

## SCHEDULE 4

### GRANT OF PERMITS

#### PART 1

#### APPLICATIONS FOR PERMITS

1.—(1) An application to SEPA for a permit under regulation 7 shall be in writing (or in electronic form acceptable to it) and, subject to paragraphs 2 and 3, shall contain the following information:—

- (a) the name of the applicant, his telephone number, address (including post code) and e-mail address (if any) and, if different, any address or e-mail address to which correspondence relating to the application should be sent and, if the applicant is a body corporate, its registered number, the address of its registered or principal office and, if that body corporate is a subsidiary of a holding company (within the meaning of section 736 of the Companies Act 1985<sup>(1)</sup>), the name of the ultimate holding company and the address of its registered or principal office;
- (b) in the case of an application for a permit to operate an installation or Part A mobile plant, the address of the site of the installation or mobile plant and its national grid reference, a map or plan showing that site and, in the case of an installation, the location of the installation on that site, and the name of any local authority in whose area the site is situated;
- (c) in the case of an application for a permit to operate a Part B mobile plant, the name of the local authority in whose area the applicant has his principal place of business and the address of that place of business or, where the operator of the mobile plant has his principal place of business outside of Scotland, the name of the local authority in whose area the plant was first operated or, where the plant has not been operated in Scotland, the local authority in whose area it is intended by the operator that the plant will first be operated;
- (d) in the case of an application for a permit to operate a Part A installation or a Part A mobile plant, a site report containing the information required by sub-paragraph (2);
- (e) a description of the installation or mobile plant, the activities listed in Part 1 of Schedule 1 to be carried out in the installation or by means of the mobile plant, and, in the case of an installation, any other directly associated activities to be carried out on the same site as the installation which will have a technical connection with those listed activities and which could have an effect on pollution;
- (f) the raw and auxiliary materials and other substances and the energy to be used in or generated by the carrying out of the activities referred to in paragraph (e);
- (g) the nature, quantities and sources of foreseeable emissions from the installation or mobile plant into each environmental medium, and a description of any foreseeable significant effects of the emissions on the environment;
- (h) the proposed technology and other techniques for preventing or, where that is not practicable, reducing and rendering harmless emissions from the installation or mobile plant;
- (i) the proposed measures to be taken to monitor the emissions;
- (j) a description of the measures to be taken for the prevention and recovery of waste generated by the operation of the installation or mobile plant;

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(1) 1985 c. 6; section 736 was substituted by section 144(1) of the Companies Act 1989 (c. 40).

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (k) a description of any proposed additional measures to be taken to comply with the general principles set out in regulation 8(2);
- (l) in the case of an application for a permit to operate a Part A installation, any relevant information obtained or conclusion arrived at in relation to the installation pursuant to articles 5, 6 and 7 of Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment<sup>(2)</sup>;
- (m) in the case of an application for a permit to operate an installation or mobile plant covered by general binding rules, a statement as to whether the applicant wishes the aspects of the operation of the installation or mobile plant covered by the requirements in the rules to be subject to those requirements instead of conditions included in the permit pursuant to regulation 9;
- (n) in the case of an application for a permit that will authorise the carrying out of a specified waste management activity at an installation or by means of mobile plant, any information which the applicant wishes SEPA to take into account when considering whether the applicant is a fit and proper person to carry out that activity;
- (o) any additional information which the applicant wishes SEPA to take into account in considering the application;
- (p) a non-technical summary of the information referred to in the previous sub-paragraphs.

(2) The site report required by paragraph 1(d) shall describe the condition of the site of the installation or Part A mobile plant and shall, in particular, identify any substance in, on or under the land which may constitute a pollution risk.

2. Paragraphs 1(1)(f), (j), and (p) shall not apply in relation to an application for a permit to operate a Part B installation or a Part B mobile plant, and, in relation to such an application, the reference to emissions from the installation or mobile plant into each environmental medium in paragraph 1(1)(g) shall be read as a reference to emissions from the installation or mobile plant into the air.

3.—(1) Paragraph 1 shall apply in relation to an application for a permit to operate an installation involving the burning of waste oil in an appliance with a rated thermal input of less than 0.4 megawatts as if, in so far as the installation is concerned with the carrying out of that activity, the following sub-paragraphs were substituted for sub-paragraphs (e) to (h)—

- “(e) the name and number, if any, of the appliance used for the burning of the waste oil, and the name of its manufacturer, its rated thermal input of the appliance and whether or not it is constructed or adapted so as to comply with the specification for fixed, flued fan-assisted heaters in Part 2 of the specification for oil-burning air heaters published by the British Standards Institution and numbered BS 4256 1972;
- (f) details of the type of fuel to be used and its source;
- (g) details of the height and location of any chimney through which waste gases produced by the appliance would be carried away and details of the efflux velocity of the waste gases leaving such a chimney produced by the appliance in normal operation;
- (h) details of the location of the fuel storage tanks of the appliance;”.

(2) In this paragraph and in paragraphs 8 and 10 “waste oil” has the same meaning as in Section 1.1 of Part 1 of Schedule 1.

4. SEPA may, by notice to the applicant, require that person to furnish such further information specified in the notice, within the period so specified, as it may require for the purpose of determining the application and if the applicant fails to furnish the specified information within the period

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(2) O.J. No. L 175, 5.7.85, p. 40 (as amended by Council Directive [97/11/EC](#) (O.J. No. L 73, 14.3.97, p.5)).

specified, the application shall, if SEPA gives notice to the operator that it treats the failure as such, be deemed to have been withdrawn at the end of that period.

5. Subject to paragraph 23, the applicant shall, within a period of 28 days beginning 14 days after the day on which the application is made, advertise the application—

- (a) in the case of an application for a permit to operate an installation or Part A mobile plant, in one or more newspapers circulating in the locality in which the installation or mobile plant covered by the application will be operated; and
- (b) in the case of an application for a permit to operate a Part A installation or Part A mobile plant, in the Edinburgh Gazette.

6. An advertisement required by paragraph 5 shall—

- (a) state the name of the applicant;
- (b) in the case of an application for a permit to operate an installation or Part A mobile plant, state the address of the site of the installation or mobile plant;
- (c) describe briefly the activities in Part 1 of Schedule 1 to be carried out in the installation or mobile plant;
- (d) state that the application contains a description of any foreseeable significant effects of emissions from the installation or mobile plant on the environment;
- (e) state where any register which contains particulars of the application may be inspected and that it may be inspected free of charge;
- (f) explain that any person may make representations to SEPA in writing (or in electronic form acceptable to it) within the period of 28 days beginning with the date of the advertisement and give SEPA's address (including its e-mail address) for receiving the representations;
- (g) explain that any such representations made by any person will be entered in a public register unless that person requests in writing (or in electronic form acceptable to SEPA) that they should not be so entered, and that where such a request is made there will be included in the register a statement indicating only that representations have been made which have been the subject of such a request.

7. Where an application is for a permit to operate more than one installation or mobile plant the application and the advertisement required by paragraph 5 shall contain the information required by paragraphs 1 and 6 respectively in relation to each installation or mobile plant.

8. Paragraph 5 shall not apply in relation to an application for a permit to operate an installation involving only the burning of waste oil in an appliance with a rated thermal input of less than 0.4 megawatts or the carrying out of an activity falling within paragraph (c)(ii) of Part B of Section 1.2 of Part 1 of Schedule 1 (unloading of petrol at service stations).