
To: Communities and Housing Policy Board

On: 20 March 2024

Report by: Director of Environment, Housing & Infrastructure

Heading: Consultation on Amendments to the Environmental Authorisations (Scotland) Regulations 2018 and Proposed Regulation by SEPA

1. Summary

- 1.1 The Scottish Government and SEPA, as part of their Better Regulation Programme are consulting on proposed amendments to the Environmental Authorisations (Scotland) Regulations 2018 (the 2018 Regulations) and how SEPA intend to authorise the activities which will be brought under the proposed Integrated Authorisation Framework.
- 1.2 Currently only radioactive substances are regulated under the 2018 Regulations and it is being proposed that Waste Management, Water and Industrial Activities which are regulated under a number of pieces of legislation will all be brought under the new framework, with the level of authorisation required for each type of activity being directly proportionate to the environmental risk which they pose.
- 1.3 In terms of the waste management sector, it is recognised these activities are subject to a complex regulatory regime for both SEPA and operators within the sector and is found to be often over-regulating low risk activities and under-regulating higher risk activities. It is further recognised that the currently regulatory regime has not kept pace with the new waste and resource economy, as well as not being adequately equipped to prevent the increasingly evident infiltration of serious and organised crime into the waste industry.
- 1.4 Regulation of water and industrial activities whilst being brought under the Integrated Authorisation Framework, will have only minor changes to their controls however, there are four new areas of activity which are intended to be also brought under the framework: the application of sewage sludge to land; carbon capture activity (not including the already regulated carbon capture for the purposes of geological storage); non-waste anaerobic digestion of biomass and combustion plants which generate electricity and aggregate to one Mega Watt Thermal input (MWth) or more at the one site.

- 1.5 The Scottish Government consultation document is available to view at <https://consult.gov.scot/environment-forestry/easr-2018-proposed-amendments/> and the closing date for responses is 31 March 2024.

The SEPA consultation document is available to view at <https://consultation.sepa.org.uk/regulatory-services/better-regulation-consultation-types-of-authorisation/> and the closing date for responses is 12 April 2024.

The draft regulations can also be viewed at <https://www.gov.scot/binaries/content/documents/govscot/publications/consultation-paper/2023/12/environmental-authorisations-scotland-regulations-2018-proposed-amendments-consultation-draft-regulations/documents/environmental-authorisations-scotland-amendment-regulations-2024-consultation-draft/environmental-authorisations-scotland-amendment-regulations-2024-consultation-draft/govscot%3Adocument/environmental-authorisations-scotland-amendment-regulations-2024-consultation-draft.pdf>

- 1.6 The draft consultation responses are detailed within Appendices 1 and 2 to this report. Members will note that the draft responses are in agreement with the new Regulations and how SEPA intend authorising the various activities which come into scope by virtue of the Integrated Authorisation Framework.

2. Recommendations

It is recommended that the Board:

- 2.1 notes the consultation proposals and authorises the Director of Environment, Housing and Infrastructure to submit the draft response to both consultations, as detailed within Appendices 1 and 2.

3. Background

- 3.1 The Scottish Government and SEPA, as part of their Better Environmental Regulation Programme are consulting on amendments to the Environmental Authorisations (Scotland) Regulations 2018 and on how SEPA intend regulating relevant activities under the Regulations.
- 3.2 Currently the Environmental Authorisations (Scotland) Regulations 2018 provide a regulatory framework for radioactive substances, however in recognition of the often complex landscape for regulating water, waste and industrial emissions, both the Scottish Government and SEPA intend to improve the regulatory framework for these areas by bringing them under one set of Regulations, with varying levels of authorisation which better reflect the risks posed by the activities allowing resources to be focussed on activities deemed to be higher risk. The 2018 Regulations will become the framework for environmental regulation in Scotland.

- 3.3 In addition to this, the consultation also seeks views on the regulation of new activities: a change in relation to the regulation of sewage sludge activities once they are in the 2018 Regulations, and the extension of environmental regulation to the activities of carbon capture, non-waste anaerobic digestion and certain generators by bringing them within the scope of the 2018 Regulations.

3.4 Regulation of New Activities

- 3.4.1 The application of sewage sludge to land has proved controversial with Renfrewshire having direct, first-hand experience of this a number of years ago and in light of significant numbers of complaints received by Scottish ministers, a review of legislation and guidance was undertaken in 2015, resulting in a number of recommendations being made. The proposed amendment of the 2018 Regulations will incorporate a number of new technical requirements, including:
- incorporating requirements of the Safe Sludge Matrix into law;
 - an operator's permit including a 'Fit and Proper Person' test should be introduced for all operators who are involved in the handling, storage, transportation and spreading of sewage sludge;
 - establishing one regulatory system for organic waste to land, including the agricultural and non-agricultural application of sludge; and
 - tighter regulatory powers for SEPA, by having it as the lead agency with a single point of contact for incidents and complaints relating specifically to sewage sludge, subject to cost recovery via charging.
- 3.4.2 It is recognised that the role of carbon capture is evolving, and several types of carbon capture are emerging. Current regulation captures only one specific activity and proposals for new plants are already coming forward which would not be captured under the current Pollution Prevention and Control Regulatory regime. Environmental regulations need to support the deployment of carbon capture technology in-line with the national 2045 net-zero greenhouse gas emissions reduction target, as well as protect the environment and human health. Carbon capture technologies give rise to potential significant impacts on air and water quality, and from noise. It is therefore proposed that any carbon capture activity (not including the already regulated carbon capture for the purposes of geological storage) will require an authorisation from SEPA under the 2018 Regulations.
- 3.4.3 Non-waste anaerobic digestion processes of biomass (plant and animal material) into methane or biogas for heat and power. This is an important activity to the circular economy and net-zero, however such plant could be a significant source of pollution to air and water (gaseous release and liquid effluent) and the requirement for these activities to be authorised will ensure appropriate management of the environmental risks posed from non-waste anaerobic digestion.

- 3.4.4 Combustion plants which generate electricity and aggregate to one Mega Watt Thermal input (MWth) or more, at the same location will also be brought into the new framework. Individual plant exceeding the 1MWth threshold already require an environmental authorisation and sites with smaller plant which aggregate to 1MWth have an equivalent environmental impact and including these sites under the 2018 Regulations will ensure environmental risks are appropriately managed and is in line with Scottish Government commitments to improving air quality as well as net zero and decarbonisation goals.
- 3.4.5 The consultation also discusses potential future regulation which will control the emissions of ammonia from livestock farms, an area of activity which has only seen marginal improvements in emissions over a 30 year period.
- 3.4.6 Members will note that the draft Officer response to the Scottish Government consultation on including the above activities into the 2018 Regulations are generally supported, given the wider environmental benefits of doing so. This will bring consistency of regulation for these. A copy of the consultation document and draft response to this is included within Appendix A.

3.5 Common Framework- Proposed Amendments

- 3.5.1 Bringing all four environmental regulatory regimes together in the common framework provided by the 2018 Regulations will ensure a consistent approach to environment regulation. The common framework has been in place since 2018 and through its application to radioactive substances, the current amendment proposals has provided an opportunity to allow for improvements to the 2018 Regulations. Further proposals include amending the call-in procedure as well as enhancing the opportunities for public participation under the 2018 Regulations. The consultation recognises that from experience under other regulatory regimes that the earliest stages of a permit application (or application for variation of a permit) are the best time for meaningful engagement to explore local environmental knowledge and resolve issues in relation to a proposed development. Proposed changes to the public consultation provisions in the 2018 Regulations will incorporate, where appropriate, early public engagement in the authorisation process by means of pre-application public consultation and community engagement. This will ensure that communities are properly informed and engaged in decision making where they may be directly impacted by regulated activities, with the intention this will be easier for communities to have their say.
- 3.5.2 There are a number of minor changes for radioactive substances regulation being proposed, with the main changes relating to alignment with the EU Bais Safety Standards Directive and the disposal of smoke detectors. With regard to the latter, current disposal routes are not clear, with different requirements for various parts of smoke detectors. It is proposed that the 2018 Regulations will align with the Waste Electrical and Electronic Equipment Regulations 2013, requiring smoke detectors to be broken down to remove the sealed radioactive source from plastics only by persons authorised to do so. Smoke detectors can also be disposed of via waste management companies that are legally entitled to manage them.

3.6 Water Technical Provisions

3.6.1 The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) currently provide the principal regulatory framework for protecting the water environment in Scotland. These will be revoked when the 2018 Regulations take effect. Transitioning authorisations for water activities into the 2018 Regulations will have benefits for persons involved in such activity, including:

- authorising radioactive substances, waste, water, and industrial activities under a single framework;
- more flexible permitting approaches, such as entire site permits and corporate permits to suit the needs of operators;
- the ability to use standard conditions in permits and registrations to improve regulatory consistency;
- the availability of notification as a new tier of authorisation, to give more flexibility for the authorisation tiers in future;
- a 'Fit and Proper Person' test, better able to uphold high standards in the industry;
- more effective enforcement tools to better deal with non-compliant sites and protect the water environment.

3.6.2 A new General Binding Rule is proposed to control the discharge of hot tub effluent, from a premises with only one hot tub, to groundwater. chemicals, usually chlorine and bromine, can be harmful to aquatic life. By establishing this GBR the discharge to groundwater from a single hot tub (e.g. from a domestic house) would be allowed, whilst discharges to groundwater from more than one hot tub would require a registration.

3.6.3 A second, new General Binding Rule will replace a number of authorisations for activities that may require temporary works around a watercourse, such as temporary crossings, bridges, or other temporary structures associated with other activity in watercourses (which will already require an authorisation). The new General Binding Rule would simplify this activity, creating the same level of authorisation for the same level of environmental activity.

Industrial Activities Technical Provisions

3.6.4 It is considered that the Pollution Prevention and Control (PPC) regime is procedurally and technically complex and provides limited flexibility to allow regulation to reflect the risk of a specific activity. The draft Regulations and the associated SEPA guidance on the type of authorisation needed, aim to create a framework which will:

- maintain a high level of environmental protection and alignment with the technical standards at EU level
- provide simplified and responsive regulation that is proportionate to risk
- reduce administrative burdens and increase regulatory clarity.

- 3.6.5 The draft 2018 Regulations include currently regulated activities, such as those covered by the EU Industrial Emissions Directive; large combustion plant, waste incineration plant and co-incineration plant; solvent emissions activities; district heating and cooling networks (as described within the EU Energy Efficiency Directive); crude oil handling and storage; medium combustion plant (1-50MWth) and petrol vapour recovery activities.
- 3.6.6 Transitioning PPC permitting into the 2018 Regulations will have benefits for the industry. These include:
- authorising radioactive substances, waste, water, and industrial activities under a single framework
 - more flexible permitting approaches, such as entire site permits and corporate permits to suit the needs of operators
 - a broader 'Fit and Proper Person' test, better able to uphold high standards in the industry
 - more effective enforcement tools to better deal with non-compliance, failing sites and illegal deposits of waste
 - a more flexible approach to suspension and revocation of authorisations giving SEPA more effective powers to intervene where necessary.
- 3.6.7 All existing PPC activities will require a relevant level of authorisation under the 2018 Regulations and any existing operational permits will automatically become authorisations under the Regulations without a need for any re-application. There will be some existing activities which may not be able to comply with relevant standard conditions for their sector and they may be required to make an application for an authorisation at the time the new 2018 Regulations are being implemented.
- 3.6.8 The intention is to create a new General Binding Rule for crushing and screening equipment as such activities are considered low risk and the employment of methods to prevent pollution are standard across the industry.

3.7 Waste Technical Provisions

- 3.7.1 Waste management activities are subject to a complex regulatory regime for both SEPA and operators, often over-regulating low risk activities and under-regulating higher risk activities. The current waste regulatory regime has not kept pace with the new waste and resource economy where value recovery is a priority, as well as not being adequately equipped to prevent the infiltration of serious and organised crime into the waste industry.
- 3.7.2 There are at least eight statutory instruments (and associated amendments) all of which will be transposed into the authorisation regime under the 2018 Regulations. The draft regulations and the proposed types of authorisations required for waste activities, set out in SEPA's consultation, aim to create "an authorisation regime which protects the environment and communities, prevents waste crime and supports the move to a zero-waste society and a circular economy."

3.7.3 It is intended that the waste permitting framework, through the 2018 Regulations, will:

- maintain a high level of environmental protection and alignment with the technical standards at EU level
- provide simplified and responsive regulation that is proportionate to risk
- reduce administrative burdens and increase regulatory clarity
- favour the practical application of the waste hierarchy
- prevent waste crime

3.7.4 The new regime will introduce a Fit and Proper test for relevant levels of authorisation, better able to uphold high standards in the industry and to tackle threats from criminal activity; more effective enforcement tools to better deal with non-compliance, failing sites and illegal deposits of waste and a simplified and strengthened approach to waste carriers.

3.7.5 Waste activities requiring an authorisation under the draft Regulations are:

- the storage, treatment (including sorting), recovery and disposal of waste,
- including the supervision of such operations and the aftercare of disposal sites
- the collection and transport of waste on a professional basis
- acting as a dealer or broker

where this is undertaken in or on land, or in the vicinity of land when connected with a waste management activity taking place on any land.

3.7.6 The management of waste carried on in connection with a person's private dwelling or a place where the person is resident is excluded under the proposed amendment to the 2018 Regulations. This ensures that, for example, carrying household waste to a Household Waste Recycling site, burning leaves, or burying a dead pet in a garden will not fall within the scope of the 2018 regulations.

3.7.7 It should be noted that Regulation 7 of the 2018 Regulations provides a general prohibition such that a "person must not carry on a regulated activity except in so far as it is authorised and carried on in accordance with, and to the extent authorised by, that authorisation". This is equivalent, in relation to waste, to section 33(1)(a) of the Environmental Protection Act 1990 which makes it an offence to "deposit or treat, keep or dispose of waste in or on land" without waste management licence being in place.

3.7.8 The definitions of 'controlled waste' within Section 75 of the Environmental Protection Act 1990 and the Controlled Waste Regulations are not proposed to be repealed as they will remain relevant to waste collection functions undertaken by local authorities.

3.7.9 Where these activities already need a waste management licence under the Environmental Protection Act 1990 the existing licence will automatically become an authorisation under the draft Regulations without the need for licence holders to reapply. People currently operating under exemptions from the requirement to hold a waste management licence under the WML regulations will need to apply for a new authorisation (at registration or permit level) unless a General Binding Rule covers their activity, the person in control of the activity will need to apply for a new authorisation before their current exemption expires. It is expected this transition will start in 2025 and anticipate simple exemptions will end in 2026.

3.7.10 Waste carriers and brokers registrations will be deemed to be Registrations under the draft Regulations and will keep their existing expiry date. The registered carrier or broker will need to apply for a new authorisation under the draft Regulations before the expiry date, as is the case under the current process, but will be subject to the 'Fit and Proper Person' test in the 2018 Regulations.

3.7.11 It is proposed that the 2018 Regulations will include four new General Binding Rules specific to waste management, which will replace a number of existing registrable exemptions under existing waste management licensing requirements. These new General Binding Rules include:

- temporary storage of waste at the place of production
- temporary storage of waste at a place controlled by the producer
- temporary storage and treatment of waste at a collection point
- the deposit of non-hazardous dredging sludges or sediment on or alongside the bank or towpath of inland waters from which they have been dredged.

These rules have a number of exemptions which may apply under certain circumstances eg community collection points or bring banks at churches, schools, car parks and supermarkets or a builder/landscaper/tradesperson who generates waste in the course of trade or business and return it to a storage yard to place in designated skips.

3.7.12 Provisions relied upon by local authorities and regulators other than SEPA will remain in place to ensure continuity of enforcement. This includes Section 33 of the Environmental Protection Act 1990 to tackle fly-tipping by local authorities and accordingly, all such provisions are to be retained. The Duty of Care obligations (section 34 of the Environmental Protection Act 1990) and the consignment note procedures in the Special Waste Regulations 1996 are not included in these amendments as they do not relate directly to the granting of authorisations.

3.7.13 Members will note that the draft Officer response to the Scottish Government consultation on including all of the above activities into the 2018 Regulations are generally supported, given the wider environmental benefits of doing so. This will bring consistency of regulation for these. A copy of the consultation document and draft response to this is included within Appendix A.

3.8 SEPA Consultation on Regulation of Regimes under the 2018 Regulations

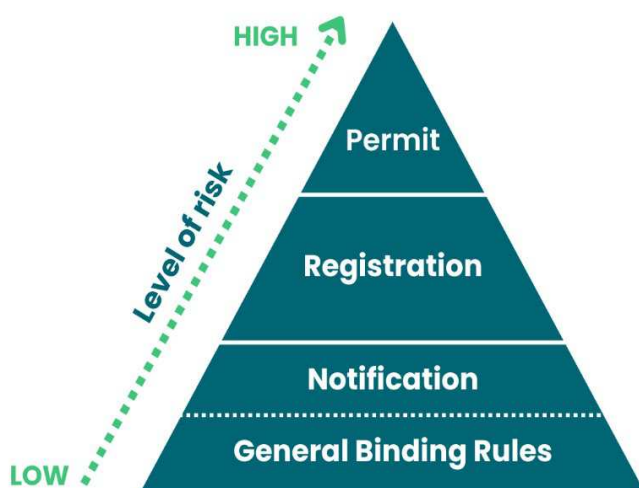
3.8.1 SEPA, in their consultation document, have set out its proposed approach to regulation and the integrated authorisation framework underpins its work to:

- control pollution
- help Scotland to tackle the climate and nature loss crises
- support environmentally safe and successful organisations and activities
- tackle environmental crime, protecting Scotland's environment and communities
- support sectors who want to use innovation to go further and to do more than required by environmental regulations

3.8.2 The integrated authorisation framework seeks to simplify how relevant activities are subject to regulation. SEPAs current regulation of sites can be listed as:

- Waste- 1140 sites are licensed with 32,390 sites subject to one of three levels of exemption
- Water- 10,200 licences, 91,000 registrations
- Industrial activities- 470 Part A Permits and 1570 Part B Permits
- Radioactive substances- 665 authorisations and registrations

These will all be transitioned into an integrated framework which will be simpler and focusses resources on sites presenting the greatest risk of emissions (or harm) to the environment. The four levels of authorisation are summarised in the graphic below:



3.8.3 When proposing the type of authorisation required for each activity, SEPA have considered:

- risk to the environment and human health
- legislative requirements

- fairness to the operator
- public and third-party interests

- 3.8.4 At the lowest end of the scale, General Binding Rules are mandatory rules which apply to relevant activities which are not considered to pose significant risk and providing the activity is carried out in accordance with these rules, SEPA would, in most cases, not require any contact from the operators and the activity would be considered as authorised.
- 3.8.5 Notifications are for low-risk activities where SEPA does not need to decide whether to grant or refuse an authorisation, but they must be notified the activity is being carried out and by who. Activities in this category will be authorised as soon as SEPA have received notification. In most cases, an activity that requires a Notification to SEPA, will also have to follow a General Binding Rule. Unless specifically stated, Notifications do not expire. The authorisation is granted until it is surrendered by the authorised person.
- 3.8.6 Registrations are intended for lower risk activities that require a simple assessment prior to SEPA deciding whether to grant or refuse the authorisation. SEPA will have 28 days to determine an application. If authorised, the Registration will be issued to the authorised person with Standard Conditions. Standard Conditions are a set of rules that apply to a particular activity and must be consulted upon before they are used. Once they have been published, they cannot be appealed. SEPA intend consulting on proposed Standard Conditions for Registration activities prior to the 2018 Regulations coming into effect. If the person wishing to undertake a registration activity cannot comply with the associated Standard Conditions, they will be required to apply for a permit instead. Unless specifically stated, Registrations do not expire. The authorisation exists until it is surrendered by the authorised person or revoked by SEPA.
- 3.8.7 Permits are for higher risk or non-standard activities. Permit applications are likely to require a rigorous assessment before SEPA decides whether to grant or refuse the authorisation. If any activity requires a detailed Fit and Proper Person assessment, or involves a public consultation process, it will need a Permit authorisation. A Permit may include Standard Conditions, and any other conditions that SEPA believe are required to mitigate the risk of environmental harm from the activity (bespoke conditions). Unless specifically stated, Permits do not expire. The authorisation exists until it is surrendered by the authorised person or revoked by SEPA.
- 3.8.8 Many operations will have more than one regulated activity involved in the process. SEPA may choose to issue one authorisation for all the activities involved. The type of authorisation will be dependent on the activities and will default to the highest level of authorisation required.

3.9 Waste Management Activities

3.9.1 Waste management obligations are relevant to every business in Scotland and not only those involved in the waste sector. The case for change recognises that what is being proposed will be significant to operators but are considered essential to deliver a proportionate, risk-based approach to environmental regulation. The current system is ill equipped to prevent the infiltration of serious and organised crime into the industry and when proposing the type of authorisation required for each waste management activity, SEPA have given careful consideration of each area's vulnerability to waste crime. SEPA have applied the same review process when considering currently exempted waste management activities and then determining which level of authorisation is appropriate.

3.9.2 SEPA have separated waste activities into the categories below and are consulting on whether the authorisation they have decided for each activity is appropriate:

- low-risk waste activities
- storage as part of collection
- transporting waste
- acting as a broker or dealer of waste
- storage and treatment of waste
- composting
- anaerobic digestion
- recovery of waste by application to land for the purpose of soil improvement
- recovery of waste for construction, restoration, reclamation, or improvement of land
- incineration and co-incineration
- landfill
- other activities

Activities considered low risk will not require advance notification to SEPA however should any activity cause, or become likely to cause, environmental harm, they may take enforcement action. This could include requiring the person carrying out the activity to take additional precautions, or stop entirely, in addition to undertaking remedial works to repair any harm already caused. There are twenty eight categories of low risk activity- a few examples of these are listed below:

- removal of bitumen asphalt road surfacing, followed by crushing and screening by a cold milling machine. Excludes coal tar;
- cut, chip and shred plant matter, as use the mulch at the same site;
- treatment and disposal of Japanese knotweed and soils contaminated with this, carried out in accordance with best practice;

- separate gully wastes into solid and liquid in the collection vehicle and discharge liquids back into the gully;
- compost organic green waste or manure in open systems eg at farms, liveries, schools parks, golf courses and nature reserves
- temporary storage of waste following a community clear up

3.9.3 Transporting waste, including transporting your own waste or transporting waste produced by another person- The 2018 Independent Review into Serious and Organised Crime in the Waste Sector² highlighted “the extent to which waste is handled by an increasing number of, often opaque, intermediaries”. This Review recommended that “Registration and duty of care requirements for carriers, brokers and dealers should be reformed”. Although the report focused on England and Wales, these findings are also relevant to Scotland. Scottish Government’s Litter and Fly-tipping Strategy³ also commits to reform, so carriers linked to fly-tipping can be more easily removed from the register.

3.9.4 Under the current waste carriers system there are approximately 10,000 waste carriers, brokers and dealers registered with SEPA and there is a requirement SEPA register these with limited ability to refuse or revoke these. Refusal or revocation can only occur when either the applicant or other relevant person has been convicted of an environmental criminal offence or if, in SEPA’s opinion, it is undesirable for the applicant or registered person to continue to be authorised as a carrier, broker or dealer, in controlled waste. This means it isn’t possible to refuse or revoke a registration based on poor compliance history, civil offences (such as local authority fly-tipping fixed penalties, or evidenced links to wider non-environmental criminality).

3.9.5 Benefits of the proposed new system whereby this will be simplified and strengthened by bringing this into the 2018 Regulations and will have the benefit of:

- The Regulations allow SEPA to apply the right level of proportionate scrutiny to applications, and ongoing regulation to the transport of waste.
- The Regulations provide for a wider range of regulatory tools including the Fit and Proper Person test and more options for enforcement when required. We will use these levers to raise standards and build greater confidence in the system, while reducing opportunities for waste criminals.
- SEPA will be able to make more efficient and risk-based decisions. Lower risk applications could be automated, freeing up staff time to scrutinise applications that warrant further assessment.
- Registration type authorisations allow for refusal and revocation in cases where a person, whether transporting their own waste or other people’s waste, is linked to fly-tipping, illegal waste sites or other activity which would suggest they are not Fit and Proper. It also allows the introduction of Standard Conditions and, in time, a level of technical competence assessment. SEPA intend that authorisations will be time limited for a period of five years at the end of which, operators will need to apply to extend their authorisation.

3.9.6 SEPA further intend introducing Standard Conditions for waste carriers which must be met at all times and intend consulting on these, separately later in 2024. However key elements of these are likely to include:

- requirement to keep relevant records
- compliance with the waste hierarchy
- transporting waste in a way which does not endanger human health or harm the environment
- compliance with any relevant technical competence requirements
- requirement to tell SEPA if certain details change (trading names, insolvency etc.)
- requirement to notify SEPA in event of incident/accident that may result in environmental harm

3.9.7 Transporting waste produced by other persons will include any activity where someone offers waste management services to other, including local authority commercial refuse collection; skip uplifts; waste soil haulage; collecting waste tyres or oils and household clearances. SEPA are proposing authorisations of this type are time-limited for a period of three years. SEPA intend introducing a charge for this activity and in time, introduce a level of technical competence assessment.

3.9.8 Persons acting as a waste broker or dealer will be authorised by Registration. It is a distinct activity separate from Registrations to transport waste described above. Anyone who arranges the recovery or disposal of another persons' waste, is currently required to register with SEPA as a waste broker or dealer. This is regardless of whether they handle the waste themselves. SEPA propose to maintain the current time-limited authorisation period of three years for this Registration and expect to introduce an appropriate charge and in time, introduce a level of technical competence assessment.

3.9.9 SEPA intends the storage and treatment of waste will encourage legitimate, small-scale operators into the sector and help to achieve Scotland's ambitious recycling targets. Applicants will have to demonstrate they are a Fit and Proper Person, provide a site boundary plan and confirmation of land ownership (or consent of the landowner). This is a significant shift for those who previously operated under exemption and will provide SEPA with the means of preventing rogue operators from gaining authorisations for smaller-scale waste facilities. SEPA consider waste types with a high pollution, nuisance potential, or low value waste streams (e.g., tyres and residual municipal waste), should be managed through permitted sites. These waste operators would be subject to more detailed and robust scrutiny, proportionate to the activity, including a requirement to demonstrate appropriate financial provision.

3.9.10 Other forms of the storage and treatment of waste will require a Permit with applications of this type requiring a Fit and Proper person assessment, along with being subject to application and subsistence charges. It should be noted that this will apply to Household Waste Recycling Centres.

3.9.11 The recovery of waste for construction, restoration, reclamation or improvement of land is an area of waste activity subject to infiltration by serious and organised criminals. There are a significant number of legitimate exemptions across Scotland for this activity however, they can be an attractive option for illegal disposal, rather than the intended purpose of recovery. A SEPA review of data relating to these exemptions suggest n to a quarter of these applications for exemption were at risk of waste crime. Despite this, under current systems SEPA are unable to refuse these types of exemptions, when applied for. SEPA consider these activities would be better regulated by replacing the current system of exemptions with a range of proportionate and targeted authorisations. We propose to authorise these activities with Notifications, Registrations, or Permits, dependant on the level of risk associated with the activity.

3.9.12 There are a number of additional waste activities discussed in terms of the level of authorisation proposed, including composting, anaerobic digestion of waste and the storage and spreading of sewage sludge on land, and Members will note the proposed response to the consultation is supportive of SEPA's position.

3.10 Water Activities

3.10.1 Water activities are currently regulated under the Controlled Activities (Scotland) Regulations with water activities authorised by three different types of authorisation: Licence, Registration or General Binding Rules. The proposal is to bring water activities under the new Regulations and the (single) Integrated Framework. SEPA are not proposing significant changes to the type of authorisation required for water related activities but the consultation is seeking views on the type of authorisation proposed for each activity under the new framework.

Water activities have been categorised, for the purpose of the consultation into categories:

- Pollution Control, including sewage discharges; hot tub and swimming pool discharges; water run-off from surface drainage and discharge of other effluents.
- Abstractions, including from the water environment; boreholes and wells; and dewatering of excavations.
- Impoundments which relate to construction or alteration of dams, weirs, or other works by which water may be impounded.
- Engineering works such as bank works, channel modifications, crossings, sediment management and other specified engineering activities.
- Other water activities which may have a significant adverse impact on the water environment.

3.10.11 Authorisation level for the types of water activity which require to be regulated are based on risk to the water environment but are aimed to simplify the regulatory process overall. Many of these authorisations will be subject to application and subsistence charges.

3.11 Industrial Activities

3.11.1 Industrial activities currently regulated by SEPA under Pollution Prevention and Control legislation will be included within the 2018 Regulations and SPEA do not intend proposing any significant changes to the type of authorisation which will be required- most current activities require a Permit at this time and will remain the position under the new Integrated Framework (although there are a small number of activities which, in recognition of their lower risk, will move to a lesser level of regulation e.g. crushing and screening activities). In addition, three new activities are proposed to be included within the 2018 Regulations: anaerobic digestion (non-waste); carbon capture and storage (non-geological); and generators of electricity aggregating to 1 megawatt thermal (MWth). The SEPA consultation states what type of authorisation each of these activities would require. The draft response, in most cases does not propose any comments in respect of the Industrial Activities but the benefits of bringing all of these into the Integrated Framework is supported.

3.11.2 The new activities being brought into the 2018 Regulations have been detailed within Section 3.4 of this report.

4. Consultation Responses

4.1 Board members will note that the draft responses to both consultations are generally supportive of the proposals to bring the various activities within the Integrated Authorisation Framework, providing clearer and more effective regulation across these sectors.

Implications of the Report

1. **Financial-** There may be some additional financial considerations for the Council to comply with some of the requirements which will be imposed through the implementation of this Integrated Authorisation Framework where a need for any authorisation is required. The financial impact is currently not known as the charging scheme for applications and subsistence is still to be set by SEPA.
2. **HR & Organisational Development- None**
3. **Community/Council Planning –**
 - *Our Renfrewshire is thriving* – the Better Regulation Programme and Integrated Authorisation framework will benefit communities through a simplified regulatory framework which aims to tackle criminal activity within waste management activities, allowing legitimate business to flourish whilst allowing SEPA to deal with persons operating outwith the framework
4. **Legal-** This is significantly amended legislation which the Council, in a number of areas, will require to comply with.

5. **Property/Assets-** None
6. **Information Technology-** None
7. **Equality & Human Rights**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety-** None.
9. **Procurement** - None
10. **Risk** - None
11. **Privacy Impact-** None
12. **COSLA Policy Position** N/A
13. **Climate Risk-** The Integrated Authorisation Framework seeks to limit the release of chemicals to the air, water and land. This aims to contribute to the circular economy and improve air quality.

List of Background Papers

- (a) Background Papers- None

Author: Colin Hunter, Environmental Health Public Health Manager
Email: colin.hunter@renfrewshire.gov.uk

**Renfrewshire Council Response to the Scottish Government Consultation
on the Environmental Authorisations (Scotland) 2018 Regulations:
Proposed Amendments.**

Question 1

Are there any other regulatory measures relating to the spreading of sewage sludge to land that you feel should be considered for inclusion in the Regulations?

When sludge is being applied to land, considerations to odour impacts should also be required to avoid odour nuisance arising. Renfrewshire Council has experience from a number of years ago when sewage sludge was being stored and then spread on farmland with a significant number of complaints arising as a result of offensive odours being evident across a wide area. Sewage sludge treatment to land should be required to be undertaken in such manner which avoids odour nuisance.

Question 2

Do you agree that this carbon capture activity should be an environmental activity in the Regulations?

Yes, it would appear appropriate for carbon capture activities to be considered as an environmental activity within the regulations given their potential impact to air and water quality from nitrogen oxide, amine and sulphur dioxide emissions, and associated plant noise.

Question 3

Do you agree non-waste anaerobic digestion should be an environmental activity in the Regulations?

Yes, as this activity gives rise to potential emissions similar to waste anaerobic digestion (which is currently within the Regulations) then non-waste anaerobic digestion should be subject to the same environmental controls which are protective of water and air quality.

Question 4

Do you agree any combustion plant on the same site that generate electricity and aggregate to 1 MWth or more should be an environmental activity in the Regulations?

Yes, this should be considered as an environmental activity in the Regulations to ensure consistency in approach as individual plant producing 1MWth or greater is already subject to environmental control, protective of air quality.

Question 5

Should the scope be expanded to all combustion plants on the same site that aggregate to 1 MWth or more including those that generate heat (e.g. boilers)?

Yes, including all combustion plants on the same site aggregating to 1MWth or more, including those generating heat should also be subject to environmental regulation which will be applied through the 2018 Regulations.

Question 6

For combustion plant (or plants) on the same site that generate electricity and aggregate to 1 MWth or more, located in the highlands or on the islands are there plans in place to upgrade the plant or to replace it with renewable / low carbon technology / carbon capture usage and storage?

Renfrewshire Council has no comment to make in respect of this question.

Question 7

How should ammonia emissions from intensive livestock farms be controlled in future? This could include, a regulatory basis, the provision of advice, or information and examples of good practice or other means.

As part of a regulatory model, the provision of advice, guidance and examples of good practice should support the industry toward achieving beneficial improvements in ammonia emissions to air.

Question 8

What considerations should be taken into account when considering future control or management of ammonia emissions from intensive livestock farms? Such considerations may include specific issues relating to farm type, size or other matters related to management of emissions such as costs.

Detailed cost, benefit, analysis frameworks should be developed to ensure that there is minimal/acceptable detriment to the industry whilst reducing emissions of ammonia to air.

The use of best available techniques not entailing excessive costs, or a similar model should be utilised to ensure the application of technical measures to mitigate emissions are not at unreasonable cost to the operator of intensive livestock farms.

Question 9

Do you have any comments on the proposal to amend the existing public consultation requirements in the 2018 Regulations so that SEPA may require pre-application public consultation in relation to permit applications or applications for variations to permits in certain circumstances?

Renfrewshire Council supports the proposals to provide that SEPA can, if deemed necessary, require pre-application public consultation for permit or variation applications. This will afford third parties the opportunity at an early stage in any application process to air concerns and for the applicant (and Regulator) to resolve/allay these appropriately.

To support this, there should be a neighbour notification process which will provide third parties advance notice of an application/variation and avoid them being unaware of any application/variation for a permit.

Question 10

Do you have any comments on the proposal to simplify the call-in procedure provisions in the 2018 Regulations so as to remove the requirement that SEPA directly notify those who have made third-party representations of a proposed determination of a permit application or variation and the associated timing provisions which prevent SEPA from finally determining the application or variation until the elapse of the statutory time periods?

It is noted that 3.2.3 states that the call-in procedures currently in place under CAR has generally demonstrated that the procedure results in delays, rarely results in a change of outcome, and is of limited utility to the process of determining applications and variations under CAR. The proposal appears to be a focus on more and earlier public engagement in the permitting process is considered to be of much greater impact.

Renfrewshire Council would in general be supportive of this position provided there is no detriment to the engagement process for relevant third-parties to ensure there is a transparent and robust procedure in place which provides sufficient time for third parties to make representation/objections at permit determination stages.

Question 11

Do you have any comments on the proposed amendment to provide for a procedure for issuing revocation notices where an authorised person has died or no longer exists?

No comments.

Question 12

Do you have any comments on proposed amendment to the provisions in respect of the public register required to be maintained by SEPA?

No. Renfrewshire Council supports the proposed amendment in respect of the public register.

Question 13

Do you have any comments on the minor amendments as set out in Annex D for the common framework: minor changes relevant to all activities?

No comments.

Question 14

Do you have any comments on the minor amendments as set out in Annex D for the minor changes relevant to radioactive substances activities?

No comments.

Question 15

Do you agree with or have comments on the proposed changes to Schedules 8 and 9 for radioactive substances activities?

No comments.

Question 16

Do you have any comments on the new General Binding Rules (nos. 7 and 35) for water activities in Schedule 9 and the water activities in Schedule 10 in the draft Regulations?

Renfrewshire Council welcomes the introduction of the new General Binding Rules as detailed.

There is the potential for many of the stated activities to be undertaken by owners/operators of relevant activities without them having knowledge of these specific and new requirements which it is expected they should be adhering to and a public communications strategy is recommended to ensure this is understood as widely as possible.

This will be particularly relevant with the popularity of hot tubs in rural environments where waste water arising from these may be discharged, via surface discharge, into the groundwater.

This will also apply to persons who operate private sewage activities (septic tanks) as they may be unaware of the proposals being introduced.

Question 17

Do you have any comments on the minor amendments relevant to water activities as set out in Annex D?

Renfrewshire Council supports the minor amendments relative to water activities, as set out within Annex D, providing clarity and differentiation between different types of hazardous substances within the proposed integrated regime.

Question 18

Do you have any comments on the activity “industrial emissions activities” or on the technical requirements in Schedules 19 to 24 in the draft Regulations?

No comments.

Question 19

Do you have any comments on the additional technical requirements in Schedule 25 in the draft Regulations?

No comments.

Question 20

Do you have any comments on the industrial activity carrying out “other emissions activities” Schedule 26 in the draft Regulations?

No comments.

Question 20

Do you have any comments on the activity “operating a medium combustion plant” in Schedule 27 in the draft Regulations?

Renfrewshire Council supports the move to an integrated regulatory model which will take into permit SEPA to set conditions for such activities relating to impacts arising from emissions other than emissions to air.

Simplifying the process for operators should prove advantageous to their compliance with the regulations.

Question 21

Do you have any comments on the activity “operating a petrol vapour recovery activity” in Schedule 28 in the draft Regulations?

Renfrewshire Council supports the removal of the 20MWth threshold which will significantly simplify the regulatory arrangements for combustion plant and provide clearer alignment with EU standards.

Question 23

Do you have any comments on this general binding rule 1, from Schedule 9, Chapter 4, Low Emission Activities in the draft Regulations?

No comment.

Question 24

Do you have any comments on the minor amendments relating to PPC activities as set out in Annex D?

No comments.s

Question 25?

Do you agree that the regulations adequately capture waste activities?

Yes, Renfrewshire Council agrees that the proposed regulations adequately capture relevant waste activities. The proposed amendments to the regulation of waste management is welcomed as it is recognised the complexities of the current system along with some areas which are higher risk and exposed to criminal exploitation of the system requires to be simplified and at the same time made significantly more robust to tackle waste crime

Question 26

Do you have any comments on the geographical extent in the draft Regulations?

No comments.

Question 27

Do you have any comments on the requirements applying all waste management activities (Schedule 11) in the draft Regulations?

Renfrewshire Council agrees with the inclusion of all waste management activities detailed within Schedule 11, into the draft regulations.

Question 28

Do you have any comments on the requirements applying to landfill activities (Schedule 13) in the draft Regulations?

No comments

Question 29

Do you have any comments on the requirements applying to hazardous waste mixing and treatment of waste oil (Schedule 12) in the draft Regulations?

Renfrewshire Council welcomes the proposed application of single standards for waste oil, rather than the current position where different regulations apply different technical standards.

Question 30

Do you have any comments on the requirements for management of separately collected recyclable waste and for operating a materials facility (Schedule 14) in the draft Regulations?

Renfrewshire Council welcomes proposals in this regard which aims to further Scotland's ambitions for a circular economy and a zero-waste society by supporting recycling chains and improving the quality of dry recyclable wastes made available for reprocessing.

Question 31

Do you have any comments on the requirements for the management of end-of-life vehicles (Schedule 15) in the draft Regulations?

No comments.

Question 32

Do you have any comments on the requirements applying to the management of WEEE (Schedule 16) in the draft Regulations?

No comments.

Question 33

Do you have any comments on the requirements applying to the management of waste batteries (Schedule 17) in the draft Regulations?

No comments.

Question 34

Do you have any comments on draft GBRs 1 to 4?

Renfrewshire Council welcomes the introduction of the General Binding Rules 1-4 which provides for the temporary storage of waste under specific circumstances, as detailed at points 7.3.22 to 7.3.28.

Question 35

Do you have any comments on the minor amendments relating to waste activities as set out in

Renfrewshire Council welcomes the minor amendments within Annex D which aims to bring radioactive substances, water, waste and industrial emission activities into a single regulatory regime.

This will aggregate a number of areas of regulation which can be challenging to navigate and will bring about clarity for both operators and regulators.

Annex D?

Renfrewshire Council Response to the Scottish Environment Protection Agency Consultation on the Environmental Authorisations (Scotland) 2018 Regulations: Proposed Types of authorisation for Waste management; Water and Industrial Activities

The questions below have been extracted from the full document for reasons of brevity. This can however be viewed at the link detailed within 1.5 of the main report.

Questions: Low-Risk Waste Activities; Storage As Part Of Collection And Transporting Waste

(a) Do you agree these activities should be authorised by Registration?

Yes, Renfrewshire Council supports the intention that these activities are authorised by Registration. This reflects the higher risk level posed by operators of such businesses, particularly within the private sector where there are currently opportunities for persons involved in criminal activity to exploit the current regime, ranging from the 'man with a van' operations through to organised crime gangs who are increasingly becoming involved in waste crime.

(b) Do you agree with the proposed names of these new authorisations (i.e., transporting your own waste, and transporting waste produced by another person)?

Yes, Renfrewshire Council agrees that the proposed names for such authorisations are appropriate and brings clarity to the type of operation being conducted.

(c) Do you agree with an authorisation period of five years when registering to transport your own waste?

Yes, Renfrewshire Council agrees with this timescale as being appropriate for such authorisations.

(d) Do you agree with an authorisation period of three years when registering to transport waste produced by another person?

Yes, Renfrewshire Council agrees with this timescale as being appropriate for such authorisations however, with regard to waste collection authorities (local authorities) this may be more burdensome and consideration to a specific authorisation for local authorities would be welcomed with longer timescales attached to these.

- (e) Do you agree that SEPA should apply a level of technical competence assessment to anyone seeking authorisation to transport waste produced by another person?

Yes, Renfrewshire Council supports the application of a technical competence assessment to persons/organisations seeking authorisation to transport waste produced by other persons. This will strengthen the regulation of such activity and ensure that all authorised operators have demonstrated this competency as part of the application process, giving confidence in their ability to comply with the regulatory requirements prior to obtaining the authorisation.

- (f) Do you have views on possible Standard Conditions?

Renfrewshire Council, whilst not offering suggested standard conditions would recommend these are sufficiently robust to avoid potential opportunities for persons to take advantage of any situation to avoid regulatory controls being applied. To avoid the potential for waste operators to collect and store significant amounts of waste and then cease operating without having legitimately disposed of the waste, consideration should be given to the requirement for a bond/insurance to be provided which would assist with disposal costs in the event that such circumstances arise.

- (g) Do you have views on whether charities and voluntary organisations should be liable to pay the appropriate charges when registering to transport waste produced by another person?

Charities/voluntary organisations should be required to pay appropriate charges, however these could be set at a reduced rate from the full charges to support the organisation.

- (h) Do you think anyone operating waste collection services should be required to display their registration authorisation number on any advert for waste services, whether in print or online, including social media?

Yes, Renfrewshire Council would support the requirement for operators to display their authorisation number within any advert, including social media. This would allow persons to check the authorisation in advance of engaging operators for waste services, providing greater confidence in the industry. The absence of an authorisation number would allow SEPA to target resources to these operators, seeking compliance.

Questions on Acting as a Broker or Dealer of Waste

- (a) Do you agree these activities should be authorised by Registration?

Yes, Renfrewshire Council supports these activities being subject to authorisation at Registration level.

- (b) Do you agree with an authorisation period of three years when registering as a broker or dealer of waste?

Yes, Renfrewshire Council supports this timeframe

- (c) Do you agree that SEPA should apply a level of technical competence assessment to anyone seeking authorisation as a broker or dealer of waste?

Yes, Renfrewshire Council supports the proposal to introduce a level of technical competence assessment for persons seeking such authorisation. This will strengthen the regulation of such activity and ensure that all authorised operators have demonstrated this competency as part of the application process, giving confidence in their ability to comply with the regulatory requirements prior to obtaining the authorisation.

Questions on Storage and Treatment of Waste

- (a) Is Table 2: Type of authorisation for the storage and treatment of waste, clear and understandable?

Yes, Table 2 is clear and readily understandable.

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes Renfrewshire Council considers the proposed type of authorisation for each category of activity to be appropriate.

- (c) What maximum size of container do you consider appropriate for the storage of asbestos at Registration level?

Renfrewshire Council considers that a 14 yard closed and lockable container would be an appropriate size for the storage of asbestos.

Questions on Composting of Waste

- (a) Is Table 3: Type of authorisation for composting, clear and understandable?

Yes, Table 3 is clear and readily understandable.

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity. This will allow SEPA to focus resources on the higher risk activities where large volumes of waste are being treated.

Questions on Anaerobic Digestion

- (a) Is Table 4: Type of authorisation for anaerobic digestion, clear and understandable?

Yes, Table 3 is clear and readily understandable.

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity. This will allow SEPA to focus resources on the higher risk activities where large volumes of waste are being treated.

Questions Recovery Of Waste By Application To Land For The Purpose Of Soil Improvement

- (a) Is Table 5: Type of authorisation for recovery of waste by application to land for the purpose of soil improvement, clear and understandable?

Yes, Table 5 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity. This will allow SEPA to focus resources on the higher risk activities where large volumes of waste are being treated.

Questions Recovery Of Waste For Construction, Restoration, Reclamation, Or Improvement Of Land

- (a) Is Table 6: Type of authorisation for recovery of waste for construction, restoration, reclamation, or improvement of land clear and understandable?

Yes table 6 is clear and readily understandable.

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity. This will allow SEPA to focus resources on the higher risk activities where large volumes of waste are being treated.

- (c) Do you agree with the 100,000 tonnes threshold separating Registrations from Permits?

Yes, Renfrewshire Council supports the threshold between sites requiring Registrations and Permits. This will allow SEPA to focus resources on the higher risk activities where large volumes of waste are being treated.

- (d) Waste types will be restricted to those suitable for these types of activities at Registration level. What types of waste do you consider appropriate for use?

Renfrewshire Council considers that whilst there may be no specific 'type' of waste considered suitable for these activities at Registration level, materials should require to be both physically and chemically suitable for such use at any site and prior to being so used, acceptance criteria for any site should be determined. Thereafter any materials being brought to site should have appropriate test certification which confirms their suitability for use.

Questions Incineration And Co-Incineration Of Waste

- (a) Is Table 7: Type of authorisation for incineration and co-incineration clear and understandable?

Yes Table 7 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity. This will allow SEPA to focus resources on the higher risk activities where large volumes of waste are being treated.

Questions Landfill Of Waste

- (a) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the maintenance of Permit authorisations for all landfilling of waste.

Questions on Emerging Waste Management Activities

- (a) Do you carry out, or are you aware of, any new or emerging waste management activities that SEPA should take into consideration under the new framework?

No comments

- (b) Do you carry out, or are you aware of, any other activity that may be appropriately authorised at Notification or Registration level, which would require a Permit under current proposals?

No comments

Questions On Authorisation For Pollution Control, Sewage Discharges

- (a) Is Table 8: Type of authorisation for pollution control, sewage discharges, clear and understandable?

Yes, Table 8 is clear and readily understandable.

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity.

Questions on Finfish Farm And Hatchery Discharges

- (a) Do you agree with the type of authorisation proposed for this activity?

Renfrewshire Council recognises that many of these activities will require bespoke conditions and therefore agrees that the authorisation for these should be at the Permit level.

Questions On Discharges From Hot Tubs And Swimming Pools

- (a) Is Table 9: Type of authorisation for discharges from hot tubs and swimming pools, clear and understandable?

Yes, Table 9 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the proposed level of authorisation for each activity, recognising the risk to the water environment posed by such discharges.

Questions on Discharges of water run-off from surface water drainage systems

- (a) Is Table 10: Type of authorisation for discharges of water run-off from surface water drainage systems, clear and understandable?

Yes, Table 10 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council agrees with the type of authorisation proposed for each activity

Questions on Discharges of water run-off from construction sites, borrow pits, quarries, and waterbound roads and tracks

- (a) Is Table 11: Type of authorisation for discharges of water run-off from construction sites, borrow pits, quarries, and waterbound roads and tracks, clear and understandable?

Yes table 11 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity, these being commensurate with the risk posed.

Questions on Authorisation For The Cultivation Of Land And Pesticide Storage And Application

- (a) Is Table 13: Type of authorisation for the cultivation of land and pesticide storage and application, clear and understandable?

Yes, table 13 is clear and readily understandable.

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for each activity, these being commensurate with the risk posed.

Questions- Sheep Dipping and Keeping of Livestock

- (a) Is Table 14: Type of authorisation for sheep dipping and the keeping of livestock, clear and understandable?

Yes, table 14 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Renfrewshire Council has no comments to make on this proposal

Questions Authorisation For Disposal Of Disinfectants And Detergents During The Outbreak Of A Notifiable Disease

- (a) Is Table 15: Type of authorisation for disposal of disinfectants and detergents during the outbreak of a notifiable disease, clear and understandable?

Yes table 15 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for this activity?

Renfrewshire Council supports the type of authorisation proposed for this activity which, it is assumed meets technical guidance for the disposal detergents and washings used in this activity.

Questions Oil Storage

- (a) Is Table 16: Type of authorisation for oil storage, clear and understandable?

Yes, table 16 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each of these activities?

No comments

Questions For Discharge Of Other Effluents

- (a) Is Table 17: Type of authorisation for discharge of other effluents, clear and understandable?

Yes, table 17 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each of these activities?

No comments

Questions- Water Abstraction

- (a) Is Table 18: Type of authorisation for water abstraction, clear and understandable?

Yes Table 18 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions Construction, Extension And/Or Operation Of A Borehole Or Well

- (a) Is Table 19: Type of authorisation for construction, extension and/or operation of a borehole or well, clear and understandable?

Yes, table 19 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council agrees with the type of authorisation proposed for each activity

Questions- Impoundment Activities

- (a) Is Table 18: Type of authorisation for impoundment activities, clear and understandable?

Yes, table 18 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council agrees with the type of authorisation proposed for each activity

Questions- Bank Works

- (a) Is Table 21: Type of authorisation for bank works, clear and understandable?

Yes, table 21 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council agrees with the type of authorisation proposed for each activity

Questions- Channel Modification

- (a) Is Table 22: Type of authorisation for channel modification, clear and understandable?

Yes, table 22 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

Yes, Renfrewshire Council agrees with the type of authorisation proposed for each activity

Questions- Crossings

- (a) Is Table 23: Type of authorisation for crossings, clear and understandable?

Yes.

- (b) Do you agree with the type of authorisation proposed for each activity?

No Comments

Questions- In-Loch Structures Or The Placement Of Boulders

- (a) Is Table 24: Type of authorisation for in-loch structures or the placement of boulders, clear and understandable?

Yes table 24 is clear and readily understandable

- (b) Do you agree with the type of authorisation proposed for each activity?

No Comments

Questions- sediment management

- (a) Is Table 25: Type of authorisation for sediment management, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions- Other Engineering Activities

- (a) Is Table 26: Type of authorisation for other engineering activities, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions- Other Engineering Activities In Wetlands

- (a) Is Table 27: Type of authorisation for other engineering activities in wetlands, clear and understandable?

Yes.

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions- Engineering Activities In The Vicinity Of Inland Surface Waters Or Wetlands

- (a) Is Table 28: Type of authorisation for engineering activities in the vicinity of inland surface waters or wetlands, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for each activity?

No Comments

Questions- engineering activities beyond the vicinity of any inland surface waters or wetlands

- (a) Is Table 29: Type of authorisation for engineering activities beyond the vicinity of any inland surface waters or wetlands, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions- Maintenance, Replacement, Or Removal, Of An Existing Engineered Structure

- (a) Is Table 30: Type of authorisation for maintenance, replacement, or removal, of an existing engineered structure, clear and understandable?

Yes.

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions- other Water Activities

- (a) Do you agree that activities not otherwise specified or covered by another authorisation, that have, or are likely to have, a significant impact on the water environment, require a Permit authorisation?

No comments

Questions- Petrol Vapour Recovery

- (a) Is Table 32: Type of authorisation for petrol vapour recovery, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for these activities?

No Comments

Questions- Production Of Cement, Lime, And Magnesium Oxide

- (a) Is Table 33: Type of authorisation for production of cement, lime, and magnesium oxide, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for these activities?

No comments

Questions- Other Mineral Activities

- (a) Is Table 34: Type of authorisation for other mineral activities, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for these activities?

No comments

12.5.1 Questions- Coating Activities

- (a) Is Table 35: Type of authorisation for coating activities, printing, and textile treatments, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for this activity?

No comments

Questions- Timber Activities

- (a) Is Table 36: Type of authorisation for timber activities, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for this activity?

No comments

Questions- Treatment Of Animal And Vegetable Matter And Food Industries

- (a) Is Table 37: Type of authorisation for treatment of animal and vegetable matter and food industries, clear and understandable?

Yes- although a definition of what ensiling is would be helpful in understanding this.

- (b) Do you agree with the type of authorisation proposed for this activity?

No comments

Questions- Solvents Installations

- (a) Is Table 38: Type of authorisation for operating a solvents installation, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for this activity?

Yes, Renfrewshire Council supports the type of authorisation for this activity.

Questions- Anaerobic Digestion (Non-Waste)

- (a) Is Table 39: Type of authorisation for anaerobic digestion (AD) (non-waste), clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions- Carbon Capture

- (a) Is Table 40: Type of authorisation for carbon capture, clear and understandable?

Yes

- (b) Do you agree with the type of authorisation proposed for each activity?

No comments

Questions- Generators Of Electricity Aggregating To 1 Megawatt Thermal (MWth) Or More

- (a) Is Table 41: Type of authorisation for generators of electricity aggregating to 1 megawatt thermal (MWth) or more, clear and understandable?

Yes

(b) Do you agree with the type of authorisation proposed for this activity?

Yes, Renfrewshire Council supports the type of authorisation proposed for this activity