

Reference Number: PPC/A/1015769/VAR01

SCOTTISH ENVIRONMENT PROTECTION AGENCY
POLLUTION PREVENTION AND CONTROL ACT 1999
POLLUTION PREVENTION AND CONTROL (SCOTLAND) REGULATIONS 2012
(“THE REGULATIONS”)

NOTICE OF VARIATION TO PERMIT

Permit No: PPC/A/1015769
To: Taylors Industrial Services Limited
Address: Hareness Circle
Altens Industrial Estate
Aberdeen
AB12 3LY

The Scottish Environment Protection Agency (“SEPA”), in exercise of its powers under Regulation 46(8) of the Regulations, hereby gives you notice that it has decided, to vary permit PPC/A/1015769 (as varied) granted under the Regulations. The variations are specified in the Schedule to this notice and take effect on 16 March 2022.

Cat Walker

.....
Authorised to sign on behalf of the
Scottish Environment Protection Agency

Date: 16 March 2022

Right of Appeal

Under Regulation 58 of the Regulations you are entitled to appeal to the Scottish Ministers against the conditions attached to this Notice, except where SEPA has served this Notice to implement a direction to SEPA of the Scottish Ministers. The bringing of an appeal will not have the effect of suspending the operation of the conditions attached to this Notice. The procedures and timescales for the making of an appeal are set out in Schedule 8 of the Regulations.

PAGE INTENTIONALLY LEFT BLANK

SCOTTISH ENVIRONMENT PROTECTION AGENCY

POLLUTION PREVENTION AND CONTROL ACT 1999

**POLLUTION PREVENTION AND CONTROL (SCOTLAND) REGULATIONS 2012
("THE REGULATIONS")**

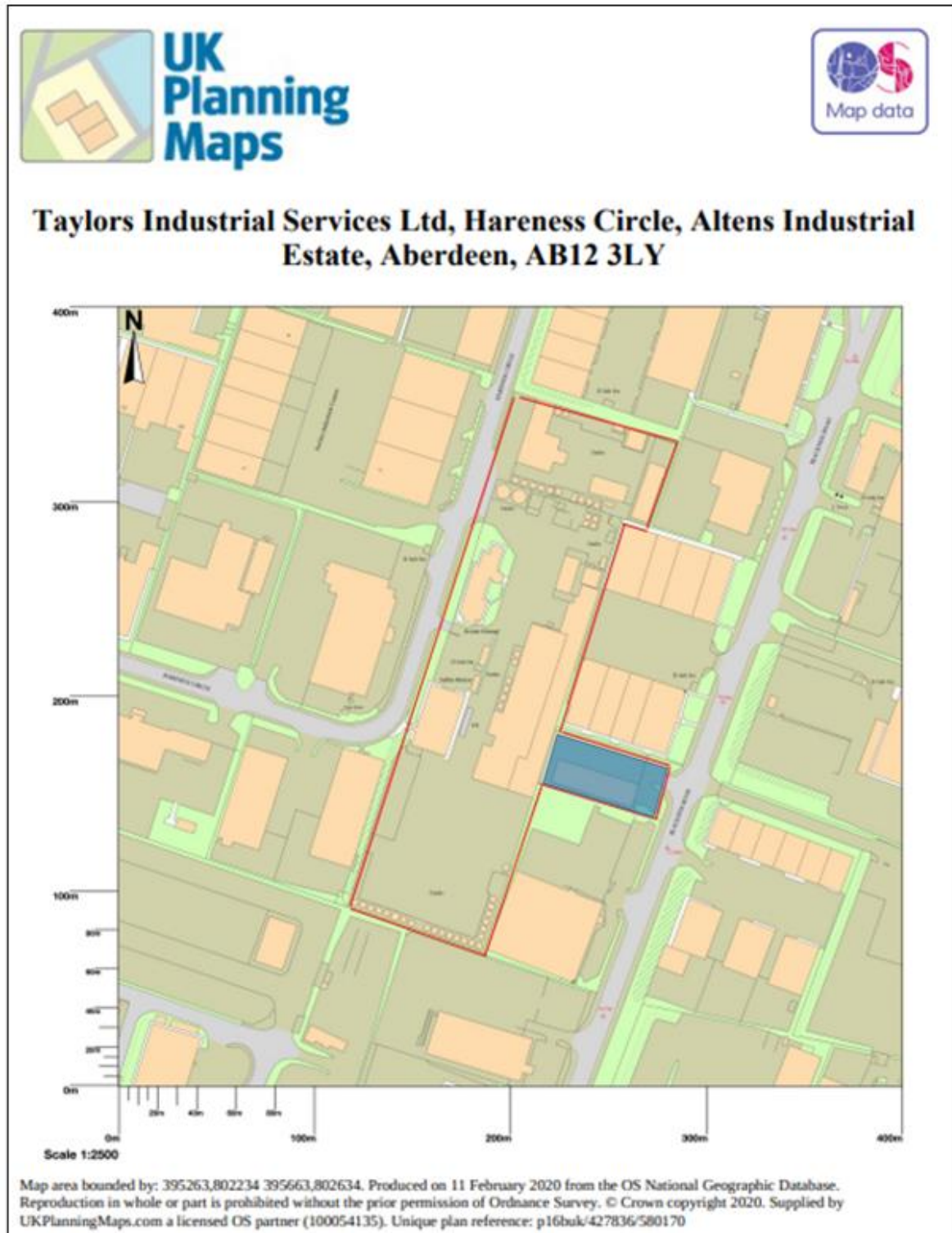
SCHEDULE TO NOTICE OF VARIATION UNDER REGULATION 46(8)

Operator: Taylors Industrial Services Limited
Permit Number: PPC/A/1015769
Date of Permit: 27 March 2007
Variation No: VAR01

Permit number PPC/A/1015769 (as varied) has been varied as follows:

1. New condition 1.1.4.15 is inserted:
1.1.4.15 Waste storage warehouse
2. The Site Plan in Condition 1.2 is deleted and replaced with the new Site Plan.
3. New Schedule 7 is inserted as follows.

1.2 Site Plan



7. CONDITIONS APPLYING TO EXTENDED AREA OF INSTALLATION

7.1. General

7.1.1 This Schedule shall only apply to the area of the permitted installation shaded in blue on the Site Plan in Condition 1.2 (“the extended area”).

7.2. Groundwater and Soil Protection

7.2.1. At least every three years, the operator shall carry out a systematic assessment of all measures used to prevent emissions from the extended area of the permitted installation to soil and groundwater. A written report of each assessment shall be recorded and reported to SEPA. The report shall include details of and timescales for any additional measures that are required to prevent emissions to soil and groundwater. The first report shall be provided by 31 October 2022.

7.2.2. The Operator shall monitor the groundwater for the Relevant Hazardous Substances (RHS) specified in Table 7.1, at the frequency specified in Table 7.1, the purpose of which shall be to identify groundwater contamination associated with the activities specified in Table 7.1 by those RHS. Each assessment shall be recorded and reported to SEPA within one month of completion. The first assessment shall be completed by 30 April 2023. The assessment shall include interpretation of the results with reference to previous monitoring undertaken, (including the site and where applicable baseline reports) and operations at the extended area of the Permitted Installation and details of corrective actions that are required to protect groundwater and remedy any contamination that has occurred as a result of permitted activities.

Table 7.1 – Groundwater Monitoring Requirements

Relevant hazardous substance	Location and activity	Frequency
Heavy Metals TPH (banded) Phenols, PAH VOC + TICs SVOC +TICs Isocyanates Ammonia	Area of soft ground adjacent to hardstanding associated with areas where RHS are handled (stored). Locations to be agreed as per monitoring plan submitted under Condition 7.2.4 or as otherwise agreed in writing by SEPA.	3 years

7.2.3. The operator shall monitor the soil at the site for the RHS specified in Table 7.2 at the frequency specified in Table 7.2, the purpose of which shall be to identify soil contamination associated with the activities specified in Table 7.2 by those RHS. Each Assessment shall be recorded and reported to SEPA within one month of completion. The first assessment shall be completed by 30 April 2023. The assessment shall include interpretation of the results with reference to previous monitoring undertaken (including the site and where applicable baseline reports) and operations at the extended area of the permitted installation. Details of corrective actions that are required to protect soil and remedy any contamination that has occurred as a result of permitted activities shall be included.

Table 7.2 – Soil Monitoring Requirements

Relevant hazardous substance	Location and activity	Frequency
Heavy Metals TPH (banded) Phenols, PAH VOC + TICs SVOC +TICs Isocyanates Ammonia	Areas of soft ground adjacent to hardstanding associated with areas where RHS are handled. Five locations to be agreed as per monitoring plan submitted under Condition 7.2.4 or as otherwise agreed in writing by SEPA	3 years

- 7.2.4. The Operator shall submit a detailed soil and groundwater monitoring plan, for the monitoring required by conditions 7.2.2 and 7.2.3 to SEPA at least three months in advance of carrying out the monitoring. Said plan shall include the locations at which monitoring shall be carried out and the sampling and analytical methodology which shall be used.
- 7.2.5. The operator shall carry out the monitoring required by conditions 7.2.2 and 7.2.3 in accordance with the soil and groundwater monitoring plan required by condition 7.2.4.
- 7.2.6. The operator shall review the plan required by Condition 7.2.4 no later than six months after each monitoring event. The purpose of the review shall be to determine whether any changes to monitoring locations, frequency or parameters are required and where changes are proposed, the operator shall submit a revised plan to SEPA.
- 7.2.7. Notwithstanding the requirements of Condition 2.2.4 all plans, monitoring and assessments reports undertaken in accordance with Conditions 7.2.1, 7.2.2, 7.2.3 and 7.2.4 shall be preserved until the permit is surrendered.
- 7.2.8. The operator shall maintain the groundwater wells detailed in the plan required in Condition 7.2.4 in a condition fit for purpose, unless otherwise agreed in writing with SEPA. Where a well's function is compromised it shall be repaired or replaced to allow sample collection in accordance with Condition 7.2.2 and 7.2.4.

SCOTTISH ENVIRONMENT PROTECTION AGENCY

Pollution Prevention and Control Act 1999

**Pollution Prevention and Control (Scotland) Regulations 2000
("the Regulations")**

PERMIT TO OPERATE A 'PART A' INSTALLATION

Permit Number: PPC/A/1015769

Operator: Taylors Industrial Services Limited
Hareness Circle
Altens Industrial Estate
Aberdeen
AB12 3LY

The Scottish Environment Protection Agency ("SEPA"), in accordance with Regulation 7 of the Regulations, hereby grants a permit to Taylors Industrial Services Limited, company registration number SC134666 having its registered office at Hareness Circle, Altens Industrial Estate, Aberdeen, AB12 3LY ("the Operator") to operate an installation, more particularly described in Schedule 1 of this permit, on a site at Hareness Circle, Altens Industrial Estate, Aberdeen, AB12 3LY more particularly described in said Schedule 1, subject to the requirements of the Regulations and to the conditions contained in the Schedules to this Permit.

Signed.....*Colin A Gray*.....
Authorised to sign on behalf of the
Scottish Environment Protection Agency

Date: 27 March 2007

Right of Appeal

Under Regulation 22 of the Regulations you are entitled to appeal to the Scottish Ministers against any condition or conditions of this Permit within six months of the date of this Permit, except where SEPA has granted this Permit in implementation of a direction to SEPA of the Scottish Ministers. The bringing of an appeal will not have the effect of suspending the operation of the said condition or conditions. The procedures for the making of an appeal are set out in Schedule 8 of the Regulations.

CONTENTS

INTERPRETATION OF TERMS	3
--------------------------------------	----------

SCHEDULES

1 THE PERMITTED INSTALLATION.....	5
1.1 Description of Permitted Installation	5
1.2 Site Plan.....	7
1.3 Location Plan.....	8
2 GENERAL CONDITIONS.....	9
2.1 Administration.....	9
2.2 Records.....	9
2.3 Reporting.....	9
2.4 Waste Data Reporting	10
2.5 Incidents.....	10
2.6 Resource Utilisation.....	11
2.7 Waste Arisings Management.....	11
2.8 Sampling and Monitoring Facilities	11
3 CONDITIONS APPLYING TO THE PERMITTED INSTALLATION AS A WHOLE.....	14
3.1 Waste Types and Quantities.....	14
3.2 Hours of Operation	14
3.3 Temporary Cessation of Operations	14
3.4 De-commissioning	14
3.5 Staffing and Management.....	15
3.6 Infrastructure	15
3.7 Storage of Liquids	16
3.8 Secure Compound.....	16
3.9 Lighting.....	17
3.10 Impermeable Pavement and Drainage	17
3.11 Site Office.....	17
4 CONDITIONS APPLYING TO THE RECEPTION OF WASTE AT THE PERMITTED INSTALLATION AS A WHOLE	20
4.1 Waste Acceptance.....	20
4.2 Procedure for Rejected Loads	20
4.3 Labelling of Storage Areas	20
5 CONDITIONS APPLYING TO THE OPERATION OF THE PERMITTED INSTALLATION AS A WHOLE.....	21
5.1 Plant, Machinery, Equipment and Instrumentation.....	21
5.2 Disposal of Compatible Wastes.....	21
5.3 Leakages/Spills	21
5.4 Site Management	21
5.5 Handling and Storage of Wastes	21

6	CONDITIONS APPLYING TO POLLUTION ABATEMENT AT THE PERMITTED INSTALLATION AS A WHOLE	23
6.1	Protection of Soil and Groundwater	23
6.2	Water Environment and Sewer Discharge Conditions	23
6.3	Air Emission Conditions	23
6.4	Noise	24
6.5	Odour Conditions	24
6.6	Dust	25
6.7	Litter	25
6.8	Birds, Vermin & Insects	25
6.9	Mud on Roads	25
7	APPENDIX 1 - WASTE DATA RETURN.....	27

INTERPRETATION OF TERMS

For the purposes of this Permit, and unless the context requires otherwise, the following definitions shall apply:

"the Application" means the application made by Taylors Industrial Services Ltd for Taylors Industrial Services, Hareness Circle, Altens Industrial Estate, Aberdeen, AB12 3LY on the 29/11/06 and given the reference number PPC/A/1015769;

"Authorised Person" means a person who is authorised in writing under Section 108 of the Environment Act 1995 to carry out duties on behalf of SEPA;

"Another Relevant Person" has the same meaning as in Section 74(7) of the Environmental Protection Act 1990

"emission" has the same meaning as in the Regulations;

"hazardous waste" has the same meaning as in the Regulations;

"incident" means any of the following situations:

- Where an accident occurs which has caused or may have the potential to cause pollution;
- Where any malfunction, breakdown or failure of plant or techniques is detected which has caused or may have the potential to cause pollution;
- Where any substance, vibration, heat or noise specified in any Condition of this Permit is detected in an emission from a source not authorised by a Condition of this Permit and in a quantity which may cause pollution;
- Where an emission of any pollutant not authorised to be released under any Condition of this Permit is detected;
- Where an emission of any substance, vibration, heat or noise is detected that has exceeded, or is likely to exceed, or has caused, or is likely to cause to be exceeded any limit on emissions specified in a Condition of this Permit.

"Location Plan" means the plan attached at Schedule 1;

"non-hazardous waste" means waste which is not hazardous waste;

"PCBs or PCTs" means polychlorinated biphenyls, polychlorinated terphenyls and mixtures containing one or both of such substances;

"the Permitted Activities" are defined in Schedule 1 of this Permit;

"the Permitted Installation" is defined in Schedule 1 of this Permit and includes references to parts of the Permitted Installation;

"pollutant" and "pollution" have the same meaning as in the Regulations;

"the Regulations" means The Pollution Prevention and Control (Scotland) Regulations 2000;

"Ringleman Shade 1" has the same meaning as in British standard BS 2742:1969;

"waste" has the same meaning as in the Regulations;

"Sealed drainage system" has the same meaning as in paragraph 45(7) of Schedule 3 of the Waste Management Licensing Regulations 1994

"SEPA" means the Scottish Environment Protection Agency;

"the Site Boundary" is defined in Schedule 1 of this Permit;

"Site Plan" means the plan attached at Schedule 1;

"Toxic and dangerous waste" has the meaning given by Article 1(b) of Council Directive 78/319/EEC

"waste oil" has the same meaning as in the Regulations

"water environment" has the same meaning as in the Water Environment and Water Services (Scotland) Act 2003 that is all surface water, groundwater and wetlands; and "surface water", "groundwater" and "wetlands" shall have the same meanings as in the Act.

Any reference to a numbered Condition, group of Conditions, Schedule, Table, Appendix, Figure or Paragraph is a reference to the condition, group of conditions, schedule, table, appendix, figure or paragraph bearing that number in this licence;

Except where specified otherwise in this Permit:

- "day" means any period of 24 consecutive hours,
- "week" means any period of 7 consecutive days,
- "month" means a calendar month,
- "quarter" means a calendar quarter
- "year" means any period of 12 consecutive months;

and any derived words (e.g. "monthly", "quarterly") shall be interpreted accordingly;

Except where specified otherwise in this Permit, any reference to an enactment or statutory instrument includes a reference to it as amended (whether before or after the date of this Permit) and to any other enactment, which may, after the date of this Permit, directly or indirectly replace it, with or without amendment.

1 THE PERMITTED INSTALLATION

1.1 Description of Permitted Installation

1.1.1 The Permitted Installation to which this Permit applies ("the Permitted Installation") is:

1.1.1.1 The stationary technical unit specified in paragraph 1.1.4 (the Stationary Technical Unit), where the activities specified in paragraph 1.1.3 are carried out ("the Activities"), together with the directly associated activities specified in paragraph 1.1.5 ("the Directly Associated Activities").

1.1.1.2 The site of the Permitted Installation is delineated in red on the Site Plan ("the Site Boundary").

1.1.2 The general location of the Permitted Installation is as shown on the Location Plan.

1.1.3 The Activities carried out at the Stationary Technical Unit are:

1.1.3.1 The disposal of hazardous waste (other than by incineration or landfill) in plant with a capacity exceeding 10 tonnes per day for hazardous waste being an activity falling within paragraph (a) of Part A of Section 5.3 of Schedule 1 of the Regulations.

And

1.1.3.2 The disposal of waste oils (other than by incineration or landfill) in plant with a capacity exceeding 10 tonnes per day being an activity falling within paragraph (b) of Part A of Section 5.3 of Schedule 1 of the Regulations.

And

1.1.3.3 The disposal of non-hazardous waste in plant with a capacity exceeding 50 tonnes per day by physico-chemical treatment, specified in paragraph D9 of Annex IIA to Council Directive 75/442/EEC, which results in final compounds or mixtures which are discarded by means of any of the operations numbered D1 to D12 in that Annex, being an activity falling within paragraph (c)(ii) of Part A of Section 5.3 of Schedule 1 of the Regulations.

1.1.4 The Stationary Technical Unit comprises the following units:

1.1.4.1 Special waste area

1.1.4.2 Drum crusher

1.1.4.3 Fluorescent tube storage

1.1.4.4 Drum store

1.1.4.5 IBC store

1.1.4.6 Oily rags trailer

1.1.4.7 Tank wash bay

1.1.4.8 Stabilisation process

1.1.4.9 Mud tank storage

1.1.4.10 Leachate tanks

1.1.4.11 Sewage tanks

1.1.4.12 Centrifuge

1.1.4.13 Tanker discharge area

1.1.4.14 Oil/ water separation tanks

1.1.5 The following Directly Associated Activities are carried out on the Site:

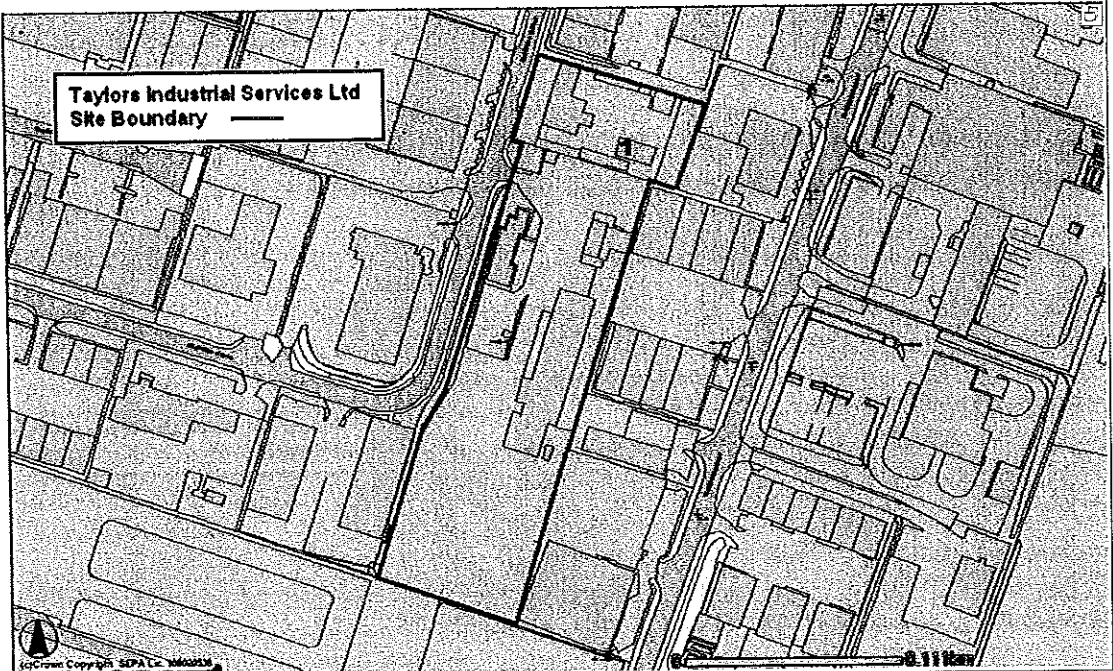
1.1.5.1 Dry waste bulking and recycling

1.1.5.2 Confidential paper disposal

1.1.6 Cabot Speciality Fluids site operations are not part of the Permitted Installation.

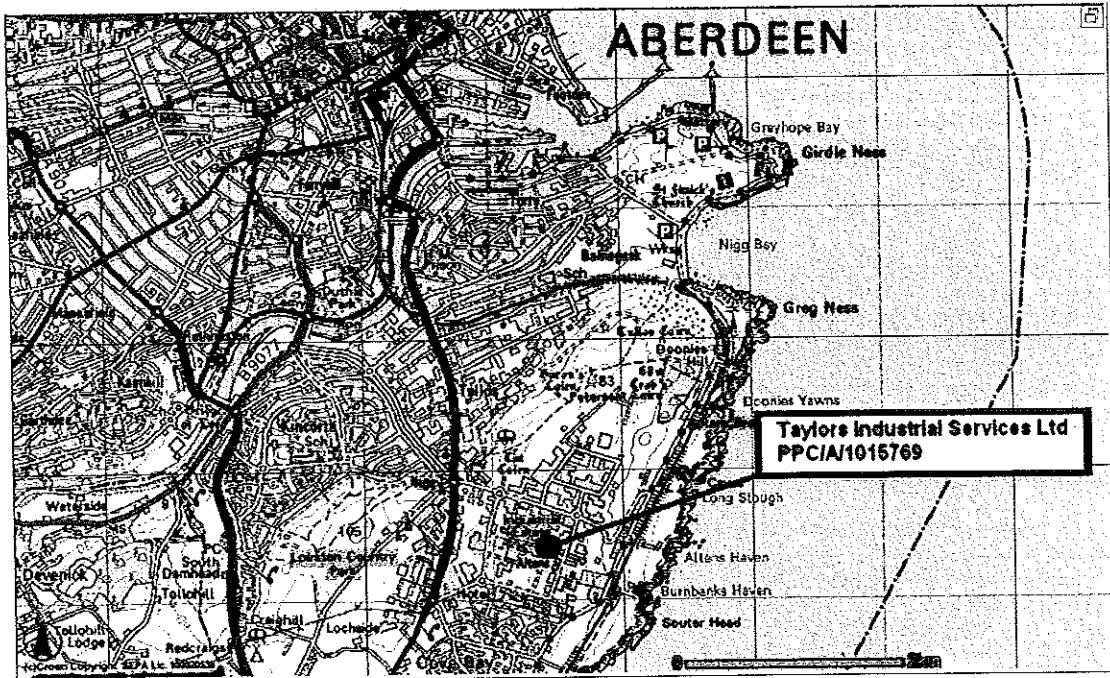
1.1.7 For the purposes of this Permit, the Activities and Directly Associated Activities shall be known together as "the Permitted Activities".

1.2 Site Plan



© Crown copyright. All rights reserved SEPA. Lic no. 100020538 2007

1.3 Location Plan



© Crown copyright. All rights reserved SEPA. Lic no. 100020538 2007

2 GENERAL CONDITIONS

2.1 Administration

2.1.1 The Operator shall have an appropriate person (and deputy) as the primary point of contact with SEPA and shall notify SEPA in writing of the name of the appointed person (and deputy) within 4 weeks of the date of this Permit.

2.1.2 In the event of a different person being appointed to act as primary point of contact (or deputy) the Operator shall notify SEPA in writing of the name of the appointed person or deputy without delay and no later than 4 weeks from the date of the appointment.

2.1.3 A copy of this Permit shall be kept at the Permitted Installation and shall be made readily accessible for examination by all staff.

2.1.4 Any systems or procedures used by the Operator to demonstrate compliance with a Condition of this Permit shall be recorded.

2.2 Records

2.2.1 The Operator shall keep on the Permitted Installation a diary to record significant events including as a minimum:

- visits by a designated technically competent person
- plant maintenance
- incidents and details of remedial action taken
- problems with waste received including actions taken
- pest control inspections
- environmental problems specific to the Permitted Installation

2.2.2 The diary shall be kept in a form which can be audited and shall be made available for inspection at any reasonable time.

2.2.3 All records made in compliance with this Permit shall be kept in a systematic manner.

2.2.4 Unless otherwise specified in a Condition of this Permit, every record made in compliance with a Condition of this Permit shall be preserved for not less than 5 years from the date of its being made. Every such record shall be kept at the Permitted Installation for not less than one year from the date of its being made and thereafter preserved at a location, previously notified to SEPA in writing, if that location is not the Permitted Installation.

2.2.5 All records shall be legible, and any amendment made to any record made in compliance with a Condition of this Permit shall be made in such a way as to leave the original entry clear and legible. The reason for each amendment shall be explained in the said record.

2.3 Reporting

2.3.1 Where any Condition of this Permit requires information to be reported, a report shall be forwarded in writing in duplicate to SEPA at the address specified in the explanatory notes attached to this Permit, by the date(s) or

within the period or at the frequency specified in Table 2.1 and, where appropriate, the first report shall be due on the date specified in that Table. All such reports shall include the Permit number and the name of the Operator.

- 2.3.2 Where the Permitted Installation has not operated for the duration of any reporting period specified in Table 2.1 the Operator shall provide written notification to SEPA. This shall confirm that no reports have been made in terms of Condition 2.3.1 because the Permitted Installation has not operated during the said period. Notifications shall be submitted within one month of the end of the reporting period concerned.
- 2.3.3 All notifications required by any Condition of this Permit shall be made to SEPA in the manner specified in that Condition to the address specified in the explanatory notes attached to this Permit by the date(s) or within the period or at the frequency specified in Table 2.1 and, where appropriate, the first notification shall be due on the date specified in that Table. All such notifications shall include the Permit number and name of the Operator.

2.4 Waste Data Reporting

- 2.4.1 The Operator shall compile the data required to complete the "Licensed/Permitted Site Returns Form" detailed in Appendix 1. A copy of the completed form shall be returned to SEPA within 28 days of the last day of March, June, September and December each year.

2.5 Incidents

- 2.5.1 In the event of an incident, the Operator shall take all necessary measures to prevent, or where that is not practicable to reduce, emissions from the Permitted Installation. All necessary measures to limit the consequences for the environment of any emissions from the Permitted Installation shall be taken, so far as reasonably practicable.
- 2.5.2 In the event of an incident, the Operator shall notify SEPA by telephone without delay. This notification shall include as far as practicable the information specified in Condition 2.5.3.
- 2.5.3 The Operator shall confirm any incident to SEPA in writing by first class post or fax by the next working day after identification of the incident. This confirmation shall include: the time and duration of the incident, the receiving environmental medium or media where there has been any emission as a result of the incident, an initial estimate of the quantity and composition of any emission, the measures taken to prevent or minimise any emission or further emission and a preliminary assessment of the cause of the incident.
- 2.5.4 Any incident notified to SEPA shall be investigated by the Operator, and a report of the investigation sent to SEPA within 14 days of the date of the incident unless otherwise agreed in writing with SEPA. The report shall detail, as a minimum, the circumstances of the incident, an assessment of any harm to the environment and the steps taken by the Operator to bring the incident to an end. The report shall also set out proposals for remediation, where necessary, and for preventing a repetition of the incident.

- 2.5.5 The Operator shall produce and copy to SEPA an "Incident Prevention and Mitigation Plan" within 3 months of the date of this Permit.
- 2.5.6 The Operator shall implement and maintain the "Incident Prevention and Mitigation Plan" as required by Condition 2.5.5.
- 2.5.7 At least every 2 years, the Operator shall review the Incident Prevention and Mitigation Plan required under Condition 2.5.5. Each review of the said Incident Prevention and Mitigation Plan shall be recorded and where the Operator makes any revisions to the said plan, said revisions shall be recorded.

2.6 Resource Utilisation

- 2.6.1 At least every 2 years, the Operator shall carry out a systematic assessment and review of the raw material, energy and fuel consumption, emissions and waste production associated with the Permitted Activities. The purpose of the assessment shall be to identify methods of reducing raw material, energy and fuel consumption, emissions and waste production. Each assessment shall be recorded.

2.7 Waste Arisings Management

- 2.7.1 At least every 2 years, the Operator shall carry out a systematic assessment and review of the management of all wastes generated by the Permitted Activities. The purpose of the assessment shall be to identify methods of avoiding or reducing the impact on the environment of the disposal of waste. Each assessment shall be recorded.
- 2.7.2 The Operator shall maintain a record of the location, estimated quantities and types of all wastes generated by the Permitted Activities and stored within the Permitted Installation. The said record shall be updated quarterly.

2.8 Sampling and Monitoring Facilities

- 2.8.1 Sampling, measurement and monitoring facilities at the Permitted Installation shall conform to the requirements of the relevant test methods specified in any Condition of the Permit or as otherwise agreed in writing by SEPA.
- 2.8.2 Unrestricted access to all sampling points required by any Condition of this Permit shall be provided at all times.

Table 2.1 - Reporting and Notification Requirements

Summary of Information to be Reported or Notified	Condition	Date/Within period/ Frequency to be Reported	Date First Report Due
Primary point of contact with SEPA	2.1.1 & 2.1.2	Within 4 weeks of the date of any new appointment	Within 4 weeks of the date of this Permit
Waste Data Returns	2.4.1	Within 28 days of the last days of: March, June, September and December each year	28 July 2007
Incident investigation notification	2.5.2 & 2.5.3	Without delay by telephone. Next working day written confirmation	Not applicable
Incident investigation report	2.5.4	within 14 days of the date of the Incident unless otherwise agreed in writing with SEPA	Not applicable
Incident Prevention and Mitigation Plan	2.5.5	Following each 2 year Review	Within 3 months of the date of this Permit
Decommissioning	3.4.2	At least one month prior to the proposed date of cessation	Not applicable
Rejected Loads	4.2.1	Details of refusal to be passed to SEPA forthwith	Not applicable
Noise Management Plan	6.4.1	Following each 2 year Review	Within 3 months of the date of this Permit
Noise systematic assessment report	6.4.3	Following each 2 yearly assessment	Not applicable
Noise Management Plan changes	6.4.5	Notified to SEPA at least 14 days prior to changes being implemented	Not applicable
Odour Management Plan	6.5.4	Following each 2 year Review	Within 3 months of the date of this Permit
Odour emissions systematic assessment report	6.5.6	Following each 2 yearly assessment	Not applicable
Odour Management Plan changes	6.5.8	Notified to SEPA at least 14 days prior to changes being implemented	Not applicable

Table 2.2 - Review and Systematic Assessment Requirements

Summary of Information to be Reviewed or Assessed	Condition	Frequency of Review	Date First Review Due
Incident Prevention and Mitigation Plan review	2.5.7	At least every 2 years from date of permit	March 2009
Resource utilisation systematic assessment and review	2.6.1	At least every 2 years from date of permit	March 2009
Waste arisings systematic assessment and review	2.7.1	At least every 2 years from date of permit	March 2009
Decommissioning Plan review	3.4.4.1 & 3.4.4.2	at least every 4 years from date of permit (and where substantial change proposed)	March 2011
Noise systematic assessment and review	6.4.3	At least every 2 years from date of permit	March 2009
Odour emissions systematic assessment and review	6.5.6	At least every 2 years from date of permit	March 2009

3 CONDITIONS APPLYING TO THE PERMITTED INSTALLATION AS A WHOLE

3.1 Waste Types and Quantities

- 3.1.1 Only waste types detailed in column 1 of Table 3.1 shall be accepted at the site.
- 3.1.2 The quantities of waste accepted at the site in any year shall not exceed those detailed in column 2 of Table 3.2.

3.2 Hours of Operation

- 3.2.1 The site shall only receive waste within the following hours:

Monday to Friday	0700 hours - 1900 hours
Saturday	0700 hours - 1900 hours
Sunday	0700 hours - 1900 hours

- 3.2.2 Waste handling activities shall only take place within the following hours:

Monday to Friday	0700 hours - 1900 hours
Saturday	0700 hours - 1900 hours
Sunday	0700 hours - 1900 hours

- 3.2.3 Notwithstanding Conditions 3.2.1 and 3.2.2 above, SEPA may permit the Operator to provide 24 hour operating facilities on site in emergency situations only, subject to the Operator providing SEPA with notification by telephone and in writing at least 24 hours in advance of providing such facilities or as soon as reasonably practicable, or in any event within 24 hours of an emergency incident occurring. The Operator shall specify the emergency situation which requires such facilities in such telephone and written notifications.

3.3 Temporary Cessation of Operations

- 3.3.1 Any temporary cessation of operations in excess of 2 weeks shall be notified to SEPA in writing. SEPA shall be given at least one day's prior notice of the Permit Holder's intention to recommence operations after such a temporary cessation.

3.4 De-commissioning

- 3.4.1 The Operator shall maintain "the De-commissioning Plan" as provided in the Application. The De-commissioning Plan shall set out the steps to be taken by the Operator after the final cessation of the Permitted Activities.
- 3.4.2 The Operator shall notify SEPA in writing of its intention to cease the Permitted Activities, or any part thereof, for any period exceeding 12 months, no later than one month prior to the proposed date of cessation.
- 3.4.3 The Operator shall implement the De-commissioning Plan on final cessation of the Permitted Activities or any part thereof.

3.4.4 The Operator shall review, record and, where necessary, update the De-commissioning Plan as follows:

3.4.4.1 at least every 4 years; and

3.4.4.2 where the Operator plans to make a substantial change in the extent or nature of the Permitted Installation.

3.5 Staffing and Management

3.5.1 All staff engaged in carrying on the Permitted Activities shall be provided with adequate professional and technical development and training and written operating instructions to enable them to carry on their duties.

3.5.2 The Operator shall ensure that all staff engaged in carrying on the Permitted Activities are fully conversant with those aspects of the Permit Conditions which are relevant to their duties.

3.5.3 The Operator shall maintain a record of the skills and training requirements for each job and shall keep records of all relevant training.

3.5.4 The Permitted Installation shall be managed and supervised by a designated technically competent person to ensure that the conditions of the Permit are being complied with.

3.5.5 The Operator shall inform SEPA in writing of all persons, and their qualifications, engaged in the operation or management of the Permitted Installation who are designated as technically competent.

3.5.6 Where the Operator or Another Relevant Person is convicted of an offence prescribed under section 74(6) of the Environmental Protection Act 1990 for the purposes of section 74(3)(a) of the Environmental Protection Act 1990 the Operator shall notify SEPA in writing within 7 days of the conviction, whether or not the condition is subsequently appealed.

3.5.7 When the Permitted Installation is open to receive waste the Permitted Installation shall be staffed by at least 4 members of staff.

3.5.8 When the Permitted Installation is closed to receive waste, but waste handling and bulking activities are taking place, the Permitted Installation shall be staffed by at least 2 members of staff.

3.6 Infrastructure

3.6.1 All roads and surfaces shall be constructed and maintained in a condition such that their use is not compromised by debris, ruts, potholes or ponded surface water.

3.6.2 Wheel cleaning facilities shall be maintained at the site.

3.6.3 The site shall be maintained in a secure condition to prevent unauthorised access.

3.6.4 A site notice board of durable material and finish shall be displayed at the site entrance. The noticeboard shall contain the under noted information, which information shall be legible from outwith the site boundary:

- Permitted Installation name, address and Permit number
- Permit Holder's name
- site opening times
- emergency contact telephone number for the Permit Holder
- telephone number of the SEPA area office and the SEPA emergency telephone number

3.6.5 Legible signs of a durable material and finish shall be prominently displayed throughout the site to ensure that users of the installation are aware of:

- traffic routing and access restrictions
- the location of the various facilities
- all areas of high risk

3.7 Storage of Liquids

3.7.1 All containers used to store any liquids shall be located in a bund. The minimum capacity of any bund shall be either 110% of the capacity of the largest container, or 25% of the total capacity of all the containers within the bund, which-ever is the greater. In the event of any containers being connected to one another, they shall be treated as one container.

3.7.2 The bunded area(s) and containers shall conform to the following standards:

- the walls and base of the bund shall be impermeable
- the base shall drain to a sump
- when not in use all taps, valves, pipes and every part of each container shall be located within the area served by the bund
- vent pipes shall be directed downwards into the bund
- no part of the bund shall be within 10 metres of a watercourse
- all containers with a design capacity above 1250 litres shall be fitted with a device for continuously monitoring the level of the contents

3.7.3 The accumulation of rainwater, spillages or leaks shall be managed to ensure that at least 95% of the capacity of the bund is free of liquid.

3.8 Secure Compound

3.8.1 An area within the site boundary shall be provided for isolating non-conforming wastes. This area shall have an impermeable surface designed to ensure that no liquid fraction can escape beyond this area.

3.8.2 Secure chemical storage units shall be provided for holding wastes that have been received but do not conform with the Permit conditions. Each secure chemical storage unit shall be clearly and permanently identified as to show the waste category which it is designed to store.

3.9 Lighting

- 3.9.1 At all times the Permitted Installation is open to the public or operations are being carried out on site average and minimum luminance detailed in Table 3.3 below must be achieved.
- 3.9.2 If lighting systems are used to comply with the standards they must be maintained in working order.

3.10 Impermeable Pavement and Drainage

- 3.10.1 All working surfaces shall be impermeable to water and laid to falls that direct surface run-off to a purpose designed drainage system.
- 3.10.2 The impermeable pavements shall be constructed of concrete or similar material and be laid to a fall so as to direct pavement water run-off to a sealed drainage system and oil interceptor. The impermeable pavement shall be of such a design that any spillage on it or run-off from it is fully contained and cannot escape onto adjacent ground.
- 3.10.3 Site drainage shall be provided and maintained to ensure that:
- rainfall run-off from surrounding areas does not drain into the waste
 - contaminated surface water run-off does not enter watercourses
 - the site does not become subject to ponding or waterlogging

3.11 Site Office

- 3.11.1 A site office facility equipped with an effective communication system shall be provided and maintained.

Table 3.1 - Accepted Wastes

European Waste Catalogue Code	Description including physical form
01	Wastes resulting from exploration, mining, quarrying, physical and chemical treatment of minerals
02	Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing
03	Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard
04	Wastes from the leather, fur and textile industries
05	Wastes from petroleum refining, natural gas purification and pyrolytic treatment of coal
06	Wastes from inorganic chemical processes
07	Wastes from organic chemical processes
08	Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), adhesives, sealants and printing inks
09	Wastes from the photographic industry
10	Wastes from thermal processes
11	Wastes from chemical surface treatment and coating of metals and other materials; non-ferrous hydro-metallurgy
12	Wastes from shaping and physical and mechanical surface treatment of metals and plastics
13	Oil wastes and wastes of liquid fuels (except edible oils, 05 and 12)
14	Waste organic solvents, refrigerants and propellants (except 07 and 08)
15	Waste packaging; absorbents, wiping cloths, filter materials and protective clothing not otherwise specified
16	Wastes not otherwise specified in the list
17	Construction and demolition wastes (including excavated soil from contaminated sites)
18	Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)
19	Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use
20	Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions

Table 3.2 - Accepted Waste Quantities

Column 1	Column 2
Waste Accepted (e.g. non hazardous waste)	Yearly Tonnage
Inert wastes	5,000
Scrap metal	5,000
Non hazardous wastes (including liquids)	185,000
Batteries	1,000
Special wastes (excluding clinical wastes)	75,000

Table 3.3 - Luminance

Area	Average Luminance Lx	Minimum Measured Luminance Lx
1. Movement of people, vehicles, plant, machines	50 (measured at ground level)	20 (measured at ground level)
2. Waste Inspection	200 (measured at waste level)	100 (measured at waste level)

4 CONDITIONS APPLYING TO THE RECEPTION OF WASTE AT THE PERMITTED INSTALLATION AS A WHOLE

4.1 Waste Acceptance

4.1.1 The Permit Holder shall monitor all wastes entering the site (including weight recording of waste loads) to ensure that they are within the types/quantities permitted under the conditions of this Permit. Vehicles shall not be permitted to proceed to the storage and treatment areas unless the source of waste has been ascertained and where practicable, the load visually inspected by a suitably trained member of staff and found to comply with the requirements of this Permit.

4.1.2 All waste received shall be further inspected by a suitably trained member of staff when it is kept/treated, to check that the waste is permitted for acceptance under the conditions of this Permit. Any waste found not to conform to the conditions of this Permit detected during this inspection shall be immediately removed to the secure compound.

4.2 Procedure for Rejected Loads

4.2.1 Where the Permit Holder refuses any person permission to deposit waste at the site the Permit Holder shall take all reasonable steps to obtain the following details: name and address of person, registration number of vehicle, quantity and type of waste, date and time of refusal. Details of the occurrence shall be passed to SEPA forthwith.

4.3 Labelling of Storage Areas

4.3.1 All waste storage areas shall be clearly labelled. The label shall identify the material stored in the area and any hazardous properties. This information shall be legible from outwith the storage area.

5 CONDITIONS APPLYING TO THE OPERATION OF THE PERMITTED INSTALLATION AS A WHOLE

5.1 Plant, Machinery, Equipment and Instrumentation

5.1.1 All plant, machinery, equipment and instrumentation used at the Permitted Installation shall be operated, maintained and inspected in accordance with the manufacturer's instructions. Should the plant, machinery, equipment or instrumentation for any reason become unserviceable or inoperable, its replacement, repair or arrangements for its repair shall be put in hand forthwith.

5.2 Disposal of Compatible Wastes

5.2.1 Different categories of hazardous wastes, or hazardous wastes and non hazardous wastes shall not be mixed at the installation other than using processes and methods which shall ensure that such mixing does not endanger human health or harm the environment.

5.2.2 Waste oil shall not be mixed with toxic or dangerous waste or PCBs or PCTs.

5.2.3 Any regeneration of waste oils shall be carried out using such methods and processes as are necessary to ensure that the base oils derived from such regeneration do not constitute a toxic and dangerous waste and do not contain PCBs or PCTs in concentrations exceeding 50 parts per million.

5.3 Leakages/Spills

5.3.1 Any spillages of waste, fuel or other liquids shall be cleaned up forthwith. A supply of a suitable absorbent material shall be kept on site to deal with any such spillages.

5.4 Site Management

5.4.1 At the end of the working day the storage area shall be free of debris and litter.

5.4.2 At the end of each working day, all skips containing waste which are to remain on site shall be covered.

5.4.3 All storage areas shall be cleared of all wastes at least once every 6 months and the area thoroughly cleaned. Details of such cleaning shall be recorded in the Site Diary.

5.5 Handling and Storage of Wastes

5.5.1 Asbestos waste shall be stored in a secure lockable container. The container shall be kept locked at all times other than when asbestos is being deposited in the container.

5.5.2 Lead acid batteries shall be stored in an impermeable bunded storage area whilst awaiting removal from the site. The bunded storage areas shall either be roofed or be kept free of any accumulation of rainwater. Any accumulation of contaminated liquid shall be removed to a suitably licensed facility.

- 5.5.3 Oily parts must be stored in or on containers on an area of impermeable pavement as specified in Condition 3.10. Said containers must be designed such that oil cannot escape from them and shall be placed such that rainwater cannot enter them.
- 5.5.4 After their arrival at the site, waste pressurised cylinders and other aerosols shall be stored in a designated area until they are from the site. The designated areas shall be identified in the Management Plan.
- 5.5.5 Other solid wastes produced as a result of the Permitted Activities shall be stored at locations detailed in the Management Plan.

6 CONDITIONS APPLYING TO POLLUTION ABATEMENT AT THE PERMITTED INSTALLATION AS A WHOLE

6.1 Protection of Soil and Groundwater

- 6.1.1 Unless specified elsewhere in this Permit there shall be no emission of any Pollutants to groundwater or soil from the Permitted Installation.
- 6.1.2 The Operator shall maintain a record of any incident that has, or might have, impacted on the condition of any soil or groundwater under the Permitted Installation, either as a result of that incident or as a result of an accumulation of incidents, together with a record of any further investigation or remediation work carried out.
- 6.1.3 Notwithstanding the requirements of Condition 2.2.4, the record required by Condition 6.1.2 shall be preserved until this Permit is surrendered.
- 6.1.4 The Operator shall maintain plans that identify the configuration and specification of all drains and subsurface pipe-work and the position and purpose of all sub-surface sumps and storage vessels that are used or have been used within the Permitted Installation from the date of this Permit until the Permit is surrendered.

6.2 Water Environment and Sewer Discharge Conditions

- 6.2.1 No emissions arising from the Permitted Activity shall be discharged directly to the water environment from the Permitted Installation.
- 6.2.2 The emissions to sewer shall only be from the specified emission points and destinations in the consent granted to the Operator by Scottish Water.
- 6.2.3 Any modification or non compliance reported to the Operator by Scottish Water regarding Condition 6.2.2 shall be notified to SEPA in writing within 48 hours of the incident.

6.3 Air Emission Conditions

- 6.3.1 The emissions to air specified in Table 6.1 shall only be permitted from the emission locations specified in that Table and shall not exceed the limits for the parameters specified in said Table.
- 6.3.2 The Operator shall carry out spot sampling (SS) of emissions of the parameters specified in Table 6.2 at the sampling location specified in Table 6.1 and subject to the requirements for monitoring specified in Table 6.2.
- 6.3.3 The Operator shall record the date, time, duration and results of all monitoring carried out under Condition 6.3.2 and report said results. For each result, the report shall include the operational mode of the Permitted Installation at the time of monitoring, the name of the person carrying out the monitoring, any deviations from the methods specified in Table 6.2 and the associated confidence interval.
- 6.3.4 The Operator shall, at least annually, test the combustion efficiency of the steam boiler using a method agreed in writing with SEPA, the purpose of

which shall be to ensure that optimum combustion conditions are maintained. This testing shall be recorded and reported to SEPA.

6.4 Noise

- 6.4.1 The Operator shall produce and copy to SEPA a noise management plan ("the Noise Management Plan") within 3 months of the date of this Permit.
- 6.4.2 The Operator shall implement and maintain "the Noise Management Plan" as required by Condition 6.4.1.
- 6.4.3 At least every 2 years, the Operator shall carry out a systematic assessment and review of noise emissions associated with the Permitted Activities, the purpose of which shall be to identify methods of reducing noise emissions. Each assessment shall be recorded and reported to SEPA.
- 6.4.4 The Noise Management Plan shall be updated following each systematic assessment and review as required by Condition 6.4.3, the purpose of which shall be to implement the findings of the assessment in a systematic manner.
- 6.4.5 The Operator shall notify SEPA in writing on any proposed changes to the Noise Management Plan at least 14 days prior to the change being made.
- 6.4.6 All actions taken in accordance with the Noise Management Plan shall be recorded.
- 6.4.7 All necessary measures shall be taken to minimise pollution arising from the Permitted Installation in respect of noise and vibration, as far as reasonably practicable. These measures shall include, but not be restricted to, those described in the Noise Management Plan.

6.5 Odour Conditions

- 6.5.1 All emissions to air from the Permitted Installation shall be free from offensive odour, as perceived by an Authorised Person, outside the Site Boundary.
- 6.5.2 Monitoring shall be carried out to assess odour emissions down-wind of the Site, at the Site Boundary, at least daily and during any storage/handling of odorous wastes as described at paragraph 1.1 above.
- 6.5.3 The Operator shall record the result of each assessment referred to at Condition 6.5.2. The records shall include the date, time, location, duration and result of the assessment as well as the name of the person making the assessment, the wind direction and strength and the general weather conditions at the time. The record shall further include the operational status of the Installation.
- 6.5.4 The Operator shall produce and copy to SEPA an odour management plan ("the Odour Management Plan") within 3 months of the date of this Permit.
- 6.5.5 The Operator shall implement and maintain "the Odour Management Plan" as required by Condition 6.5.4.
- 6.5.6 At least every 2 years, the Operator shall carry out a systematic assessment and review of Odour Emissions associated with the Permitted Activities, the

purpose of which shall be to identify methods of reducing odour Emissions and their impact. Each assessment shall be recorded and reported to SEPA.

- 6.5.7 The Odour Management Plan shall be updated following each systematic assessment and review as required by Condition 6.5.6, the purpose of which shall be to implement the findings of the assessment in a systematic manner.
- 6.5.8 The Operator shall notify SEPA in writing on any proposed changes to the Odour Management Plan at least 14 days prior to the change being made.
- 6.5.9 The Odour Management Plan and all actions taken in accordance with the Odour Management Plan shall be recorded.

6.6 Dust

- 6.6.1 All emissions to atmosphere from the Permitted Installation shall be free from visible emissions of particulate matter and fallout of particulate matter beyond the Site Boundary.

6.7 Litter

- 6.7.1 All operations on the Permitted Installation shall be carried out such that no litter escapes beyond the Permitted Installation boundary. On a daily basis any litter lying within the Permitted Installation shall be removed and contained.

6.8 Birds, Vermin & Insects

- 6.8.1 All operations on the Permitted Installation shall be carried out so as to minimise the nuisance and hazards arising from the Permitted Installation in respect of the presence of birds, vermin and insects. The Permitted Installation shall be inspected at least once every three months by a person suitably qualified and experienced in pest control and a treatment programme shall be undertaken to deal with any identified infestation forthwith.

6.9 Mud on Roads

- 6.9.1 Vehicles shall not be permitted to leave the site in a condition that would cause mud, oil or debris to be deposited onto the public road.

Table 6.1 - Emissions to Air ELVs

Source of Emission	Emission point number	1	To be agreed in writing with SEPA
	Emission source	Steam Boiler	Fugitive
	Stack height/diameter (m)		N/A
	Location on Site Plan	1	To be agreed in writing with SEPA
Monitoring Details	Type of Monitoring	Spot Sampling	Spot Sampling
	Sampling Location	Flue	Site boundaries
Limits for Parameters from Emission Source	Smoke	Ringlemann Shade 1 - on start up. No visible emissions in operation	N/A
	Benzene	N/A	To be determined
	Particulate Matter	N/A	To be determined

Table 6.2 - Emissions to Air Monitoring Requirements

Parameter	Emission point number	Spot Sampling (SS)		
		Standard	Frequency	Operational Mode
Smoke	1	BS 2742:1969	On start up	Lighting from cold and when in operation
Benzene	At site boundaries. To be agreed in writing with SEPA	To be agreed in writing with SEPA	Annually	During site operations
Particulate Matter	At site boundaries. To be agreed in writing with SEPA	To be agreed in writing with SEPA	Annually	During site operations

7 APPENDIX 1 - WASTE DATA RETURN

Document		Q-Pulse Number
Data Returns Front Cover - PPC	Dingwall	FC/WDS/004
	Glasgow	FC/WDS/005
	Stirling	FC/WDS/006
Licensed Permitted Site Return Form		FWDS/001
Licensed Permitted Site Return Form – Guidance Notes		GWDS/001

EXPLANATORY NOTES

(These Explanatory Notes do not form part of the Permit)

1. BAT

It should be noted that Regulation 9(11) & (12) of the Regulations specify that there is an implied Condition in every Permit that, in operating the installation or mobile plant, the Operator shall use the best available techniques (BAT) for preventing or, where that is not practicable, reducing Emissions from the installation or mobile plant.

This implied Condition does not apply in relation to any aspect of the operation of the installation or mobile plant, which is regulated by a specific Condition of the Permit. Examples of aspects of the operation that have not been regulated by specific Conditions are management and supervision systems, training and qualification and maintenance in general.

BAT is defined in Regulation 3 of the Regulations as follows:

"Best available techniques" means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for Emission limit values designed to prevent and, where that is not practicable, generally to reduce Emissions and the impact on the environment as a whole.

"available techniques" means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable Conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the UK, as long as they are reasonably accessible to the Operator.

"best" means in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole.

"techniques" includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Schedule 2 of the Regulations specifies the matters to be taken into account in determining BAT.

In considering BAT, SEPA would expect the Operator to have regard to all relevant PPC sectoral or other technical guidance, including BAT Reference Documents published by the European Commission and UK technical guidance published by the Environment Agency.

2. GENERAL STATUTORY REQUIREMENTS

The Permit does not detract from any other statutory requirements applicable to you in respect of the Permitted Installation, such as any need to obtain planning permission or building regulations approval or any responsibilities under legislation for health, safety and welfare in the workplace.

8. ENFORCEMENT & OFFENCES

If SEPA is of the opinion that you have contravened, or are contravening or are likely to contravene a Condition of the Permit it may serve an Enforcement Notice. Further details on Enforcement Notices are provided in Regulation 19 of the Regulations.

If SEPA is of the opinion that the operation of an installation or mobile plant involves a risk of serious pollution it must, in certain circumstances, serve a Suspension Notice on you. Further details on Suspension Notices are provided in Regulation 20 of the Regulations.

It is an offence to operate an installation or mobile plant covered by the Regulations without a Permit or in breach of the Conditions of the Permit. It is an offence to fail to comply with the requirements of an Enforcement or Suspension Notice. It is an offence to intentionally make a false entry in any record required to be kept under a Condition of a Permit. Further details on offences and on penalties liable to be imposed upon conviction of an offence are provided in Regulation 30 of the Regulations.

Directors, managers and other individuals within a company may be held personally liable for offences under the Regulations.

All personnel who are responsible for fulfilling any Condition of the Permit should be made aware of these facts.

9. RECORDED SYSTEMS, PROCEDURES OR INFORMATION RECORDING/ RETURN REQUIREMENTS

Where a Condition requires any system, procedure or information record/return, the Operator may demonstrate compliance by making use of any relevant existing written system used for any other purpose and which meets the requirements of the relevant Condition.

10. SYSTEMATIC ASSESSMENT (AND REVIEW)

Where a Condition of the Permit requires a "systematic assessment (and review)" the assessment should be undertaken in a methodical and arranged manner. If you require guidance on the scope or extent of any assessment (and review) required to be undertaken, you should contact your local SEPA office at the address or telephone number given above.

3. APPEALS

If you are aggrieved by any of the Conditions of the Permit, you should initially contact the local SEPA Office at the address or telephone number below. Further information on your right of appeal and the appeals procedure is contained Regulation 22 and Schedule 8 of the Regulations.

4. SUBSISTENCE CHARGES

An annual subsistence charge will be payable in respect of the Permit in terms of the Pollution Prevention and Control (Scotland) Charging Scheme 2002 or any relevant charging scheme made under Section 41 of the Environment Act 1995, copies of which are available from SEPA.

5. ADDRESS AND TELEPHONE NUMBERS

The contact address and telephone number for all information to be reported in terms of the Permit, is as follows: -

Scottish Environment Protection Agency
Greyhope House
Greyhope Road
Torry
Aberdeen
AB11 9RD

Tel No: 0800 80 70 60 and/or 01224 248338
Fax No: 01224 248591

6. REVIEW OF CONDITIONS

The Conditions of the Permit will be periodically reviewed by SEPA.

7. PROPOSED CHANGE IN OPERATION OF INSTALLATION

It is a requirement of Regulation 12 of the Regulations that if you propose to make a change in the operation of the installation, you must notify SEPA at least 14 days before making the change. The requirement under Regulation 12 does not apply if you have already made an application to SEPA for the variation of the Conditions of the Permit containing a description of the proposed change.

N.B. the requirements of Regulation 12 are in addition to any obligations you may have under the Permit itself to only operate the Permitted Installation in the manner set out in the Permit and to notify SEPA of proposed changes to the Permitted Installation.

Regulation 13 and Schedule 7 of the Regulations provide details on applications for variation of the Permit in respect of proposed changes and substantial changes in operation.

"Change in operation" and "substantial change in operation" are defined in Regulation 2 of the Regulations.