

## SCHEDULE 7

### VARIATION OF PERMITS

#### PART 1

##### APPLICATIONS FOR VARIATION

1. An application under regulation 46 for the variation of the conditions of a permit must be in writing and must provide—

- (a) the name of the applicant, that person's telephone number, address (including post code) and e-mail address (if any) and, if different, the address or e-mail address to which correspondence relating to the application should be sent,
- (b) in the case of a permit to operate an installation, the address of the site of the installation to which the permit applies,
- (c) if appropriate, a description of the proposed change in the operation of the installation or mobile plant requiring the variation and a statement of any changes as respects the matters dealt with in paragraph 1(1)(g) to (m) of Schedule 4 which would result if the proposed change were made,
- (d) in the case of a variation required by a proposed substantial change in the operation of a Part A installation or a solvents installation, any relevant information obtained or conclusion arrived at in relation to the proposed change for the purposes of [F1an environmental impact assessment],
- (e) an indication of the variations to the conditions of the permit which the operator wishes SEPA to make,
- (f) any information which the operator wishes SEPA to take into account when considering whether the operator is a fit and proper person to carry out any specified waste management activity which would be authorised by those variations,
- (g) any additional information which the operator wishes SEPA to take into account in considering the application,
- (h) in the case of an application for the variation of the conditions of a permit in respect of a waste incineration installation—
  - (i) the information specified in paragraph 3 of Schedule 4, or
  - (ii) where such information has previously been included in an application under these Regulations, a statement of any changes as respects those matters which would result if the proposed change in the operation of the installation requiring the variation were made,
- (i) in the case of an application for a variation of the conditions of a permit in respect of a solvents installation the information specified in paragraph 4 of Schedule 4
- (j) in the case of an application where the applicant proposes that the permit as varied will authorise an emission limit value set under regulation 25(7), the reasons for setting that value.

#### Textual Amendments

- F1** Words in Sch. 7 para. 1(d) substituted (31.12.2020) by The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, 13(26)(a); 2020 c. 1, Sch. 5 para. 1(1)

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Pollution Prevention and Control (Scotland) Regulations 2012, PART 1. (See end of Document for details)

2.—(1) This paragraph applies where an application relates to a change in operation of a Part A installation that will if approved—

- (a) result in additional land being included in the site,
- (b) result in the first use of a substance on the site, or
- (c) result in the use, production or release of a relevant hazardous substance on the site (including any such additional land).

(2) A site report is not required under paragraph [F2(3)] for additional land where the change relates to a solvents emissions activity, provided that no activity at the installation is described in Part 1 of Schedule 1.

(3) An application to which sub-paragraph (1)(a) or (b) applies must include a site report.

(4) An application to which sub-paragraph (1)(c) applies must include a baseline report.—

(5) An existing site report or baseline report may be amended to take account of any substance or relevant hazardous substance for the purposes of paragraph (1).

(6) SEPA may on request by the applicant waive the requirement in sub-paragraph (1)(c) for a baseline report, having regard for that purpose to the possibility of soil and groundwater contamination.

(7) In this paragraph—

- (a) a reference to an activity includes a directly associated activity, and
- (b) “Part A installation” has the same meaning as in regulation 48.

#### Textual Amendments

**F2** Word in Sch. 7 para. 2(2) substituted (30.10.2014) by [The Pollution Prevention and Control \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/267\)](#), regs. 1(1), **13(a)**

3.—(1) SEPA may by notice require the applicant to provide such further information for the purpose of determining an application for variation as is specified in the notice within the period so specified.

(2) SEPA may by further notice to the applicant treat the application as having been withdrawn at the end of that period if the applicant fails to furnish the information within that period.

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Pollution Prevention and Control (Scotland) Regulations 2012, PART 1.