

SCHEDULE 4

GRANT OF PERMITS

PART 1

APPLICATIONS FOR PERMITS

1.—(1) An application to SEPA for a permit under regulation 13 must be in writing and must provide—

- (a) the name, address telephone number and email address of the applicant (and any correspondence address if different) including in the case of a body corporate—
 - (i) any registration number,
 - (ii) the address of its registered or principal office, and
 - (iii) if it is a subsidiary within the meaning of section 1159 of the Companies Act 2006, the name of the ultimate holding company and information specified in subparagraphs (i) and (ii) in respect of that company,
- (b) in the case of a permit to operate an installation—
 - (i) the address of the site of the installation,
 - (ii) the national grid reference of the location of the installation on that site,
 - (iii) the name of any local authority in whose area the site is situated, and
- (c) in the case of an installation other than a standard installation, a map or plan showing the site of the installation and the location of the installation on that site,
- (d) in the case of a permit to operate mobile plant—
 - (i) the name of the local authority in whose area the applicant has his principal place of business, and the address of that place of business, or
 - (ii) where the operator of the mobile plant has his principal place of business outside of Scotland—
 - (aa) the name of the local authority in whose area the plant was first operated, or
 - (bb) where the plant has not been operated in Scotland, the local authority in whose area it is intended by the operator that the plant will first be operated,
- (e) in the case of a permit to operate a Part A installation (as defined for the purposes of regulation 48)—
 - (i) a site report,
 - (ii) where the permit will authorise an activity that involves the use, production or release of a relevant hazardous substance, a baseline report,
 - (iii) where the applicant proposes that the permit will authorise an emission limit value set under regulation 25(7), the reasons for setting that value,
- (f) a description of—
 - (i) the installation or mobile plant,
 - (ii) the activities listed in Part 1 of Schedule 1 to be carried out in the installation or by means of the mobile plant,
 - (iii) the activities listed in Part 1 of Schedule 2 to be carried out in the installation,

- (iv) in the case of an installation, any other directly associated activities to be carried out on the same site as the installation,
 - (g) the raw and auxiliary materials and other substances and the energy to be used in or generated by the carrying out of the activities referred to in sub-paragraph (f),
 - (h) information on the nature, quantities and sources of foreseeable emissions from the installation or mobile plant into each environmental medium, and a description of any foreseeable significant effects of the emissions on the environment and on human health,
 - (i) a description of the proposed technology and other techniques for preventing or, where that is not practicable, reducing and rendering harmless emissions from the installation or mobile plant,
 - (j) if applicable, how the best available techniques are applied to the operation of the installation or mobile plant,
 - (k) the proposed measures to be taken to monitor the emissions,
 - (l) a description of the measures to be taken for the prevention, preparation for re-use, recycling and recovery of waste produced by the operation of the installation,
 - (m) a description of any proposed additional measures to be taken to comply with the general principles set out in regulation 21(2) and (3),
 - (n) in the case of a permit for a Part A installation or a solvents installation, any relevant information obtained or conclusion arrived at in relation to the installation for the purposes of Articles 5, 6, 7 and 9 of the EIA Directive,
 - (o) in the case of a permit for a Part A installation any relevant information obtained or conclusion arrived at in relation to a safety report within the meaning of regulation 7 of the Control of Major Accident Hazards Regulations 1999⁽¹⁾,
 - (p) in the case of an application to operate a standard installation or standard mobile plant, a statement as to whether the applicant wishes any permit granted to be a standard rules permit,
 - (q) in the case of an application for a permit that will authorise the carrying out of a specified waste management activity at an installation or by means of mobile plant, any information which the applicant wishes SEPA to take into account when considering whether the applicant is a fit and proper person to carry out that activity,
 - (r) in the case of an application for a permit for an installation which is the subject of a Climate Change Agreement within the meaning of paragraph 46 of Schedule 6 to the Finance Act 2000⁽²⁾—
 - (i) written confirmation that the installation is covered by the Agreement, and
 - (ii) the terms of that agreement in so far as they relate to the installation,
 - (s) any additional information which the applicant wishes SEPA to take into account in considering the application,
 - (t) in the case of an application for a permit to operate a Part A installation, an outline of the main alternatives studied by the applicant,
 - (u) a non-technical summary of the information referred to in this paragraph.
- (2) A site report must describe the condition of the site of the installation, and in particular it must—
- (a) describe any soil and groundwater contamination at the site,

(1) S.I. 1999/743, as amended by S.I. 2005/1088.

(2) 2000 c.17 (as amended).

- (b) identify any pollutants in or on the land other than as described in paragraph (a),
 - (c) provide information on the present use of the site, and
 - (d) provide any available information on past uses of the site,
- (3) A baseline report must provide soil and groundwater measurements for the site—
- (a) based on previously existing information if using that information provides an accurate description of the state of the site at the time of the report, or
 - (b) based on new information,

having regard for that purpose to the possibility of soil and groundwater contamination by any hazardous substance to be used, produced or released by the installation concerned.

(4) SEPA may on request by the applicant waive the requirement in sub-paragraph (1)(e)(ii) to provide a baseline report, having regard for that purpose to the possibility of soil and groundwater contamination.