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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 235**

**The Landfill (Scotland) Regulations 2003**

**PART II**

**LANDFILL PERMITS**

**Conditions to be included in landfill permits**

**10.**—(1) A landfill permit shall include conditions specifying the list of defined types, and the total quantity, of waste authorised to be deposited in the landfill.

(2) A landfill permit shall also include appropriate conditions—

(a) specifying requirements for—

(i) preparations for the landfill, and the carrying out of, landfilling operations;

(ii) monitoring and control procedures, including contingency plans and indicator parameters as set out in paragraph 4 of Schedule 4;

(b) ensuring that the financial provision or its equivalent required by regulation 4(3)(b) of the 2000 Regulations<sup>(1)</sup> is maintained until the permit is surrendered in accordance with those Regulations;

(c) ensuring that the landfill is operated in such a manner that the necessary measures are taken to prevent accidents and to limit their consequences; and

(d) requiring the operator to report to SEPA, at such period as SEPA may require, and in any event annually—

(i) the types and quantities of waste disposed of; and

(ii) the results of the monitoring programme required by regulations 16 and 17.

(3) A landfill permit shall also include—

(a) appropriate conditions for ensuring compliance with the requirements of the following provisions of these Regulations—

(i) Schedule 3 (general requirements for all landfills);

(ii) regulation 11 (prohibition of acceptance of certain wastes at landfills);

(iii) regulation 12 (waste which may be accepted in the different classes of landfill);

(iv) regulation 13 (costs of disposal of waste in landfills);

(v) regulation 14 (waste acceptance procedures);

(vi) regulation 15 (initial site inspections by SEPA);

(vii) regulation 16 (control and monitoring of operational landfill sites); and

(viii) regulation 17 (closure and after care procedures for landfills); and

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<sup>(1)</sup> See paragraph 2(3) of Schedule 6 to these Regulations.

- (b) such other conditions as appear appropriate to SEPA, including in particular conditions giving effect to—
  - (i) any requirement imposed by Community or national legislation; and
  - (ii) in the case of landfills falling within paragraph (a) of Part A of Section 5.2 of Part 1 of Schedule 1 to the 2000 Regulations, the principle that energy should be used efficiently.
- (4) The provisions of these Regulations mentioned in paragraph (3)(a) above impose obligations directly on an operator of a landfill (rather than through the conditions of a landfill permit) only to the extent specified in paragraph 3 of Schedule 5.