

SCHEDULE 7

VARIATION OF PERMITS

PART 2

DETERMINATION OF VARIATIONS

14. The Scottish Ministers must where paragraph 13 applies given notice of that fact to SEPA and the operator, and—

- (a) SEPA must not determine the application, or provide its draft determination, or serve a variation notice until the Scottish Ministers have given SEPA—
 - (i) notice in writing that the bilateral consultation under Article 26 of the Industrial Emissions Directive has been carried out,
 - (ii) a copy of any representations duly received by the Scottish Ministers in respect of the application or the proposed variation from a person in the other Member State (a “Member State representation”), and
- (b) in the case of an application to be determined by SEPA, the time period within which to determine the application or to provide a draft determination set out in paragraph 8 begins on the day on which it receives that notification by the Scottish Ministers that the bilateral consultations have been completed.