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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 360**

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

**PART V**

**REVIEW, VARIATION AND CESSATION OF PERMITS**

**Permits: variation**

**46.**—(1) SEPA must vary a permit if it considers it necessary to do so in order to ensure that the permit complies with Part III of these Regulations or regulation 10 of the Landfill Regulations.

(2) SEPA may vary the conditions of a permit at any other time.

(3) The operator of an installation or mobile plant in respect of which a permit is granted may in addition apply to SEPA for a variation of the permit.

(4) An application for variation must be accompanied by any prescribed fee.

(5) An application for variation may be withdrawn at any time.

(6) Regulation 18 applies to a variation that will authorise a specified waste management activity for the first time as if the variation were an application for a permit.

(7) Schedule 7 has effect.

(8) SEPA must on varying a permit give notice to the operator (a “variation notice”) specifying the—

(a) variation of the conditions of the permit, and

(b) date on which the variation is to take effect,

and unless the variation notice is withdrawn it has effect on the date so specified.

(9) A variation notice must, unless the notice relates to an application for variation, require the operator to pay the fee within the period specified in the notice.

(10) SEPA must give notice to the operator if an application for variation is refused.

(11) This regulation and Schedule 7 apply to a variation of a provision of a permit in the same manner as they apply to the variation of a condition.