m <sup>3</sup>

27. Monitoring of emissions of substances to air must be undertaken at the gas engine and/or combined CHP plant stack(s) at the sample port, frequency and using the monitoring standard specified in Table 2.
28. Sample points must be installed, maintained and appropriately identified so that representative samples may be safely obtained.
29. Monitoring must be undertaken:
- during normal operation;
  - under stable conditions; and
  - at a representative, even load.

30. The first monitoring of emissions must be undertaken within four months of the start of operations.

**Table 2: Emissions to air from gas and/or CHP: monitoring requirements**

Substance/parameter	Emission Point Reference	Monitoring frequency	Monitoring standard (1)
Dust	Sample port determined in accordance with BS EN 15259	Manufacturer's guarantee OR annually	BS EN 13284-1
Oxides of Nitrogen (NO <sub>x</sub> )	Sample port determined in accordance with BS EN 15259	Annually	BS EN 14792
Sulphur Dioxide	Sample port determined in accordance with BS EN 15259	On commissioning of a new plant OR a new feedstock is introduced to the process	BS EN 14791
Total Volatile Organic Compounds	Sample port determined in accordance with BS EN 15259	Annually	BS EN 12619
Carbon monoxide	Sample port determined in accordance with BS EN 15259	Annually	BS EN 15058
Biogas flare temperature (°C)	Sample port determined in accordance with BS EN 15259	Continuous	BS EN 16911-2

43. The results of the monitoring of emissions, as described in condition 27, must be submitted to SEPA within eight weeks of the date the monitoring took place via email to [registry@sepa.org.uk](mailto:registry@sepa.org.uk)

## Rationale

Following informal feedback from industry, we have established that there is not always a combustion plant associated with an anaerobic digestion (AD) plant of this capacity. If a combustion plant is connected to the AD process, the monitoring requirements will vary depending on the capacity of the plant and will be considered separately. It may require a separate authorisation.

## Question

- 10. Do you agree with the proposed deletion of Standard Conditions for anaerobic digestion of waste up to 100 tonnes (reference: EASR-SC-016)?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

### 5.3.2 Composting in an open system less than or equal to 500 tonnes

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-017.

We propose to amend the condition order and condition 10 under this activity. All other conditions and definitions under reference EASR-SC-017 will remain as currently published.

Condition 4 as currently published:

"No more than 50 tonnes of plant-tissue waste must be stored and treated on hardstanding at any one time."

We propose to renumber this condition as condition 9 and renumber current conditions 5 to 9 to become conditions 4 to 8.

Condition 10 as currently published:

"All storage and treatment activities must be carried out on an impermeable surface that drains to a sealed drainage system."

We propose to amend this condition to:

“All other storage and treatment activities must be carried out on an impermeable surface that drains to a sealed drainage system.”

## Rationale

The proposed amendment clarifies that up to 50 tonnes of plant tissue waste can be stored and treated on hardstanding and does not need to be stored on an impermeable surface. It removes an inconsistency between the current conditions 4 and 10 which has caused confusion to operators. It does not change the intent of the current conditions.

## Question

- 11. Do you agree with the proposed amendment to the condition order and condition 10 for the composting in an open system activity less than or equal to 500 tonnes (reference: EASR-SC-017)?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

### 5.3.3 Storage and treatment of waste at a water or wastewater treatment works

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-029.

We propose to amend the definition of 'treatment' under this activity. All other conditions and definitions under reference EASR-SC-029 will remain as currently published.

Definition of 'treatment' as currently published:

“Liming and physical processes such as separation, thickening, dewatering and blending. It does not include anaerobic digestion or thermal treatment.”

We propose to amend this definition to:

“Liming and physical processes such as separation, thickening, dewatering and blending. It does not include anaerobic digestion or thermal treatment, with the exception of thermal drying.”

## Rationale

The proposed amendment would allow thermal drying of waste at water or wastewater treatment works to be included within the scope of the registration.

Thermal drying is a physical process, used solely to reduce moisture content and improve handling or storage. It does not involve combustion, energy recovery, or destruction of waste, and its risk profile is comparable to other authorised physical treatment processes such as dewatering.

Anaerobic digestion and other forms of thermal treatment (for example incineration, gasification or pyrolysis) will remain excluded, as they involve higher risk biological or thermal processes that require permit level controls.

## Question

- 12. Do you agree with the proposed amendment to include thermal drying within the definition of “treatment” for the storage and treatment of waste at a water or wastewater treatment works (reference EASR-SC-029)?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer**

### **5.3.4 Storage and treatment of metal waste less than or equal to 10,000 tonnes**

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-030.

We propose to amend condition 9 under this activity. All other conditions and definitions under reference EASR-SC-030 will remain as currently published.

Condition 9 as currently published:

“Waste must be stored and treated on hardstanding or an impermeable surface that drains to a sealed drainage system.”

We propose to delete “and treated” from this condition so the amended version will read:

“Waste must be stored on hardstanding or an impermeable surface that drains to a sealed drainage system.”

We propose to add the following condition, and all conditions renumbered accordingly:

“Any POPs waste must be stored separately from other waste and on an impermeable surface with a sealed drainage system.”

We propose to add the following definitions:

“POPs” means Persistent Organic Pollutants

“POPs waste is waste which consists of, contains or is contaminated by any of the substances listed in Annex IV of Regulation (EU) 2019/1021 at a concentration above the threshold in Annex IV.”

## **Rationale**

The proposed amendment would separate the requirements for storage areas and treatment areas. Condition 13 already requires that all waste treatment areas should have an impermeable surface and a sealed drainage system. The current condition 9 introduces inconsistency and the proposed amendment removes this. It does not change the intent of the current conditions.

POPs waste must be destroyed or irreversibly transformed and must not be sent for recycling or mixed with other waste streams. The proposed condition provides clarity regarding the necessary storage of this waste.

## **Questions**

- 13. Do you agree with the proposed amendment to condition 9 for the storage and treatment of metal waste less than or equal to 10,000 tonnes (reference EASR-SC-030)?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

**14. Do you agree with the proposed condition for storage of POPs, the proposed definition and the activities to which the condition will be applied to?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

**5.3.5 Storage and treatment of wood waste less than or equal to 1,000 tonnes**

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-031.

We propose to amend the definition of 'treatment' under this activity. All other conditions and definitions under reference EASR-SC-031 will remain as currently published.

Definition of 'treatment' as currently published:

"Sorting, separation, cutting, pulverising, shredding, chipping, blending, pelletising and briquetting."

We propose to amend this definition to:

"Sorting, separation, cutting, shredding, chipping, pulverising, grinding, blending, pelletising and briquetting."

**Rationale**

The proposed amendment would explicitly include **grinding** within the definition of treatment.

Grinding is a physical process used to prepare waste wood to the required specification prior to onward transfer, including for panelboard manufacture. It is operationally similar to shredding and chipping and does not introduce additional environmental risk.

The absence of grinding from the current definition has caused unnecessary uncertainty, including those situations where grinding is carried out solely as a preparatory step before wood is sent off-site for recovery.

Including grinding ensures the definition accurately reflects standard industry practice.

## Question

- 15. Do you agree with the proposed amendment to include grinding within the definition of “treatment” for the storage and treatment of wood waste less than or equal to 1,000 tonnes (reference: EASR-SC-031)?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 5.4 Compatibility of Registrations for Waste Activities

### Overview

Some registrations were conceived with particular threshold limits. In practice we have found that some applicants are using the ability to apply for multiple registrations to try to operate above those thresholds without having the necessary controls in place. SEPA therefore intends to limit the ability to apply for multiple registrations in certain circumstances as set out below.

### Waste Motor Vehicles

There are separate registrations which apply to the storage of up to 10 waste motor vehicles or to the storage and treatment of up to 5 waste motor vehicles. The full sets of Standard Conditions which apply to these activities can be viewed on SEPA's website, under reference EASR-SC-024 and EASR-SC-027.

We propose to not accept applications which involve both of these waste motor vehicle activities as this would allow the storage and treatment of up to 15 waste motor vehicles which would be considered a commercial operation and contrary to the policy intent of the waste motor vehicle registration activities. Nor would we accept applications to add either activity to the other once a registration had been issued. All conditions and definitions under references EASR-SC-024 and EASR-SC-27 will remain as currently published.

### Storage of Waste for Recovery

Up to 2500 tonnes of different types of waste can be stored prior to onward transport under this free registration EASR-SC-025. The waste types include WEEE, segregated recyclable, construction wastes and oils, solvents and batteries. The storage and treatment of some of these materials is also covered by separate registrations (e.g. storage and treatment of cooking oil EASR-SC-28). The intention of the registration is that it would be used to facilitate storage, not to increase capacity at sites carrying out other activities.

We therefore propose not to accept registration applications which involve multiple activities where one of those is the Storage of Waste for Recovery (EASR-SC-28) nor would we allow the subsequent addition of an activity to this registration once granted.

## Rationale

The waste motor vehicle registration level activities had specific policy intents to allow storage in rural areas before onward transport and the practice of car enthusiasts of using several cars to repair at one time. They were not meant to cover commercial car breaking or garages.

Similarly, the storage of waste for recovery registration was created to facilitate storage prior to onwards movement, particularly for rural areas. It is not intended to allow operators to increase capacity at sites carrying out other activities.

## Questions

- 16. Do you agree with the proposal to limit the ability to apply for multiple registrations for the activities set out here?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

- 17. Do you think any other specific registration level waste activities should not be authorised alongside other registrations? If so, which ones and why?**

## 5.5 Insertion of POPs storage standard condition

### Overview

We propose to insert conditions requiring the separate storage of wastes containing Persistent Organic Pollutants (POPs) into registrations which involve waste types that might contain POPs. All other conditions and definitions will remain as currently published. The proposed activities affected are:

- Storage of asbestos waste less than or equal to 40m<sup>3</sup>.
- Storage and treatment of less than or equal to 5 waste motor vehicles.
- Waste electrical and electronic equipment (WEEE) less than or equal to 35 tonnes.
- Storage of metal waste less than or equal to 10,000 tonnes.

The full set of Standard Conditions which applies to the first three activities listed above can be viewed on SEPA's website, under references EASR-SC-023, EASR-SC-027 and EASR-SC-033.

Details of this proposed change and further proposed amendments to Standard Conditions for 'Storage of metal waste less than or equal to 10,000 tonnes' can be found in the activity specific section above under 'Proposed amendments to EASR Standard Conditions'.

### Proposed changes

We propose to add the following condition:

"Any POPs waste must be stored separately from other waste and on an impermeable surface with a sealed drainage system."

We propose to add the following definitions:

"POPs" means Persistent Organic Pollutants

"POPs waste is waste which consists of, contains or is contaminated by any of the substances listed in Annex IV of Regulation (EU) 2019/1021 at a concentration above the threshold in Annex IV."

## Rationale

POPs waste must be destroyed or irreversibly transformed and must not be sent for recycling or mixed with other waste streams. The proposed condition provides clarity regarding the necessary storage of this waste.

## Question

- 18. Do you agree with the proposed condition, the proposed definition and the activities to which the condition will be applied to?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## **6. Water Activities: Proposed new permit level activity, changes to Standard Conditions and activity descriptions for registration level activities**

### **6.1 Introduction**

In this section on Water activities, we are proposing:

- One new permit level activity.
- Amendments to the Interpretation of Terms relating to five registration level activities.
- A change to activity descriptions for three activities and a change to one Standard Conditions for one registration level activity

Unless specifically stated in this section we are not proposing any changes to the existing Interpretation of Terms which can be viewed on our website under the relevant Standard Conditions for each registration level activity.

## 6.2 Marine Pen fish farms between 3 and 12 nautical miles

On 26 March 2026 amendments were made to The Environmental Authorisations (Scotland) Regulations 2018. This had the effect of bringing the regulation of marine pen fish farms between 3 and 12 nautical miles under EASR. The full activity description is:

1. The operation of a marine pen fish farm in;
2. the discharge of fish excreta, uneaten food and other substances as listed in this permit to; and
3. the abstraction of seawater carried on in the course of operation of a fish farm from;

the Scottish marine area outside of the water environment.

We plan to regulate this activity by a permit level authorisation because we need to undertake public consultation and to apply bespoke conditions to regulate this activity.

### Question

**19. Do you agree with the type of authorisation we are proposing for this activity?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 6.3 Proposed amendments to the Interpretation of Terms for registration level activities

### 6.3.1 New sewage discharge from less than or equal to 10 domestic properties or 50 population equivalent

There are five activities that fall within this heading where a change is being proposed. These are:

#### 1. The discharge to a watercourse that provides a high amount of dilution

The discharge of sewage from:

- i. less than or equal to 3 domestic properties; or
- ii. non-domestic properties with a total population equivalent of less than or equal to 15; or
- iii. a combination of domestic and non-domestic properties with a total population equivalent of less than or equal to 15;

to a watercourse that provides a high amount of dilution and is outside:

- i. a zone to protect shellfish waters;
- ii. a zone to protect bathing waters; or
- iii. a phosphate sensitive catchment.

#### 2. The discharge to a watercourse that provides a high or medium amount of dilution

The discharge of sewage from:

- i. less than or equal to 10 domestic properties; or
- ii. non-domestic properties with a total population equivalent less than or equal to 50; or
- iii. a combination of domestic and non-domestic properties with a total population equivalent of less than or equal to 50;

to a watercourse that provides a:

- i. high amount of dilution for discharges from between 4 and 10 domestic properties or between 16 and 50 population equivalent; or
- ii. medium amount of dilution for discharges from up to 10 domestic properties or up to 50 population equivalent;

and where the watercourse is outside:

- i. a zone to protect shellfish waters;
- ii. a zone to protect bathing waters; or
- iii. a phosphate sensitive catchment.

### **3. The discharge to a watercourse that provides a low amount of dilution**

The discharge of sewage from:

- i. less than or equal to 10 domestic properties; or
- ii. non-domestic properties with a total population equivalent less than or equal to 50; or
- iii. a combination of domestic and non-domestic properties with a total population equivalent of less than or equal to 50;

to a watercourse that provides a low amount of dilution and is outside:

- i. a zone to protect shellfish waters;
- ii. a zone to protect bathing waters; or
- iii. a phosphate sensitive catchment.

### **4. The discharge to coastal and transitional waters**

The discharge of sewage from:

- i. less than or equal to 10 domestic properties; or
- ii. non-domestic properties with a total population equivalent of less than or equal to 50; or
- iii. a combination of domestic and non-domestic properties with a total population equivalent of less than or equal to 50;

to coastal or transitional waters outside a zone to protect:

- i. shellfish waters; or
- ii. bathing waters.

### **5. Discharges within a zone to protect shellfish and bathing waters**

The discharge of sewage from:

- i. less than or equal to 10 domestic properties; or
- ii. non-domestic properties with a total population equivalent of less than or equal to 50; or
- iii. a combination of domestic and non-domestic properties with a total population equivalent of less than or equal to 50;

to a watercourse, coastal or transitional waters within a zone to protect:

- i. shellfish waters; or
- ii. bathing waters.

The full set of Standard Conditions which applies to these activities can be viewed on SEPA's website, under references EASR-SC-66, EASR-SC-67, EASR-SC-68, EASR-SC-69, EASR-SC-70.

We propose to amend the Interpretation of Terms for 'zone to protect bathing waters' and 'zone to protect shellfish waters' for these activities. All conditions, for reference EASR-SC-66, EASR-SC-67, EASR-SC-68, EASR-SC-69, EASR-SC-70, and other Interpretation of Terms will remain as currently published.

### **Current Interpretation of Terms for zone to protect bathing waters**

- any surface water designated by the Scottish Ministers under Regulation 3 of the Bathing Waters (Scotland) Regulations 2008) as a bathing water; or
- a buffer zone around any surface water designated by the Scottish Ministers under Regulation 3 of the Bathing Waters (Scotland) Regulations 2008 as a bathing water. The buffer zone is 1500m as measured along the coast and/or up the river unless they have been extended because bacteria die-off may not have sufficiently taken place. Where this is the case it will be detailed in the bathing water improvement plan.

### **Current Interpretation of Terms for zone to protect shellfish waters**

- an area of coastal water or transitional water designated as a shellfish water protected area under section 5A of the Water Environment and Water Services (Scotland) Act 2003 ("shellfish water protected area"); or
- watercourses that drain into the protected area up to 1500m inland of the shellfish water protected area; or
- a Classified Shellfish Harvesting area where the harvesting is for common mussels, pacific oyster, common cockles, carpet clams, pullet carpet shell or surf clams. A Classified Shellfish Harvesting area is an area classified as such by the Food Standards Agency; or

- a buffer zone, as measured 1500m along the coast and/or up the river, from the Classified Shellfish Harvesting area where the harvesting is for common mussels, pacific oyster, common cockles, carpet clams, pullet carpet shell or surf clams.

### **Proposed Interpretation of Terms for zone to protect bathing waters**

- any surface water which was a designated bathing water under Regulation 3 of the Bathing Waters (Scotland) Regulations 2008 on the date the registration was granted; or
- a buffer zone around any surface water which was a designated bathing water under Regulation 3 of the Bathing Waters (Scotland) Regulations 2008 on the date the registration was granted. The buffer zone is 1500m as measured, along the shore; offshore and/or up the river unless they have been extended because bacteria die-off may not have sufficiently taken place. Where this is the case it will be detailed in the bathing water improvement plan.

### **Proposed interpretation of zone to protect shellfish waters**

- an area of coastal water or transitional water which was a designated shellfish water protected area under section 5A of the Water Environment and Water Services (Scotland) Act 2003 on the date the registration was granted; or
- watercourses that drain into an area of coastal water or transitional water which was a designated shellfish water protected area under section 5A of the Water Environment and Water Services (Scotland) Act 2003 on the date the registration was granted and that are situation up to 1500 inland of that area; or
- an area that was a classified Shellfish Harvesting area, on the date the registration was granted, and where the harvesting is for common mussels, pacific oyster, common cockles, carpet clams, pullet carpet shell or surf clams. An area is a classified Shellfish Harvesting area if it has been classified as such by Food Standards Scotland; or
- a buffer zone, as measured 1500m along the coast and/or up the river, from an area that is a classified Shellfish Harvesting area, on the date the registration is granted and where the harvesting is for common mussels, pacific oyster, common cockles, carpet clams, pullet carpet shell or surf clams. An area is a classified Shellfish Harvesting area if it has been classified as such by Food Standards Scotland.

## Rationale

We want to change the Interpretation of Terms to include the wording 'on the date the registration was granted' because these zones can change over time which may result in the discharge no longer being within or outside the zone. If this were to happen the discharge would cease to be authorised because it would not meet the activity description as currently defined in the Interpretation of Terms. This would mean an application for another sewage registration activity would be required and potentially increase or decrease the minimum type of treatment required.

This was not the intent when the approach to authorisation of these activities was conceived. We also don't think it is fair or necessary to require a householder to have to change the level of treatment because:

- Reference to these zones only applies to those discharges that were authorised after 1 November 2025 under EASR and where the treatment system was less than 2 years old. Discharges from treatment systems that are more than 2 years old or discharges that were authorised by registration under Regulation 7 of The Water Environment (Controlled Activities) (Scotland) Regulations 2011 on the 31 October 2025 do not refer to these zones and as such would not need to change the treatment.
- There are other regulatory mechanisms to require enhanced treatment should environmental standards in one of these zones be exceeded and action to upgrade the treatment of small sewage discharges is considered necessary.

For this reason, we want to change the Interpretation of Terms for these zones to apply to the zone that was in place at the time the registration was granted. This would allow for appropriate treatment to be put in place when a treatment system is being installed but will not normally require retrospective upgrades.

## Question

**20. Do you agree with the proposed amendments to the Interpretation of Terms for 'zone to protect bathing waters'?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

**21. Do you agree with the proposed amendments to the Interpretation of Terms for ‘zone to protect shellfish waters’?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 6.4 Proposed amendments to activity descriptions and Standard Conditions for registration level activities

### 6.4.1 Borehole abstraction for testing and sampling more than 150m<sup>3</sup> water per year

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-045.

We propose to amend the activity description and one of the Standard Conditions for this activity. All other conditions under reference EASR-SC-045 will remain as currently published.

#### Activity description as currently published

The abstraction of groundwater, other than below the bed of coastal or transitional waters, from a borehole or boreholes and any subsequent discharge of the abstracted water, where the total volume of water abstracted is:

- a. more than 50 cubic metres (m<sup>3</sup>) per day but less than or equal to 500 cubic metres (m<sup>3</sup>) per day; and
- b. more than 150 cubic metres (m<sup>3</sup>) per year but less than or equal to 5000 cubic metres (m<sup>3</sup>) per year,

and the purpose of the abstraction is to:

- i. test the yield of the borehole; or
- ii. determine the hydraulic properties of the aquifer; or
- iii. sample the water quality.

#### Proposed activity description

We propose to amend this activity description to:

The abstraction of groundwater, other than below the bed of coastal or transitional waters, from a borehole or boreholes and any subsequent discharge of the abstracted water, where:

- a. the total volume of water abstracted is more than 50 cubic metres (m<sup>3</sup>) per day but less than or equal to 5000 cubic metres (m<sup>3</sup>) per day;
- b. the total volume of water abstracted is more than 150 cubic metres (m<sup>3</sup>) per year; and
- c. the abstraction is for no more than 7 days,

and the purpose of the abstraction is to:

- i. test the yield of the borehole; or
- ii. determine the hydraulic properties of the aquifer; or
- iii. sample the water quality.

### **Standard Condition as currently published**

- The abstraction must be located 50 metres or more from any spring, well or borehole that supplies water for human consumption that was in existence on the date of application for this authorisation.

### **Proposed amendment to the Standard conditions**

We propose to amend this Standard Condition to:

- The abstraction must not have an impact on any spring, well or borehole that supplies water for human consumption that was in existence on the date of application for this authorisation.

### **Rationale**

We want to allow for an increased rate of abstraction under the registration for the abstraction from a borehole for the purpose of testing or sampling. The current rates of abstraction as allowed for by the registration activity description are not large enough for many abstracters to undertake test pumping without having to apply for a permit. We want to allow most test pumping to be undertaken by a registration as the risk to the water environment is low due to the short-term nature of the abstraction. We are therefore proposing to increase the allowable maximum daily abstraction rate to from 500m<sup>3</sup> to 5000m<sup>3</sup> and limit this to a duration of 7 days. There is a slight increased risk of temporarily reducing the flow in someone's water supply, therefore, to mitigate this we are proposing to modify the current condition to prevent impacts on any water supply regardless of distance.

### **Question**

- 22. Do you agree with the proposed amendments to the activity description and standard condition for 'Borehole abstraction for testing and sampling more than 150m<sup>3</sup> water per year' (reference EASR-SC-045)?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 6.4.2 Channel modifications

There are two activities that fall within this heading.

### Activity descriptions as currently published:

- Channel modification of a minor watercourse:
  - a. where the length of channel affected is less than or equal to 500 metres;
  - b. where the channel has been previously modified; and
  - c. that has a bed of sand, silt or clay.
- Channel modification of a watercourse that:
  - a. is associated with a structure; and
  - b. affects less than or equal to 15 metres of channel length.

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under references EASR-SC-52 and EASR-SC-53 respectively.

### Proposed activity descriptions

We propose to amend the activity descriptions for these activities. All Standard Conditions under reference EASR-SC-52 and EASR-SC-53 will remain as currently published.

We propose to amend these activity descriptions to:

- Channel modification (not including culverting for land gain) of a minor watercourse:
  - a. where the length of the channel affected is less than or equal to 500 metres;
  - b. where the channel has been previously modified (not including culverting for land gain); and
  - c. that has a bed of sand, silt or clay.
- Channel modification (not including culverting for land gain) that:

- a. is associated with a structure; and
- b. affects less than or equal to 15 metres of channel length.

## Rationale

We want to edit the registration activity descriptions because we want to exclude the ability for these registrations to be used:

- To culvert an existing watercourse for land gain.
- To modify an existing land gain culvert.

We had previously consulted that all culverts for land gain would be authorised at permit level. Amending these activity descriptions removes confusion and avoids contradictions as the current descriptions don't exclude culverts for land gain.

## Question

- 23. Do you agree with the proposed amendments to the activity descriptions for channel modification of a previously modified minor watercourse and channel modification associated with a structure?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 7. Industrial Activities: Proposed changes to Standard Conditions and new registration level activities

### 7.1 Introduction

In this section on industrial activities, we are proposing:

- A change to Standard Conditions for two registration level activities:
  - Ensiling of fish less than or equal to 10m<sup>3</sup>.
  - Non-waste anaerobic digestion less than 100 tonnes per day.
- Splitting two current registration level activities to allow for both static and temporary locations for these activities:
  - Coating roadstone with bitumen.
  - Blending or using cement in bulk.
- And creating four registration level activities:
  - Coating roadstone with heated bitumen at a static location.
  - Coating of roadstone with bitumen at ambient temperature at a temporary location.
  - Blending or using cement in bulk at a static location.
  - Blending or using cement at a temporary location.
- Implementing Standard Conditions for the above four registration level activities.

Unless specifically stated in this section we are not proposing any changes to the existing Interpretation of Terms which can be viewed on our website under the relevant Standard Conditions for each registration level activity.

## 7.2 Proposed amendments to EASR Standard Conditions

### 7.2.1 Ensiling of fish less than or equal to 10m<sup>3</sup>

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-008.

#### Proposed amendment to the Standard Conditions

We propose to add one Standard Condition under this activity. All other conditions under reference EASR-SC-008 will remain as currently published but will be renumbered accordingly.

We propose to add this Standard Condition:

4. The containers used for the storage of ensiled fish and any other liquids or ensiling solutions must be kept closed and lidded.

#### Rationale

Condition 4 has been added to ensure that containers are kept closed and lidded. The main emissions from the fish ensiling process are odour and the potential for ensiled fish or ensiling solutions to escape, as well as the potential for vermin to be attracted. This condition is already included in the equivalent Standard Conditions for ensiling of fish over 10m<sup>3</sup>.

#### Question

24. Do you agree with the proposed amendments to Standard Conditions for 'Ensiling of fish less than or equal to 10m<sup>3</sup>' (reference: EASR-SC-008)?

Yes / No / Don't know

If you answered 'No' or 'Don't know', please explain your answer.

## 7.2.2 Non-waste anaerobic digestion less than 100 tonnes per day

The full set of Standard Conditions which applies to this activity can be viewed on SEPA's website, under reference EASR-SC-001.

### Proposed amendment to the Standard Conditions

We propose to delete Standard Conditions 16 to 24, 34 and 35. All other conditions under reference EASR-SC-001 will remain as currently published and renumbered appropriately.

### Standard Condition as currently published

16. Point source emissions to air from the authorised activities must only be made from the gas engine and/or the combined heat and power (CHP) plant stack(s).
17. Any gas engine and/or combined heat and power (CHP) plant stack height associated with the authorised activities must be:
  - a. greater than or equal to 3 metres above the roof ridge height of the building on which it is located; or,
  - b. greater than or equal to 3 metres above the ground if it is located separate to any building; and
  - c. greater than or equal to the height of any part of a building which is located within a distance of 5 times the uncorrected stack height.
18. Emissions of substance(s) to the air from the gas engine and/or CHP plant stack(s) must not exceed the specified emission limit value specified in Table 1.
19. Air must not be added to dilute emissions in order to achieve emission limit values specified in Table 1.
20. The emission of any substance, not specified in Table 1, from the authorised activities must not cause environmental harm.

**Table 1: Emissions to air from gas engine and/or CHP: limits**

Substance	Emission Limit Value
Dust	50 mg/m <sup>3</sup>

Oxides of Nitrogen (NO <sub>x</sub> )	190 mg/m <sup>3</sup>
Sulphur Dioxide	15 mg/m <sup>3</sup>
Total Volatile Organic Compounds	20 mg/m <sup>3</sup>
Carbon Monoxide	1000 mg/m <sup>3</sup>

21. Monitoring of emissions of substances to air must be undertaken at the gas engine and/or combined CHP plant stack(s) at the sample port, frequency and using the monitoring standard specified in Table 2.
22. Sample points must be installed, maintained and appropriately identified so that representative samples may be safely obtained.
23. Monitoring must be undertaken:
  - a. during normal operation;
  - b. under stable conditions; and
  - c. at a representative, even load.
24. The first monitoring of emissions must be undertaken within four months of the start of operations.

**Table 2: Emissions to air from gas and/or CHP: monitoring requirements**

Substance/parameter	Emission Point Reference	Monitoring frequency	Monitoring standard (1)
Dust	Sample port determined in accordance with BS EN 15259	Manufacturer's guarantee OR annually	BS EN 13284-1
Oxides of Nitrogen (NO <sub>x</sub> )	Sample port determined in accordance with BS EN 15259	Annually	BS EN 14792

Sulphur Dioxide	Sample port determined in accordance with BS EN 15259	On commissioning of a new plant OR a new feedstock is introduced to the process	BS EN 14791
Total Volatile Organic Compounds	Sample port determined in accordance with BS EN 15259	Annually	BS EN 12619
Carbon monoxide	Sample port determined in accordance with BS EN 15259	Annually	BS EN 15058
Biogas flare temperature (°C)	Sample port determined in accordance with BS EN 15259	Continuous	BS EN 16911-2

34. Records must be kept of all monitoring results and verification of compliance with the emission limit values specified in Table 1.
35. The results of the monitoring of emissions, as described in condition 22, must be submitted to SEPA within eight weeks of the date the monitoring took place via email to [registry@sepa.org.uk](mailto:registry@sepa.org.uk).

## Rationale

Following informal feedback from industry, we have established that there is not always combustion plant associated with anaerobic digestion plant of this capacity. If a combustion plant is connected to the AD process, the monitoring requirements will vary depending on the capacity of the plant and will be considered separately. It may require a separate authorisation.

## Question

- 25. Do you agree with the proposed amendments to Standard Conditions for non-waste anaerobic digestion less than 100 tonnes per day (reference: EASR-SC-001)?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 7.3 Proposed new registration level activities and EASR Standard Conditions

Following informal feedback from industry, we are proposing to split two current registration level activities into four to allow for both static and temporary locations for these activities:

- Coating roadstone with bitumen.
- Blending or using cement in bulk.

These will become:

- Coating roadstone with heated bitumen at a static location.
- Coating of roadstone with bitumen at ambient temperature at a temporary location.
- Blending or using cement in bulk at a static location.
- Blending or using cement at a temporary location.

The Standard Conditions proposed for these four registration level activities are set out in this section.

Please note that EASR includes an exclusion for the blending or use of cement in bulk on construction sites, and therefore this activity does not require authorisation.

### 7.3.1 Coating roadstone with heated bitumen at a static location

#### Standard Conditions

The proposed set of Standard Conditions for this activity are as follows:

1. All reasonable steps must be taken to minimise emissions during start-up and shut-down of the process.
2. Bitumen, bitumen emulsion and other binders must be:
  - a. stored in enclosed storage tanks;
  - b. handled using enclosed handling systems; and
  - c. kept within the appropriate temperature range to minimise odour.
3. Dust emissions must be minimised by:
  - a. containment of dusty processes; and/or

- b. suppressing dust using water.
4. Loose aggregate and other potentially dusty materials must be:
  - a. stored within a silo or container if particulate size is less than 0.1mm;
  - b. stored in storage bays which are not filled above the external wall height.
5. Recycled asphalt containing coal tar:
  - a. must be identified and stored separately from other recycled asphalt;
  - b. must not be incorporated into the hot roadstone coating process; and
  - c. removed from site as soon as reasonably practicable.
6. Waste oil (including waste oil referred to as 'recovered oil') must not be used as a fuel.
7. Silos or containers must:
  - a. be fitted with functioning pressure relief valves;
  - b. have an overfilling alarm; and
  - c. automatically stop where overfilling or over-pressurisation is identified.
8. Displaced air, resulting from delivery to silos or containers, must be:
  - a. vented to suitable arrestment equipment designed to emit 10mg/m<sup>3</sup>; or
  - b. back vented to the delivery tanker.
9. All deliveries to silos or containers from road vehicles must only be made using vehicles fitted with onboard pressure relief valves and filtration equipment.
10. Bitumen storage containers must have an overfilling alarm.
11. Emissions to air from the authorised activities must only be made from the roadstone coating process stack(s).
12. The roadstone coating process stack height must be:
  - a. greater than or equal to 3 metres above the roof ridge height of the building on which it is located; or

- b. greater than or equal to 3 metres above the ground if it is located separate to any building; and
  - c. greater than or equal to the height of any part of a building which is located within a distance of 5 times the uncorrected stack height.
13. Emissions of substance(s) to the air from the roadstone coating process stack(s) must not exceed the emission limit value specified in Table 1.
  14. Air of substance(s) to the air from the roadstone coating process stack(s) must not exceed the emission limit value specified in Table 1.
  15. The emission of any substance, not specified in Table 1, from the authorised activities must not cause environmental harm.

**Table 1: Emission limit values from roadstone coating**

Substance	Emission Limit Value (mg/m <sup>2</sup> )
Dust	50

16. Monitoring must be undertaken at the roadstone coating process stack(s) at the sample port, frequency and using the monitoring standard as specified in Table 2.
17. Sample points must be installed, maintained and appropriately identified so that representative samples may be safely obtained.
18. Monitoring must be undertaken during normal operation and under stable conditions.
19. An alarm system must be provided and maintained in order to provide visual and/or audible notification when arrestment equipment fails or malfunctions.
20. The first monitoring of emissions must be undertaken within four months of the start of operations.

**Table 2: Monitoring requirements for roadstone coating**

Substance	Sample port	Monitoring frequency	Monitoring standard
Dust	Sample port determined in accordance with BS EN 15259	Annual	BS EN 13284-1

21. All releases to the air from the authorised activities, other than condensed water vapour, during normal operation must be free from visible emissions.
22. Measures must be taken to prevent, or where that is not practicable, minimise:
  - a. dust;
  - b. odour; and
  - c. heat emissions
 from the authorised activities.
23. Dust from the authorised activities, which has a significant impact on the environment, people or property, must not be emitted beyond the boundary of the Authorised Place.
24. Offensive odours from the authorised activities as perceived by a SEPA officer must not be emitted beyond the boundary of the Authorised Place.
25. All reasonable steps must be taken to prevent the discharge of water from dust suppression activities which may cause harm to the environment.
26. SEPA must be notified via its pollution hotline contact telephone number as soon as reasonably practicable, and in any case within 24 hours of identification of an event, of any of the following:
  - a. an event that has caused or could cause adverse impact to the environment or harm to human health;
  - b. an event that results, or could result, in an emission to the environment that is not authorised; and
  - c. an event that has caused a breach of a condition of this authorisation.

In this condition, the meaning of ‘event’ is as defined in the Interpretation of Terms of this authorisation.

27. All measures that are reasonably practicable must be taken to stop an event and to minimise its effect on the environment.
28. Within 14 days of an event a report must be submitted to SEPA detailing:
  - a. the reason(s) for the event;
  - b. the action(s) taken to stop the event and minimise the impacts; and
  - c. the action(s) taken to prevent the event from reoccurring.
29. All information recorded, kept or submitted to SEPA in accordance with a condition of this authorisation must be:
  - a. true and accurate; and
  - b. kept for a minimum of six years; and
  - c. provided to SEPA upon request.
30. Records must be kept of the following:
  - a. all monitoring results and verification of compliance with the emission limit values specified in Table 1.
31. The results of the monitoring of emissions, as described in condition 18, must be submitted to SEPA within eight weeks of the date the monitoring took place via email to [registry@sepa.org.uk](mailto:registry@sepa.org.uk).

## Interpretation of Terms

The Interpretation of Terms for coating of roadstone with heated bitumen at a static location is listed below.

### Arrestment equipment

Equipment used to mitigate the effects of emissions.

### Asphalt

A mixture of dark bituminous pitch with sand or gravel, used for surfacing roads.

**Coal tar**

A thick black liquid produced by distilling bituminous coal, containing benzene, naphthalene, phenols, aniline, and other organic chemicals. Asphalt waste containing coal tar is considered to be hazardous waste where the level of coal tar is >0.1%. Asphalt waste containing coal tar is considered to be hazardous waste where the level of coal tar is >0.1%.

**Dust**

Suspended solid particles and liquid droplets suspended in air which may be deposited on surfaces and may cause air pollution and/or nuisance.

**Emission limit value**

The mass, expressed in terms of specific parameters, concentrated or level of an emission, which may or may not be exceeded during one or more periods of time.

All emission limit values are defined at:

- (a) a temperature of 273.1K;
- (b) a pressure of 101.3kPa:

without correction for water vapour content.

**Environmental harm**

- (a) Harm to the health of human beings or living organisms,
- (b) Harm to the quality of the environment, including:
  - (i) harm to the quality of the environment taken as a whole,
  - (ii) harm to the quality of air, water or land, and
  - (iii) other impairment of, or interference with, ecosystems,
- (c) Offence to the senses of human beings,
- (d) Damage to property, or
- (e) Impairment of, or any interference with, amenities or other legitimate uses of the environment.

**Event**

- Any accident which has caused or could cause environmental harm; or
- Any malfunction, breakdown or failure of plant, infrastructure or techniques which has caused or could cause environmental harm; or

- Force majeure or action taken to save human life or limb.

### **Normal operation**

Operation of authorised activities excluding start-up and shut-down periods.

### **SEPA Officer**

Any person who is authorised in writing by SEPA under section 108 of the Environment Act 1995.

### **Uncorrected stack height**

The stack height before any required increases in height are made to account for any nearby buildings.

### **Rationale**

The controls primarily focus on managing emissions of odour and dust. The new Standard Conditions introduce additional measures and broaden the scope of the conditions to cover the storage and handling of alternative materials and in silos and other bulk containers. They also clarify that, due to the health and safety risks associated with the high concentrations of polycyclic aromatic hydrocarbons (PAHs), recycled asphalt containing coal tar must not be incorporated into the hot roadstone coating process.

### **Question**

- 26. Do you agree with the proposed Standard Conditions for Coating roadstone with heated bitumen at a static location?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

## 7.3.2 Coating of roadstone with bitumen at ambient temperature at a temporary location

### Standard Conditions

The proposed set of Standard Conditions for this activity are as follows:

1. All reasonable steps must be taken to minimise emissions during start-up and shut-down of the process.
2. Bitumen, bitumen emulsion and other binders must be:
  - a. stored in enclosed storage tanks;
  - b. handled using enclosed or sealed handling systems; and
  - c. kept within the appropriate temperature range to minimise odour.
3. Dust emissions must be minimised by:
  - a. containment of dusty processes; and/or
  - b. suppressing dust using water.
4. Loose aggregate and other potentially dusty materials must be:
  - a. stored within a silo if particulate size is less than 0.1mm;
  - b. stored in a managed stockpile; or
  - c. stored in storage bays which are not filled above the external wall height.
5. Recycled asphalt containing coal tar must be:
  - a. identified and stored separately from other recycled asphalt; and
  - b. processed only using ambient methods.
6. Silos or containers must:
  - a. be fitted with functioning pressure relief valves;
  - b. have an overfilling alarm; and
  - c. automatically stop during deliveries where overfilling or over-pressurisation is identified.
7. Displaced air, resulting from delivery to silos or containers, must be:

- a. vented to suitable arrestment equipment designed to emit  $10\text{mg}/\text{m}^3$ ; or
  - b. back vented to the delivery tanker.
8. All deliveries to silos or containers from road vehicles must only be made using vehicles fitted with onboard pressure relief valves and filtration equipment.
9. Bitumen storage containers must have an overfilling alarm.
10. An alarm system must be provided and maintained in order to provide visual and/or audible notification when arrestment equipment fails or malfunctions.
11. All releases to the air from the authorised activities, other than condensed water vapour, during normal operation must be free from visible emissions.
12. Measures must be taken to prevent, or where that is not practicable, minimise:
  - a. dust;
  - b. odour; and
  - c. heat emissionsfrom the authorised activities.
13. Dust from the authorised activities must not have a significant impact upon the environment, people or property.
14. Odour from the authorised activities must not have a significant impact upon the environment, people or property.
15. All reasonable steps must be taken to prevent discharges to the water environment resulting from dust suppression activities, which may cause harm to the water environment.
16. SEPA must be notified by email at [registry@sepa.org.uk](mailto:registry@sepa.org.uk) no less than 28 days prior to moving the authorised activity to a new location.
17. The authorised activity must not be carried on at any single location for a period exceeding 12 months.

18. All reasonable steps must be taken to prevent the discharge of water from dust suppression activities which may cause harm to the environment.
19. SEPA must be notified via its pollution hotline contact telephone number as soon as reasonably practicable, and in any case within 24 hours of identification of an event, of any of the following:
  - a. an event that has caused or could cause adverse impact to the environment or harm to human health;
  - b. an event that results, or could result, in an emission to the environment that is not authorised; and
  - c. an event that has caused a breach of a condition of this authorisation.

In this condition, the meaning of 'event' is as defined in the Interpretation of Terms of this authorisation.

20. All measures that are reasonably practicable must be taken to stop an event and to minimise its effect on the environment.
21. Within 14 days of an event a report must be submitted to SEPA detailing:
  - a. the reason(s) for the event;
  - b. the action(s) taken to stop the event and minimise the impacts; and
  - c. the action(s) taken to prevent the event from reoccurring.
22. All information recorded, kept or submitted to SEPA in accordance with a condition of this authorisation must be:
  - a. true and accurate; and
  - b. kept for a minimum of six years; and
  - c. provided to SEPA upon request.

## Interpretation of Terms

The Interpretation of Terms for coating of roadstone with bitumen at ambient temperature at a temporary location are listed below.

### Arrestment equipment

Equipment used to mitigate the effects of emissions.

### Asphalt

A mixture of dark bituminous pitch with sand or gravel, used for surfacing roads.

### Coal tar

A thick black liquid produced by distilling bituminous coal, containing benzene, naphthalene, phenols, aniline, and other organic chemicals. Asphalt waste containing coal tar is considered to be hazardous waste where the level of coal tar is  $>0.1\%$ . Asphalt waste containing coal tar is considered to be hazardous waste where the level of coal tar is  $>0.1\%$ .

### Dust

Suspended solid particles and liquid droplets suspended in air which may be deposited on surfaces and may cause air pollution and/or nuisance.

### Emission limit value

The mass, expressed in terms of specific parameters, concentrated or level of an emission, which may or may not be exceeded during one or more periods of time.

All emission limit values are defined at:

- (a) a temperature of 273.1K;
- (b) a pressure of 101.3kPa:

without correction for water vapour content.

### Environmental harm

- (a) Harm to the health of human beings or living organisms,
- (b) Harm to the quality of the environment, including:
  - (i) harm to the quality of the environment taken as a whole,
  - (ii) harm to the quality of air, water or land, and

- (iii) other impairment of, or interference with, ecosystems,
- (c) Offence to the senses of human beings,
- (d) Damage to property, or
- (e) Impairment of, or any interference with, amenities or other legitimate uses of the environment.

### **Event**

- Any accident which has caused or could cause environmental harm; or
- Any malfunction, breakdown or failure of plant, infrastructure or techniques which has caused or could cause environmental harm; or
- Force majeure or action taken to save human life or limb.

### **Location**

The place where the authorised activity is carried on.

### **Managed stockpile**

A controlled pile of materials which minimises airborne dust creation by the use of:

- appropriate siting based on factors such as prevailing winds, proximity of site boundary, neighbours and sensitive receptors;
- wind dynamics control using fencing, bunding, profiling;
- treatment with water and/or suppressants; or
- sized so that the quantity of materials on site is kept to a minimum quantity necessary for operational requirements.

### **Normal operation**

Operation of authorised activities excluding start-up and shut-down periods.

### **SEPA Officer**

Any person who is authorised in writing by SEPA under section 108 of the Environment Act 1995.

## Rationale

The Standard Conditions primarily focus on emissions of odour and dust, as these represent the main risks associated with this activity. The coating of roadstone at ambient temperature is commonly used for cold recycling of bitumen and tar-bound road material, improving sustainability and avoiding the use of virgin materials.

Tar-bound roads can be recycled using this method because the cold bitumen emulsion encapsulates the tar, and no heat is applied that could potentially lead to the release of polycyclic aromatic hydrocarbons (PAHs).

A requirement to notify SEPA 28 days prior to moving to a new location aligns with SEPA's existing Position Statement Cold Recycling – Treatment, storage and use of asphalt waste containing coal tar (WAS-PS-06). As these projects are temporary in nature, the duration of operations at each location is limited to one year.

## Question

- 27. Do you agree with the list of Standard Conditions for the coating of roadstone with bitumen at ambient temperatures at a temporary location?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

### 7.3.3 Blending or using cement in bulk at a static location

#### Standard Conditions

The proposed set of Standard Conditions for this activity are as follows:

1. Dust emissions must be minimised by:
  - a. containment of dusty processes; and/or
  - b. suppressing dust using water.
2. Loose aggregate and other potentially dusty materials must be:
  - a. stored in storage bays; and
  - b. not filled above the external wall height.
3. Packing of bulk cement must be carried out in totally enclosed purpose-built plant fitted with dust arrestment equipment.
4. The transportation and handling of bulk cement must be carried out using pneumatic or enclosed handling systems.
5. Arrestment equipment, other than that associated with silos, must be:
  - a. designed to emit  $<50\text{mg}/\text{m}^3$  of dust;
  - b. fully functional; and
  - c. fitted with continuously indicative monitor which provides visual and/or audible notification when 75% of the design emission limit is reached.
6. Bulk cement must only be stored within silos or containers.
7. Silos or containers that receive bulk cement deliveries must:
  - a. be fitted with functioning pressure relief valves;
  - b. have an overfilling alarm; and
  - c. automatically stop where overfilling or over-pressurisation is identified.
8. Displaced air, resulting from delivery of bulk cement to silos or containers, must be:
  - a. vented to suitable arrestment equipment designed to emit  $10\text{mg}/\text{m}^3$ ; or

- b. back vented to the delivery tanker.
9. All deliveries of bulk cement to silos or containers from road vehicles must only be made using vehicles fitted with onboard pressure relief valves and filtration equipment.
10. Measures must be taken to prevent, or where that is not practicable, minimise:
- a. dust; and
  - b. heat emissions

from the authorised activities.

11. Dust from the authorised activities, which has a significant impact on the environment, people or property, must not be emitted beyond the boundary of the Authorised Place.
12. All reasonable steps must be taken to prevent discharges to the water environment resulting from dust suppression measures, which may cause harm to the water environment.
13. SEPA must be notified via its pollution hotline contact telephone number as soon as reasonably practicable, and in any case within 24 hours of identification of an event, of any of the following:
- a. an event that has caused or could cause adverse impact to the environment or harm to human health;
  - b. an event that results, or could result, in an emission to the environment that is not authorised; and
  - c. an event that has caused a breach of a condition of this authorisation.

In this condition, the meaning of 'event' is as defined in the Interpretation of Terms of this authorisation.

14. All measures that are reasonably practicable must be taken to stop an event and to minimise its effect on the environment.
15. Within 14 days of an event a report must be submitted to SEPA detailing:
- a. the reason(s) for the event;

- b. the action(s) taken to stop the event and minimise the impacts; and
  - c. the action(s) taken to prevent the event from reoccurring.
16. All information recorded, kept or submitted to SEPA in accordance with a condition of this authorisation must be:
- a. true and accurate;
  - b. kept for a minimum of six years; and
  - c. provided to SEPA upon request.

## **Interpretation of Terms**

The Interpretation of Terms for blending or using cement in bulk at a static location are listed below.

### **Aggregate**

Inert granular materials such as sand, gravel or crushed stone used to make concrete.

### **Arrestment equipment**

Equipment used to mitigate the effects of emissions.

### **Cement**

Portland cements, high alumina cements and other powders used as cementitious materials which may be blended with other materials including for example: pulverised fuel ash (PFA) and ground granulated blast furnace slag (GGFS), in accordance with British or European Standards.

### **Dust**

Suspended solid particles and liquid droplets suspended in air which may be deposited on surfaces and may cause air pollution and/or nuisance.

### **Environmental harm**

- (a) Harm to the health of human beings or living organisms,
- (b) Harm to the quality of the environment, including:
  - (i) harm to the quality of the environment taken as a whole,
  - (ii) harm to the quality of air, water or land, and

- (iii) other impairment of, or interference with, ecosystems,
- (c) Offence to the senses of human beings,
- (d) Damage to property, or
- (e) Impairment of, or any interference with, amenities or other legitimate uses of the environment.

### Event

- Any accident which has caused or could cause environmental harm; or
- Any malfunction, breakdown or failure of plant, infrastructure or techniques which has caused or could cause environmental harm; or
- Force majeure or action taken to save human life or limb.

### Rationale

The proposed Standard Conditions primarily focus on minimising emissions of dust by refining existing requirements and introducing additional controls, including clearer provisions for the storage, handling and delivery of bulk cement. The scope of the conditions is broadened to ensure consistent application to silos and other bulk containers. The proposed Standard Conditions also introduce a requirement for pneumatic or enclosed handling systems which aligns with established best practice and the relevant process guidance note.

### Question

- 28. Do you agree with the proposed new Standard Conditions for Blending or using cement in bulk at a static location?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**

### 7.3.4 Blending or using cement in bulk at a temporary location

#### Standard Conditions

The proposed set of Standard Conditions for this activity are as follows:

1. Dust emissions must be minimised by:
  - a. containment of dusty processes; and/or
  - b. suppressing dust using water.
2. Loose aggregate and other potentially dusty materials must be:
  - a. stored in a managed stockpile; or
  - b. stored in storage bays which are not filled above the external wall height.
3. Packing of bulk cement must be carried out in totally enclosed purpose-built plant fitted with dust arrestment equipment.
4. The transportation and handling of bulk cement must be carried out using pneumatic or enclosed handling systems.
5. Arrestment equipment, other than that associated with silos, must be:
  - a. designed to emit  $<50\text{mg/m}^3$  of dust;
  - b. fully functional; and
  - c. fitted with continuously indicative monitor which provides visual and/or audible notification when 75% of the design emission limit is reached.
6. Bulk cement must only be stored within silos or containers.
7. Silos or containers that receive bulk cement deliveries must:
  - a. be fitted with functioning pressure relief valves;
  - b. have an overfilling alarm; and
  - c. automatically stop during deliveries where overfilling or over-pressurisation is identified.
8. Displaced air, resulting from delivery of bulk cement to silos or containers, must be:
  - a. vented to suitable arrestment equipment designed to emit  $10\text{mg/m}^3$ ; or

- b. back vented to the delivery tanker.
9. All deliveries of bulk cement to silos or containers from road vehicles must only be made using vehicles fitted with onboard pressure relief valves and filtration equipment.
10. Measures must be taken to prevent, or where that is not practicable, minimise:
  - a. dust; and
  - b. heat emissionsfrom the authorised activities.
11. Dust from the authorised activities must not have a significant impact upon the environment, people or property.
12. All reasonable steps must be taken to prevent discharges to the water environment resulting from dust suppression activities, which may cause harm to the water environment.
13. SEPA must be notified by email at [registry@sepa.org.uk](mailto:registry@sepa.org.uk) no less than 28 days prior to moving the authorised activity to a new location.
14. The authorised activity must not be carried on at any single location for a period exceeding 12 months.
15. SEPA must be notified via its pollution hotline contact telephone number as soon as reasonably practicable, and in any case within 24 hours of identification of an event, of any of the following:
  - a. an event that has caused or could cause adverse impact to the environment or harm to human health;
  - b. an event that results, or could result, in an emission to the environment that is not authorised; and
  - c. an event that has caused a breach of a condition of this authorisation.

In this condition, the meaning of 'event' is as defined in the Interpretation of Terms of this authorisation.

16. All measures that are reasonably practicable must be taken to stop an event and to minimise its effect on the environment.
17. Within 14 days of an event a report must be submitted to SEPA detailing:
  - a. the reason(s) for the event;
  - b. the action(s) taken to stop the event and minimise the impacts; and
  - c. the action(s) taken to prevent the event from reoccurring.
18. All information recorded, kept or submitted to SEPA in accordance with a condition of this authorisation must be:
  - a. true and accurate;
  - b. kept for a minimum of six years; and
  - c. provided to SEPA upon request.

## Interpretation of Terms

The Interpretation of Terms for blending or using cement in bulk at a temporary location are listed below.

### **Aggregate**

Inert granular materials such as sand, gravel or crushed stone used to make concrete.

### **Arrestment equipment**

Equipment used to mitigate the effects of emissions.

### **Cement**

Portland cements, high alumina cements and other powders used as cementitious materials which may be blended with other materials including for example: pulverised fuel ash (PFA) and ground granulated blast furnace slag (GGFS), in accordance with British or European Standards.

### **Dust**

Suspended solid particles and liquid droplets suspended in air which may be deposited on surfaces and may cause air pollution and/or nuisance.

## Environmental harm

- (a) Harm to the health of human beings or living organisms,
- (b) Harm to the quality of the environment, including:
  - (i) harm to the quality of the environment taken as a whole,
  - (ii) harm to the quality of air, water or land, and
  - (iii) other impairment of, or interference with, ecosystems,
- (c) Offence to the senses of human beings,
- (d) Damage to property, or
- (e) Impairment of, or any interference with, amenities or other legitimate uses of the environment.

## Event

- Any accident which has caused or could cause environmental harm; or
- Any malfunction, breakdown or failure of plant, infrastructure or techniques which has caused or could cause environmental harm; or
- Force majeure or action taken to save human life or limb.

## Location

The place where the authorised activity is carried on.

## Managed stockpile

A controlled pile of materials which minimises airborne dust creation by the use of:

- appropriate siting based on factors such as prevailing winds, proximity of site boundary, neighbours and sensitive receptors;
- wind dynamics control using fencing, bunding, profiling;
- treatment with water and/or suppressants; or
- sized so that the quantity of materials on site is kept to a minimum quantity necessary for operational requirements.

## Rationale

The Standard Conditions primarily focus on emissions of odour and dust as these represent the main risks associated with this activity.

As these projects are temporary in nature, the duration of operations at each location is limited to one year with a requirement to notify SEPA 28 days prior to moving to a new location.

## Question

- 29. Do you agree with the list of Standard Conditions for the blending or using cement in bulk at a temporary location?**

**Yes / No / Don't know**

**If you answered 'No' or 'Don't know', please explain your answer.**