
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 95

The Environmental Protection (Disposal of
Polychlorinated Biphenyls and other Dangerous
Substances) (Scotland) Regulations 2000

PART III

REGISTRATION OF HOLDERS OF CONTAMINATED EQUIPMENT

Registration

- 6.—(1) An application for registration shall, subject to paragraph (2)—
- (a) be made in writing on a form provided by SEPA; and
 - (b) contain the following particulars:—
 - (i) the name and address of the applicant;
 - (ii) a description of the contaminated equipment, identifying its location or intended location;
 - (iii) a description of the PCBs which are or were contained in the equipment, so far as can reasonably be identified without excessive cost;
 - (iv) so far as can reasonably be ascertained without excessive cost, the quantity of such of those PCBs as have been identified; and
 - (v) every date on which treatment or replacement was carried out or is envisaged, specifying in each case the nature of the treatment or replacement.
- (2) Information of the descriptions—
- (a) in paragraph (1) may be provided in an electronic form acceptable to SEPA;
 - (b) in paragraph (1)(b)(iii) to (v) need not be provided as regards any equipment in respect of which it is reasonable to assume that the fluids contain between 0.05% and 0.005%, by weight, of PCBs.
- (3) An application for registration shall be granted where the applicant has complied with paragraph (1) and shall otherwise be refused.
- (4) Where an application for registration is granted, SEPA shall register the applicant and, in respect of the applicant, the other particulars furnished under paragraph (1)(b) and shall, within 28 days of it being granted, confirm in writing (or in electronic form) that the applicant is registered with it.
- (5) Where an application for registration is refused, SEPA shall give notice in writing (or in electronic form) of the refusal to the applicant within 28 days of the refusal; and the notice shall be accompanied by a statement of the reasons for the decision and as to the circumstances in which an offence under regulation 13(1) may be committed.
- (6) Where SEPA fails to determine the application within 56 days of the date on which the application was made, the application shall be deemed to have been refused at the end of that period.