
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

ENVIRONMENTAL PROTECTION

The Pollution Prevention and
Control (Scotland) Regulations 2012

Made - - - -

Coming into force

7th January 2013

THE POLLUTION PREVENTION AND
CONTROL (SCOTLAND) REGULATIONS 2012

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1. This Part applies for the interpretation of this Schedule.
2. (1) An activity is not a Part B activity if—...
3. An activity is not an activity described in Part 1...
4. Paragraph 3(2)(d) only applies to a waste incineration installation—

5. (1) The use of a fume cupboard is not an...
6. References in Part 1 to related activities are references to...
7. (1) This paragraph applies for the purpose of determining whether...
8. Unless the context otherwise requires, where an activity falls within...
9. A reference in this Part or in Part 1 to,...
10. (1) A reference in Part 1 to the table in...
11. In Part 1 of this Schedule— “background quantity” means, in...
12. In this Part— “fume cupboard” has the meaning given by...

SCHEDULE 2 — SOLVENT EMISSIONS

PART 1 — Solvent emission activities

1. An activity listed in column 1 of table 1 is...
 2. Paragraph 1 is interpreted in accordance with paragraphs 3 to...
 3. An activity listed in table 1 is deemed to be...
 4. An activity listed in table 1 includes the cleaning of...
 5. Where an activity listed in table 1 is carried out...
 6. In the period to 31 May 2015, the entry in...
- ### PART 2 — SEPA functions
7. SEPA must exercise its functions under these Regulations so as...
 8. SEPA may permit emissions to exceed a fugitive emission limit...
 9. SEPA may permit emissions from the coating activities described in...
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10. Data reporting
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12. In this Schedule— “adhesive” means any mixture, including all the...

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3. An application for a permit to operate a waste incineration...
4. An application for a permit to operate a solvents installation...
5. In paragraph 1(1)— (a) sub-paragraphs (g), (l), (r), and (u)...
6. Paragraph 1(1) applies to an application for a permit to...
7. (1) SEPA may by notice require the applicant to provide...
8. Subject to paragraph 31, the applicant must advertise the application...
9. An advertisement required by paragraph 8 must—
10. An advertisement in respect of application for a permit to...
11. Paragraph 8 does not apply to an application for a...
12. This Part is subject to Part 3.

PART 2 — DETERMINATION OF APPLICATIONS

13. Subject to paragraph 35, SEPA must within 14 days of...
14. Paragraph 13 does not apply to a permit to operate...
15. Paragraph 13(a) does not apply to an application for a permit...
16. (1) SEPA must before granting a permit subject to an...
17. (1) The period allowed for making representations to SEPA (the...
18. In the case of an application for a permit for—...
19. (1) The Scottish Ministers may direct SEPA that any application,...

20. (1) SEPA must, subject to paragraph 27, give notice to...
21. SEPA must where separate applications are made to operate different...
22. (1) SEPA must— (a) advertise notice of a draft determination...
23. (1) An advertisement under paragraph 22 must—
24. SEPA must take no account for the purposes of calculating...
25. If SEPA fails to give notice of a determination under...
26. (1) This paragraph applies where— (a) the Scottish Ministers are...
27. The Scottish Ministers must, where paragraph 26 applies, give notice...
28. (1) The Scottish Ministers must give SEPA any Member State...
29. In Parts 1 and 2 of this Schedule—
30. This Part is subject to Part 3.
PART 3 — NATIONAL SECURITY AND CONFIDENTIAL INFORMATION
31. Paragraphs 8 or 22 do not apply in so far...
32. Paragraph 13, other than paragraph 13(f), does not apply in...
33. Subject to paragraph 34, paragraph 13(b) and (c)(i) and (iii)...
34. Paragraph 33 does not apply to information excluded from the...
35. Where a matter falls to be determined for the purposes...
36. For the purposes of paragraph 35, and paragraphs 18, 20...

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2. Oxides of nitrogen and other nitrogen compounds.
3. Carbon monoxide.
4. Volatile organic compounds.
5. Metals and their compounds.
6. Dust including fine particulate matter.
7. Asbestos (suspended particulates, fibres).
8. Chlorine and its compounds.
9. Fluorine and its compounds.
10. Arsenic and its compounds.
11. Cyanides.
12. Substances and mixtures which have been proved to possess carcinogenic...
13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans.
 1. Water
 2. Organophosphorus compounds.
 3. Organotin compounds.
 4. Substances and mixtures which have been proved to possess carcinogenic...
 5. Persistent hydrocarbons and persistent and bioaccumulable organic toxic substances.
 6. Cyanides.
 7. Metals and their compounds.
 8. Arsenic and its compounds.
 9. Biocides and plant health products.
 10. Materials in suspension.
 11. substances which contribute to eutrophication (in particular, nitrates and phosphates)...
 12. Substances which have an unfavourable influence on the oxygen balance...
 13. Substances listed in Annex X to Directive 2000/60/EC of the...

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1. This Schedule applies in any case where—
2. Any person who has granted an off-site right is entitled...
3. Subject to paragraph 6(3) and (5)(b), compensation is payable for...

4. (1) Subject to sub-paragraph (2), an entitlement to compensation under...
5. (1) An application for compensation under this Schedule must be...
6. (1) The amount to be paid by way of compensation...
7. (1) Compensation payable carries interest at the rate for the...
8. (1) Compensation that is determined to be due is payable—...
9. In this Schedule— “1963 Act” means the Land Compensation (Scotland)...

SCHEDULE 7 — VARIATION OF PERMITS

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1. An application under regulation 46 for the variation of the...
2. (1) This paragraph applies where an application relates to a...
3. (1) SEPA may by notice require the applicant to provide...

PART 2 — DETERMINATION OF VARIATIONS

4. (1) Subject to sub-paragraphs (2) and (3), this paragraph applies...
 5. (1) If SEPA proposes to serve a variation notice which...
 6. (1) The Scottish Ministers may give directions to SEPA requiring...
 7. (1) In the case of a proposed variation notice affecting...
 8. (1) Except in a case where an application has been...
 9. (1) SEPA must— (a) within a period of 3 days...
 10. (1) An advertisement required by paragraph 9 must—
 11. For the purpose of calculating the period specified in paragraph...
 12. If SEPA fails to give notice of its determination or...
 13. (1) This paragraph applies where— (a) the Scottish Ministers are...
 14. The Scottish Ministers must where paragraph 13 applies given notice...
 15. (1) The Scottish Ministers must give SEPA any Member State...
 16. In paragraphs 13 to 15, “Member State” includes Iceland, Liechtenstein...
- ##### PART 3 — NATIONAL SECURITY AND CONFIDENTIAL INFORMATION
17. The requirements of paragraph 4(8) or paragraph 9 of this...
 18. Paragraphs 32 to 34 of Schedule 4 apply in relation...
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3. (1) SEPA must, within 14 days of receipt of the...
4. (1) Before determining an appeal under regulation 58, the Scottish...
5. (1) Where the appeal is to be disposed of on...
6. (1) The Scottish Ministers must— (a) give notice to the...
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1. Subject to regulations 65 or 66, the register contains—
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 2. *The Environment Act 1995*
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- ##### PART 2 — SUBORDINATE LEGISLATION
4. *The Environmental Protection (Prescribed Processes and Substances) Regulations 1991*
 5. *The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991*
 6. *The Environmental Protection (Duty of Care) Regulations 1991*
 7. *The Conservation (Natural Habitats, &c.) Regulations 1994*
 8. *The Special Waste Regulations 1996*
 9. *The Landfill Tax Regulations 1996*
 10. *The Contaminated Land (Scotland) Regulations 2000*
 11. *The Landfill (Scotland) Regulations 2003*
 12. *The Greenhouse Gas Emissions Trading Scheme Regulations 2005*
 13. *The Water Environment (Oil Storage) (Scotland) Regulations 2006*
 14. *The Waste Electrical and Electronic Equipment Regulations 2006*
 15. *The Large Combustion Plants (National Emission Reduction Plan) Regulations 2007*
 16. *The Persistent Organic Pollutants Regulations 2007*
 17. *The Producer Responsibility Obligations (Packaging Waste) Regulations 2007*
 18. *The Rural Development Contracts (Rural Priorities) (Scotland) Regulations 2008*
 19. *The Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008*
 20. *The Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2008*
 21. *The Waste Batteries and Accumulators Regulations 2009*
 22. *The Corporation Tax (Land Remediation Relief) Order 2009*
 23. *The Mercury Export and Data (Enforcement) Regulations 2010*
 24. *The Waste Management Licensing (Scotland) Regulations 2011*
 25. *The Water Environment (Controlled Activities) (Scotland) Regulations 2011*
 26. *The Renewable Heat Incentive Scheme Regulations 2011*
 27. *The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012*

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SCHEDULE 12 — REVOCATIONS

Explanatory Note