

SCHEDULE 1

Regulation 4(6)

Schedule 2 to the Water Environment (Controlled Activities) (Scotland) Regulations 2005

“SCHEDULE 2

Regulation 2(1)

Hazardous Substances

1. SEPA shall identify—

- (a) substances or groups of substances which are toxic, persistent and liable to bio-accumulate, and other substances or groups of substances which give rise to an equivalent level of concern; and
- (b) substances or groups of substances which are entering, or liable to enter groundwater.

2. In identifying the substances referred to in paragraph 1, SEPA shall take particular account of hazardous substances belonging to the families or groups of pollutants referred to in paragraphs 1 to 6 of Schedule 1 as well as substances belonging to the families or groups of pollutants referred to in paragraphs 7 to 9 of that Schedule, where those are considered to be hazardous.

3. SEPA shall publish and maintain a list of the substances identified in accordance with paragraph 1. The list shall be published in a manner SEPA considers appropriate to bring it to the notice of persons affected by, likely to be affected by, or interested in the identified substances and SEPA shall make copies of the list and a consolidated list available to the public free of charge.”