

**Waste Management Licensing (Scotland) Regulations 2011**

**("the Regulations")**

**Paragraph 9 - Form to register or renew an exemption**

**(Reclamation or improvement of land)**

**PLEASE RETURN THIS FORM TO YOUR SEPA (details at end of form)**

# Please read the accompanying guidance note WMX-TG9 for registration of a Paragraph 9 exempt activity as it gives technical advice relating to paragraph 9 exemptions as well as SEPA’s policy on certain topics. Please refer to the legislation for details of the exemption and your obligations. Other forms to give notice of separate exemptions under different paragraphs may be obtained from our website [www.sepa.org.uk](http://www.sepa.org.uk) or from any SEPA office.

This notice **must** be received by SEPA at least 21 days before the activity is due to begin. A separate form must be filled out for each activity. SEPA will either:

1. enter the particulars of the exempt activity on the register and confirm this in writing to you before the expiry of the 21 day period; OR
2. serve on you a notice of refusal stating that registration is refused and

giving reasons for that decision before the expiry of the 21 day period.

**The Data Protection Act 1998** “The Scottish Environment Protection Agency is responsible for maintaining and improving the environment and regulating environmental emissions. It has a duty to discharge its functions to protect and enhance the environment and to promote conservation and recreation.

The information provided will be processed by the Scottish Environment Protection Agency to deal with your registration, to monitor compliance with the legislation, to process renewals, and for maintaining the relevant public register(s).

We may also process and/or disclose it in connection with the following:

* offering/providing you with our literature/services relating to environmental affairs
* consulting with the public, public bodies and other organisations (eg Health and Safety Executive, Local Authorities, Emergency Services, Scottish Executive) on environmental issues
* carrying out statistical analysis, research and development on environmental issues
* providing public register information to enquirers
* investigating possible breaches of environmental law and taking any resulting action
* preventing breaches of environmental law
* assessing customer service satisfaction and improving our service.

We may pass it on to our agents/representatives to do these things on our behalf.

**You should ensure that any persons named on this form are informed of the contents of this Data Protection Notice**

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| For Office Use Only | | | |
| Reference No. |  | C & B Team: |  |
| First Notice: | Yes/No | Previous Reference No. |  |
| Date Received: |  | Date of Expiry: |  |
| Date Entered onto Register: |  | Entered within 21 days: | Yes/No |

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| **1. Contact Details of the Establishment or Undertaking i.e. the sole trader, company, partnership, authority, society, trust, club, charity or other organisation that will carry on the exempt activity (Print All)** | | | |
| Name & Designation |  | | |
| Organisation |  | | |
| Address |  | | |
| Registered Office Address |  | | |
| Postcode |  | E-mail |  |
| Tel No. |  | Fax No. |  |

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| **2. What are you attempting to register?** | | |
| (i) Tick one only | The treatment of land with listed waste types, this is Paragraph 9(1)(a) [see section 5 of this form for list of allowable wastes] or |  |
| The treatment of land with listed waste types where such treatment results in benefit to agriculture or ecological improvement, this is Paragraph 9(1)(b)[see section 5 of this form for list of allowable wastes] |  |
| (ii) Tick one only  If you are renewing a registration complete the relevant section of this form where minor changes exist. Where major changes exist, it should be registered as a new activity. | a) You wish to register the exempt activity for the first time. |  |
| b) You wish to renew a registration for a currently registered activity. |  |
| c) You wish to register an activity that was previously registered but isn’t currently registered. |  |
| If b) give exemption reference number (e.g. WMX/E/12345 or WML/XC/12345); |  | |
| if c) give exemption reference number and state reason why it isn’t currently registered. |  | |

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| **3. The location of the exempt activity** | |
| (i) Address of location of activity |  |
| (ii) Give an 8 figure grid reference of a key point of the treatment area, e.g. NS 7808 9469 |  |
| (iii) Is the activity within a designated area (eg SSSI, NVZ etc)? If yes state designation(s) |  |

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| **4. The Treatment Activity** | | | | |
| (i) Has the land where the activity is taking place been subject to Industrial or other man made development? | | | |  |
| (ii) Is the proposed treatment for reclamation, restoration or improvement such that land use or potential use is improved? | | | |  |
| (iii) Intended start date of treatment |  | (iv) Intended completion date of treatment |  | |
| (v) Give the area in hectares intended to be treated | Ha | (vi) Give the total quantity of waste to be spread (tonnes of wet weight) | Tonnes | |
| (vii) State the maximum application per treatment (tonnes wet weight/hectare) | T/Ha | (viii) State the method of application |  | |
| (ix) Is planning permission required for this activity? |  | (x) Has planning permission been granted? |  | |
| (xi) Will less <20000m3 of waste be applied per hectare? |  | (xii) Will the waste be spread to comply with the lesser of 2m deep or the cross sections provided |  | |
| (xiii) Describe the activity you wish to carry out in your own words. |  | | | |

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| **5. Description of the waste involved in the exempt activity** | | |
| (i) In the table below identify which waste streams you intend to use and stipulate the quantity to be use for the proposed activity. Note, the EWC Codes listed are the only wastes which can be used under this exemption. | | |
| **For Paragraph 9(1)(a) only (Land treatment)** | | |
| EWC Code | Description of Waste | Proposed Quantity (Tonnes) to be used for land treatment |
| 01 04 08 | Waste gravel and crushed rocks from physical and chemical processing of minerals |  |
| 01 04 09 | Waste sand and clays from physical and chemical processing of non-metalliferous minerals |  |
| 02 04 01 | Soil from cleaning and washing beet from sugar processing |  |
| 10 01 02 | Pulverised fuel ash |  |
| 10 01 03 | Fly ash from peat and untreated wood |  |
| 10 12 08 | Waste ceramics, bricks, tiles and construction products |  |
| 10 13 14 | Waste concrete and concrete sludge |  |
| 17 01 01 | Concrete |  |
| 17 01 02 | Bricks |  |
| 17 01 03 | Tiles & Ceramics |  |
| 17 01 07 | Mixtures of concrete, bricks, tiles and ceramics |  |
| 17 05 08 | Track ballast |  |
| 19 06 03 | Liquor consisting only of biodegradable waste from anaerobic treatment of waste |  |
| 19 06 04 | Digestate consisting only of biodegradable waste from anaerobic treatment of waste |  |
| 19 06 05 | Liquor from anaerobic treatment of animal and vegetable waste |  |
| 19 06 06 | Digestate from anaerobic treatment of animal and vegetable waste |  |
| 19 08 99 | Wastes from waste water treatment plants (specifically stone filter media) |  |
| 19 09 99 | Waste from the preparation of water for human consumption or industrial use (specifically slow sand filter sand) |  |
| 19 12 09 | Minerals (for example sand & stones) from the mechanical treatment of waste |  |
| 19 13 02 | Solid waste from soil remediation |  |
| 20 02 02 | Soil and stones from garden and park wastes |  |
| **Total** | | Tonnes |
| **For Paragraph 9(1)(b) only (Land treatment for agricultural benefit or ecological improvement)** | | |
| EWC Code | Description of Waste | Proposed Quantity (Tonnes) to be used for land treatment |
| 03 03 05 | De-inked sludges from paper recycling |  |
| 03 03 07 | De-inked paper pulp from paper recycling |  |
| 03 03 09 | Lime mud waste |  |
| 07 07 12 | Sludges from on-site effluent treatment other than those containing dangerous substances |  |
| 17 05 04 | Soil and stones |  |
| 17 05 06 | Dredging spoil |  |
| 19 05 03 | Off specification compost consisting only of biodegradable waste |  |
| 19 08 05 | Sludges from treatment of urban waste water |  |
| 19 08 99 | Waste from water treatment plants (specifically stone filter media) |  |
| 19 09 02 | Sludges from water clarification |  |
| 19 09 99 | Wastes from the preparation of water intended for human consumption or water for industrial use not otherwise specified (specifically slow sand filter sand) |  |
| 19 13 04 | Sludges from soil remediation |  |
| 19 09 02 | Sludges from water clarification |  |
| 19 09 99 | Waste from the preparation of water (specifically slow sand filter sand) |  |
| 19 13 04 | Sludges from soil remediation |  |
| **Total** | | Tonnes |

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| (ii) Describe the process from which the waste has arisen |  |
| (iii) Has the waste been mixed with any other materials? If yes give the name of the material (s) and whether it can give agricultural benefit | Y/N |
| Material: |
| iv) Please identify any potential risks to the environment associated with the inherent hazards of the waste and any preventative measures that will be put in place to protect the environment.  (Additional sheets may be appended if required.) | |
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| **6. Description of any waste storage pending the exempt activity**  *Note: storage includes anywhere deposited greater than 12 hours prior to use* | | | | |
| (i) Do you intend to store the waste? | | | | Y/N |
| (ii) Is the storage location the same as the treatment area? | | | | Y/N |
| (iii) Intended start date of storage |  | (iv) Intended completion date of storage |  | |
| (v) Give an 8 figure grid reference of the treatment area, e.g. NS 7808 9469 |  | (vi) Give the total quantity of waste to be stored (tonnes of wet weight) | Tonnes | |
| (vii) State the method and type of storage (give capacity) | Tonnes | | | |
| (viii) Tick each correct statement in the list below | | | | |
| Storage is further than 10 metres from any inland or coastal water | | | |  |
| Storage is further than 50 metres from any well, borehole or similar work sunk into underground strata for the purpose of use as a non-domestic water supply | | | |  |
| Storage is further than 250 metres from any well, borehole or similar work sunk into underground strata for the purpose of used as a domestic water supply | | | |  |
| Storage is secure | | | |  |
| (ix) Describe what reasonable precautions will be taken to ensure that the waste cannot escape from storage and members of the public are unable to gain access to it? | | | | |
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| **7. Land Ownership Details** | |
| (i) Tick each correct statement in the list below | |
| You are the owner or have control of the land where the activity is to be carried on |  |
| If you are not the owner or have control of the land please state the name and address of the owner of the land in the space below. | |
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| The activity will be carried out with the consent of the owner of the land |  |
| If the activity will be carried out without the consent of the owner of the land please state why you are entitled to carryout the activity and detail any consents necessary for you to carry out the activity. | |
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| **8. Purpose of the treatment** | |
| (i) The purpose of the treatment is for: (Tick the relevant box and complete the corresponding section) | |
| **ecological improvement** (go to section 9 - ignore 10 & 11) |  |
| **agricultural improvement** (go direct to section 10) |  |
| **Land Treatment [paragraph 9(1)(a)]** (go direct to section 12) |  |

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| **9. Ecological Improvement** | |
| (i) You must include a document (described as a certificate in the regulations) describing how the treatment will result in ecological improvement. This should identify individual species or habitat type and discuss how they will benefit from the treatment. Please note: failure to provide sufficient evidence to back the claim of ecological improvement will result in your notification being refused. The statement shall be prepared by or based on advice from a person with appropriate technical or professional expertise. The document should state this experience and be signed and dated by that person. Tick box if included. |  |
| (ii) You must also include a document giving an assessment of the risk of pollution posed by the treatment and any preventative measures proposed. Tick box if included. |  |

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| **10. Agricultural Benefit** | |
| (i) Tick each correct statement in the list below | |
| The waste will increase crop yield/quality |  |
| The waste will improve the chemical properties of the soil (e.g. pH) |  |
| The waste will improve the physical properties of the soil (e.g. tilth) |  |
| The waste will improve the biological properties of the soil |  |
| The waste will improve any soil moisture deficit |  |
| The waste will have other benefits |  |
| (ii) You must include a document (described as a certificate in the regulations) describing how the treatment will result in agricultural benefit. For each of the stated aims (10(i) above) you ticked, explain using the results of chemical analysis how the application of the specified waste will deliver agricultural benefit. You should detail optimum crop requirements, what the waste supplies and also when the crop requires the benefit associated with the waste. Please note: failure to provide sufficient evidence to back the claim of agricultural benefit will result in your notification being refused. The statement shall be prepared by or based on advice from a person with appropriate technical or professional expertise. The document should state this experience and be signed and dated by that person. Tick box if included. |  |
| (iii) You must also include a document giving an assessment of the risk of pollution posed by the treatment and any preventative measures proposed. Tick box if included. |  |

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| **11. Individual Field Assessment - A copy of this page should be completed for each field.** | | | | | | | | |
| Field Number/Identifier & size (Hectares - Ha) (as per your submitted map)  (this number/identifier should also be on associated soil analysis) | | |  | | | Ha | | |
| (i) Current crop/use |  | | | | | | | |
| (ii) Planned crop/use |  | | | | | | | |
| (iii) Identify any wastes, including agricultural, previously used to treat the land in the 6 months prior to the date of the intended treatment (include type of waste, approximate quantity, method of application) | | | | | | | | |
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| (iv) Tick the relevant boxes | | | | | | | | |
| Will the waste be spread as per the PEPFAA\* code  *\*Prevention of Environmental Pollution from Agricultural Activity* | | | | | | | | Y/N |
|  | | Please circle most appropriate | | | | | | |
| Maximum field slope (any part of field) | | <5o | | | 5-10o | | >15o | |
| Proximity to watercourse/ditches (nearest part of field) | |  | | | <10m | | >10m | |
| Proximity to spring, well or borehole (nearest part of field) | |  | | | <50m | | >50m | |
| Proximity to drinking water supply (nearest part of field) | |  | | | <250m | | >250m | |
| Proximity to dwelling (nearest part of field) | |  | | | <50m | | >50m | |
| Average depth to water table | | >1m | | | 0.5-1m | | <0.5m | |
| Are buffer strips to be established in this field? *(mark on associated plan)* | | | | | | | | Y/N |
| Have field drains been installed within the last year? | | | | | | | | Y/N |
| Give the principal soil type of the field | | | |  | | | | |
| **OFFICE USE ONLY - FIELD ACCEPTABLE** | | | | **Yes / No** | | | | |

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| **12. This notice shall be accompanied by the following documents**  Please tick all boxes where the relevant documents have been included. | |
| **For Initial registration - the following additional documents are required** | |
| (a) A plan of each place at which the exempt activity will be carried on showing the boundary of that place and the locations within that place at which the exempt activity is to be carried on and where storage will take place. Where more than 2500 cubic metres of waste is used a cross-sectional plan showing the proposed levels must be provided. |  |
| (b) A certificate of ecological improvement; or a certificate of agricultural benefit (as described above) |  |
| (c) The prescribed charge (cheques made payable to “Scottish Environment Protection Agency”) The current charges can be obtained on the SEPA website [www.sepa.org.uk](http://www.sepa.org.uk) at <http://www.sepa.org.uk/charging/fees_charges/index.htm> or from your local SEPA office. |  |
| **For registration renewal - the following additional documents are required** | |
| (a) A certificate of ecological improvement or agricultural benefit as described above - this should detail why the treatment is still required |  |
| (b) The prescribed charge (cheques made payable to “Scottish Environment Protection Agency”) The current charges can be obtained on the SEPA website [www.sepa.org.uk](http://www.sepa.org.uk) at <http://www.sepa.org.uk/charging/fees_charges/index.htm> or from your local SEPA office. |  |

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| **13. Declaration** | | | |
| Important Please Note: It is an offence for a person to make a statement which he/she knows to be false or misleading in a material particular, or to recklessly make a statement which is false or misleading in a material particular. | | | |
| **Declaration of Notice / Renewal of Notice**  **(The declaration must be signed by applicants or their agents)** | | | |
| I/we certify that, to the best of my/our knowledge, the information provided in this form and any associated documents are correct. | | | |
| Name  (PRINTED) |  | Date |  |
| Company Name |  |  |  |

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| **Payment Method:** | | | | |
| BACS  Proof of payment must be submitted. | Sort Code | 83 34 00 | | |
| A/C number | 00137187 | | |
| A/C Name | SEPA | | |
| Proof of payment submitted: | Yes | | No |
| Proof of payment reference: |  | | |
| Online Card Payment  Payment is accepted online at  <https://webpayments.sepa.org.uk/>  Proof of payment must be submitted. | Proof of payment submitted: | Yes | No | |
| Proof of payment reference: |  | | |
| Cheque | Payable to SEPA and submitted with your application | | | |

**Please return this form to:**

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| **By email:**  [registry@sepa.org.uk](mailto:registry@sepa.org.uk) | **Angus Smith Building**  6 Parklands Avenue  Eurocentral  Holytown,  North Lanarkshire  ML1 4WQ  Tel: 01698 839000 | **For any queries, please contact:**  [wastepermitting@sepa.org.uk](mailto:wastepermitting@sepa.org.uk) |