
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

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

**PART VI
COMPLIANCE**

SEPA: enforcement notices

55.—(1) SEPA may serve a notice (an “enforcement notice”) on the operator of an installation or mobile plant in respect of which a permit is granted if it considers that—

- (a) the operator has contravened, is contravening, or is likely to contravene any condition of a permit, or
- (b) an incident or accident significantly affecting the environment has occurred as a result of the operation of the installation or mobile plant.

(2) An enforcement notice served under sub-paragraph (a) of paragraph (1) must—

- (a) state why SEPA consider that there is, or is likely to be, such a contravention,
- (b) specify the matter constituting the contravention, or making it likely that the contravention will arise (as the case may be), and
- (c) specify the steps the operator must take to remedy the contravention, or to remedy the matter making it likely that the contravention will arise (as the case may be).

(3) An enforcement notice served under sub-paragraph (b) of paragraph (1) must specify the steps that the operator must take—

- (a) to limit the environmental consequences of the incident or accident, and
- (b) to prevent further possible incidents or accidents.

(4) An enforcement notice must specify the period within which steps must be taken.

(5) The steps that may be specified in an enforcement notice may, without prejudice to the generality of paragraph (3), include steps that must be taken to remedy the effects of any pollution caused by the contravention.

(6) The operator of the installation or mobile plant must comply with an enforcement notice.

(7) SEPA may withdraw an enforcement notice at any time.