
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 360

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

PART III

GRANTING OF PERMITS

CHAPTER 2

Schedule 1 activities

Schedule 1 conditions: general provisions

- 23.—**(1) SEPA must include in a permit for—
- (a) a Part A installation the conditions SEPA considers appropriate—
 - (i) to comply with paragraph (2), and
 - (ii) to ensure, when taken with regulation 22, a high level of protection for the environment as a whole taking particular account for that purpose of the general principles in regulation 21, and
 - (b) a Part B installation or any mobile plant, the conditions SEPA considers appropriate, when taken with regulation 22, for the purpose of preventing or, where that is not practicable, reducing emissions into the air, taking particular account for that purpose of the general principles set out in regulation 21(2).
- (2) A permit for a Part A installation must include conditions—
- (a) aimed at minimising long distance or trans-boundary pollution,
 - (b) ensuring, where necessary, appropriate protection of the soil and groundwater including requirements for the regular maintenance and surveillance of measures taken to prevent emissions to soil and groundwater,
 - (c) ensuring, where necessary, appropriate monitoring and management of waste produced by the installation,
 - (d) setting out the steps to be taken prior to the operation of the installation and after the definitive cessation of operations,
 - (e) relating to any period when the installation will not operate normally, including as required conditions relating to start up and shut down operations, leaks, malfunctions, momentary stoppages and definitive cessation of operations,
 - (f) setting out suitable emission monitoring requirements specifying measurement methodology, frequency, and evaluation procedure, including in particular—
 - (i) appropriate requirements in respect of the surveillance of measures taken to prevent emissions to soil and groundwater,

- (ii) appropriate requirements in respect of the periodic monitoring of soil and groundwater in relation to relevant hazardous substances likely to be found on the site, having regard for that purpose to the possibility of soil and groundwater contamination at the site,
 - (iii) ensuring, where regulation 25(7) applies, that results of emission monitoring are available for the same periods of time and for the same reference conditions as for the emission levels associated with the best available techniques,
 - (g) requiring the operator to supply SEPA regularly, and at least annually, with—
 - (i) the results of the monitoring of emissions, and
 - (ii) the other required data that enables SEPA to verify compliance with the permit conditions, and
 - (iii) where regulation 25(7) applies, a summary of the results of emission monitoring which allows a comparison with the emission levels associated with the best available techniques,
 - (h) requiring the operator to inform SEPA, without delay, of any incident or accident significantly affecting the environment, and
 - (i) in respect of assessment of compliance with the emission limit values.
- (3) For the purposes of paragraph (2)(f)—
- (a) emission monitoring requirements must where applicable be based on conclusions on monitoring as described in BAT conclusions, and
 - (b) periodic monitoring of—
 - (i) groundwater must be carried out at least every 5 years, and
 - (ii) soil must be carried out at least every 10 years,unless such monitoring is based on a systematic appraisal of the risks of contamination of groundwater and soil.