
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 323

ENVIRONMENTAL PROTECTION

**The Pollution Prevention and
Control (Scotland) Regulations 2000**

*Made - - - - 14th September 2000
Coming into force in accordance with
regulation 1(1)*

**THE POLLUTION PREVENTION AND
CONTROL (SCOTLAND) REGULATIONS 2000**

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PART A

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Intensive farming

PART A

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PART 2 INTERPRETATION OF PART 1

1. The following applies for the interpretation of Part 1 of...
2. (1) Subject to sub-paragraph (2), an activity shall not be...
3. An activity shall not be taken to be an activity...
4. The running on or within an aircraft, hovercraft, mechanically propelled...
5. The running of an engine in order to test it...
6. (1) The use of a fume cupboard shall not be...
7. An activity shall not be taken to fall within Part...
8. References in Part 1 to related activities are references to...
9. (1) This paragraph applies for the purpose of determining whether...
10. Where an activity falls within a description in Part A...
11. (1) In Part 1 of this Schedule– “background quantity” means,...
12. References to, or to the release into the air of,...
13. (1) References to, or to the release into water of,...
14. (1) References to a substance listed in this paragraph are...

PART 3 INTERPRETATION OF “PART A INSTALLATION” ETC

15. For the purpose of these Regulations, subject to paragraph 2–...
16. A Part B installation shall not be taken to include...
17. For the purpose of these Regulations– “Part A mobile plant”...
18. In the case of Part B installations–
19. Where an installation is a Part A installation or a...

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20. Where an installation is authorised by a permit granted under...
21. In this Part, “Part A activity” and “Part B activity”...
 - SCHEDULE 2 BEST AVAILABLE TECHNIQUES
 1. Subject to paragraph 2, in determining best available techniques, special...
 2. Sub-paragraphs (a) to (c) and (i) to (l) shall not...
 - SCHEDULE 3 PRESCRIBED DATES AND TRANSITIONAL ARRANGEMENTS
 - PART 1 PART A INSTALLATIONS AND MOBILE PLANT
 1. The prescribed date for a new Part A installation or...
 2. (1) Subject to paragraph 4, the prescribed date for an...
 3. For the purpose of paragraphs 1 and 2, where separate...
 4. (1) Where there is a substantial change in the operation...
 5. (1) Subject to sub-paragraph (2), an application for a permit...
 6. In this Part of this Schedule– “determination date” means– for...
 - PART 2 PART B INSTALLATIONS AND MOBILE PLANT
 7. The prescribed date for a new Part B installation or...
 8. The prescribed date for an existing Part B installation or...
 9. (1) Subject to the following provisions of this paragraph, no...
 10. For the purpose of this Part of this Schedule the...
 11. In this Part of this Schedule– “determination date”, in relation...
 - SCHEDULE 4 GRANT OF PERMITS
 - PART 1 APPLICATIONS FOR PERMITS
 1. (1) An application to SEPA for a permit under regulation...
 2. Paragraphs 1(1)(f), (j), and (p) shall not apply in relation...
 3. (1) Paragraph 1 shall apply in relation to an application...
 4. SEPA may, by notice to the applicant, require that person...
 5. Subject to paragraph 23, the applicant shall, within a period...
 6. An advertisement required by paragraph 5 shall–
 7. Where an application is for a permit to operate more...
 8. Paragraph 5 shall not apply in relation to an application...
 - PART 2 DETERMINATION OF APPLICATIONS
 9. Subject to paragraph 23, SEPA shall, within 14 days of...
 10. Paragraph 9 shall not apply in relation to an application...
 11. (1) If SEPA proposes to grant a permit subject to...
 12. (1) Any representations made by any persons within the period...
 13. In the case of an application for a permit to...
 14. (1) The Scottish Ministers may give directions to SEPA requiring...
 15. (1) Except in a case where an application has been...
 16. If SEPA fails to give notice of its determination of...
 17. Where the Scottish Ministers are aware that the operation of...
 18. (1) Where an application is forwarded for onward transmission to...
 19. In paragraphs 17 and 18, “Member State” shall be taken...
 - PART 3 NATIONAL SECURITY AND CONFIDENTIAL INFORMATION
 20. The requirements of paragraph 5 of this Schedule shall not...
 21. Subject to paragraph 22, the requirements of paragraph 9 of...
 22. Paragraph 21 does not apply in so far as–
 23. Where a matter falls to be determined for the purposes...
 24. For the purposes of paragraph 23 and paragraph 13 of...
 - SCHEDULE 5 POLLUTANTS
 1. AIR

2. Oxides of nitrogen and other nitrogen compounds
3. Carbon monoxide
4. Volatile organic compounds
5. Metals and their compounds
6. Dust
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 preparations which have been proved to possess carcinogenic...
13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans
 1. WATER
 2. Organophosphorus compounds
 3. Organotin compounds
 4. Substances and preparations 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...

SCHEDULE 6 COMPENSATION IN RELATION TO OFF-SITE
CONDITIONS

1. (1) This Schedule applies in any case where—
2. In a case where this Schedule applies, any person who...
3. Subject to paragraph 6(3) and (5)(b), compensation shall be payable...
4. (1) Subject to sub-paragraph (2), an entitlement to compensation under...
5. (2) An application for compensation under this Schedule shall be...
6. (1) The amount to be paid by way of compensation...
7. (1) Compensation payable under this shall carry interest at the...
8. (1) Amounts of compensation determined under this Schedule shall be...

SCHEDULE 7

PART 1 APPLICATIONS FOR VARIATION OF
CONDITIONS

1. An application under regulation 13(2) for the variation of the...
2. If a proposed change in the operation of a Part...
3. SEPA may, by notice in writing (or in electronic form)...

PART 2 DETERMINATION OF APPLICATIONS
FOR VARIATIONS AND VARIATION
NOTICES

4. (1) Subject to paragraphs (3) and (4), 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) Except in a case where an application has been...
8. If SEPA fails to give notice of its determination of...
9. Where the Scottish Ministers are aware that an application or...

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10. Where an application or proposal to serve a variation notice...
 11. In determining an application or before serving a variation notice...
 12. In paragraphs 9 to 11, “Member State” shall be taken...
PART 3 NATIONAL SECURITY AND
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 13. The requirements of paragraph 4(8) of this Schedule shall not...
 14. Paragraphs 21 and 22 of Schedule 4 shall apply in...
 15. Where a matter falls to be determined for the purposes...
SCHEDULE 8 PROCEDURES IN CONNECTION WITH APPEALS TO
THE SCOTTISH MINISTERS
 1. (1) A person who wishes to appeal to the Scottish...
 2. (1) Subject to sub-paragraph (2), notice of appeal in accordance...
 3. (1) Subject to sub-paragraph (4), SEPA shall, within 14 days...
 4. (1) Before determining an appeal under regulation 22, the Scottish...
 5. (1) Where the appeal is to be disposed of on...
 6. (1) The Scottish Ministers shall give notice to the appellant...
 7. Where a determination of the Scottish Ministers is quashed on...
SCHEDULE 9 REGISTERS
 1. Subject to regulations 28 or 29, the register maintained by...
 2. Where an application is withdrawn by the applicant at any...
 3. Where, following the amendment of Schedule 1, these Regulations ceases...
 4. Nothing in paragraph 1 shall require SEPA to keep in...
SCHEDULE 10 CONSEQUENTIAL AMENDMENTS
PART 1 PUBLIC GENERAL ACTS
- Control of Pollution Act 1974*
1. After section 30I(1) of the Control of Pollution Act 1974(interpretation),...
- Income and Corporation Taxes Act 1988*
2. In section 91A(6) of the Income and Corporation Taxes Act...
- Environmental Protection Act 1990*
3. (1) The Environmental Protection Act 1990 has effect subject to...
- Clean Air Act 1993*
4. (1) The Clean Air Act 1993 has effect subject to...
- Environment Act 1995*
5. (1) The Environment Act 1995 has effect subject to the...
- Finance Act 1996*
6. (1) The Finance Act 1996 has effect subject to the...
PART 2 SUBORDINATE LEGISLATION
- The Radioactive Substances (Hospitals) Exemption Order 1990*
7. In the definition of “site licence” in article 2(1) of...

The Environmental Protection (Prescribed Processes and Substances) Regulations 1991

8. After regulation 3 of the Environmental Protection (Prescribed Processes and...

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991

9. At the end of Schedule 1 to the Controlled Waste...

The Environmental Protection (Duty of Care) Regulations 1991

10. In the Table in regulation 2 of the Environmental Protection...

The Waste Management Licensing Regulations 1994

11. (1) The Waste Management Licensing Regulations 1994 have effect subject...

The Conservation (Natural Habitats, &c.) Regulations 1994

12. After regulation 84 of the Conservation (Natural Habitats, &c.) Regulations...

The Special Waste Regulations 1996

13. (1) In regulation 15 of the Special Waste Regulations 1996...

The Landfill Tax Regulations 1996

14. In regulation 33(4) of the Landfill Tax Regulations 1996, after...

The Specified Risk Material Regulations 1997

15. (1) The Specified Risk Material Regulations 1997 have effect subject...

The Groundwater Regulations 1998

16. (1) The Groundwater Regulations 1998 have effect subject to the...

Contaminated Land (Scotland) Regulations 2000

17. (1) The Contaminated Land (Scotland) Regulations 2000 have effect subject...

Explanatory Note