
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 26

The Solvent Emissions (Scotland) Regulations 2004

Application for a variation of an existing authorisation in relation to installations covered by the Solvent Emissions Directive

5.—(1) Where the prescribed dates for an installation, which is already in part subject to an authorisation, are determined in accordance with paragraph 18(7) of Part 4 of Schedule 3 to the 2000 Regulations (determination of the prescribed date for an SED installation carrying out activities which are only partly also activities falling within any section of Chapters 1 to 6 of Part 1 of Schedule 1 and any directly associated activities) and the anticipated prescribed date for the SED installation has not yet passed, the operator may make an application under section 11 of the 1990 Act for a variation of the conditions of the authorisation, to extend its scope to incorporate the whole of the SED installation.

(2) Where after the date of coming into force of these Regulations, an application for a variation is made under paragraph (1) in respect of proposals by the operator to—

- (a) make a substantial change in the operation of the SED installation;
- (b) install abatement equipment; or
- (c) begin using a risk phrase substance or preparation,

the operator may not implement any of the proposals before the determination date for that variation.

(3) An application for a variation of the conditions of an authorisation under regulation 3(2), (3), (4), (6), (9), (10), (11) or (12) and an application for a variation to extend the scope of the authorisation under paragraph (1) may be combined in one application.

(4) For the purposes of this regulation—

“anticipated prescribed date” shall have the same meaning as it has for the purposes of Part 4 of Schedule 3 to the 2000 Regulations; and

“determination date” shall have the same meaning as it has for the purposes of regulation 3 of these Regulations.