
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 60

The Management of Extractive
Waste (Scotland) Regulations 2010

PART 6

ADDITIONAL REQUIREMENTS FOR CATEGORY A WASTE FACILITIES

Major-accident prevention policy, safety management system and internal emergency plan

18.—(1) Where an applicant intends to operate a Category A waste facility, prior to start of operation of that facility the operator must draw up a major-accident prevention policy, put into effect a safety management system to implement that policy, and must also put into effect an internal emergency plan specifying the measures to be taken on site in the event of an emergency.

(2) That policy and system must be in accordance with Schedule 3.

(3) The major-accident prevention policy must—

- (a) be drafted with reference to the objectives in Schedule 3; and
- (b) provide the name and contact details of a safety manager responsible for the implementation and periodic supervision of the policy.

(4) The internal emergency plan shall have the following objectives—

- (a) to contain and control major accidents and other incidents so as to minimise their effects, and in particular to limit damage to human health and the environment;
- (b) to implement the measures necessary to protect human health and the environment from the effects of major accidents and other incidents;
- (c) to communicate the necessary information to the public and to the relevant services or authorities in the area; and
- (d) to provide for the rehabilitation, restoration and clean-up of the environment following a major accident.

(5) Copies of the major-accident prevention policy, the safety management system and the internal emergency plan must be provided to the department which is responsible for emergency planning of the local authority in whose area the Category A waste facility is located.

Commencement Information

II Reg. 18 in force at 1.4.2010, see [reg. 1\(1\)](#)

External emergency plan

19.—(1) An external emergency plan must be drawn up by the emergency planning department referred to in regulation 18(5), using the information provided by the operator when making the application referred to in regulation 10.

(2) The operator must provide that department with such further information as it requires to draw up the external emergency plan.

(3) The external emergency plan must specify the measures to be taken off-site in the event of an accident and shall have the same objectives as the internal emergency plan required by regulation 18.

(4) In the event of a major accident, the operator must immediately provide that department with all information required to help minimise the consequences of the accident for human health and to allow the assessment and minimisation of the actual and potential extent of the environmental damage.

Commencement Information

I2 Reg. 19 in force at 1.4.2010, see **reg. 1(1)**

Public consultation and public information

20.—(1) The public concerned will be provided with early and effective opportunities to participate in the preparation and review of the external emergency plan to be drawn up in accordance with regulation 19.

(2) The department which is responsible for emergency planning referred to in regulation 18(5) shall determine how the provision in paragraph (1) is best achieved, and must make arrangements to inform the public concerned of proposals to prepare and review the external emergency plan, including information about the right to participate in that process and how to do so.

(3) That department must afford the public concerned a reasonable timescale to express comments and must ensure that due account is had to comments received in reaching a decision on the preparation or review of the plan.

(4) Information on safety measures and the action required in the event of an accident at the site must be provided by the operator to the public concerned, free of charge, and that information must contain at least all matters specified in Schedule 4.

(5) In preparing the information referred to in paragraph (4), and determining the manner of its provision to the public concerned, the operator must consult with that department, but the operator is responsible for its form, accuracy and completeness.

(6) The information referred to in paragraph (4) must be reviewed by the operator at least every three years and updated as necessary.

Commencement Information

I3 Reg. 20 in force at 1.4.2010, see **reg. 1(1)**

Co-operation with ^{F1} ... member States

21.—(1) Where the local authority referred to in regulation 18(5) becomes aware of an accident involving a Category A waste facility which is likely to have significant adverse effects on the environment of, and any resultant risks to human health in, [^{F2}a] member State of the European Union, the local authority must immediately notify the Scottish Ministers.

(2) A notification under paragraph (1) must provide a copy of all information provided to that local authority pursuant to regulation 19(4).

(3) The Scottish Ministers, upon being notified under paragraph (1), must forward a copy of the information referred to in paragraph (2) to the member State.

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Textual Amendments

- F1** Word in [reg. 21](#) heading omitted (31.12.2020) by virtue of [The Management of Extractive Waste \(EU Exit\) \(Scotland\) \(Miscellaneous Amendments\) Regulations 2019 \(S.S.I. 2019/273\)](#), [regs. 1\(2\)](#), [14\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in [reg. 21\(1\)](#) substituted (31.12.2020) by [The Management of Extractive Waste \(EU Exit\) \(Scotland\) \(Miscellaneous Amendments\) Regulations 2019 \(S.S.I. 2019/273\)](#), [regs. 1\(2\)](#), [14\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)
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Commencement Information

- I4** [Reg. 21](#) in force at 1.4.2010, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Management of Extractive Waste (Scotland) Regulations 2010, PART 6.