
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

**The Pollution Prevention and
Control (Scotland) Regulations 2012**

PART V

REVIEW, VARIATION AND CESSATION OF PERMITS

Permits: review of conditions

- 44.**—(1) SEPA must review the conditions of a permit—
- (a) if pollution caused by an installation or mobile plant is of such significance that the emission limit values in the permit need to be revised, or new emission limit values need to be included,
 - (b) if the operational safety of the activities carried out in the installation or mobile plant requires other techniques to be used,
 - (c) where it is necessary to comply with a new or revised environmental quality standard in accordance with Article 18 of the Industrial Emissions Directive,
 - (d) within 4 years after the date of publication of BAT conclusions relating to the main activity of an installation if the permit relates to an activity in respect of which those conclusions were published, and
 - (e) where the permit relates to an activity not covered by any BAT conclusions and a development in best available techniques allows for the significant reduction of emissions at the installation or mobile plant.
- (2) A review under paragraph (1)(d) or (e) must take into account all the new or updated BAT conclusions adopted under Article 13(5) of the Industrial Emissions Directive since the permit was granted, or last reviewed.
- (3) SEPA must in addition periodically review the conditions of a permit.
 - (4) SEPA may review the conditions of a permit at any other time.
 - (5) SEPA must on carrying out a review—
 - (a) have regard to the results of emissions monitoring and other data that enables a comparison with the best available techniques (including if applicable techniques described in BAT conclusions), and
 - (b) ensure that the permit complies with the Industrial Emissions Directive, if necessary by variation or revocation of the permit.