
SCOTTISH STATUTORY INSTRUMENTS

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 [^{F1}regulation 18(4)(b) of the 2012 Regulations] 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

^{F2}(aa)

- (b) such other conditions as appear appropriate to SEPA, including in particular conditions giving effect to—
- (i) any requirement imposed by [^{F3}[^{F4} assimilated] law] 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 [^{F5}the 2012 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.

Textual Amendments

- F1** Words in reg. 10(2)(b) substituted (7.1.2013) by The Pollution Prevention and Control (Scotland) Regulations 2012 (S.S.I. 2012/360), reg. 1(2), **Sch. 11 para. 11(3)** (with reg. 71)
- F2** Reg. 10(3)(aa) omitted (31.12.2020) by virtue of The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, **9(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 10(3)(b)(i) substituted (31.12.2020) by The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, **9(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in reg. 10(3)(b)(i) substituted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendments) (Scotland) Regulations 2023 (S.S.I. 2023/374), reg. 1(1), **sch. 2 para. 3(2)**
- F5** Words in reg. 10(3)(b)(ii) substituted (7.1.2013) by The Pollution Prevention and Control (Scotland) Regulations 2012 (S.S.I. 2012/360), reg. 1(2), **Sch. 11 para. 11(4)** (with reg. 71)

Changes to legislation:

There are currently no known outstanding effects for the The Landfill (Scotland) Regulations 2003, Section 10.