



For the future of our environment

FAQs: BMW Ban – SEPA’s temporary enforcement approach

Version 1 - Issued 18th December 2025

Q – What is the notification process & expected timescales for response?

A – Operators are asked to fully complete and submit a notification form to SEPA. This can be done using our [online BMW ban notification form](#) or by downloading and completing a [word version](#) of the form and submitting this to nationalwaste@sepa.org.uk. SEPA will then review the notification & where this is complete they will issue a Satisfactory Confirmation of Receipt email which can then be used by Operators to gain access to landfill for the specified timeframe, up to the maximum specified tonnage.

SEPA staff will aim to review notifications & issue Confirmation emails within 5 working days.

Where notification forms are incomplete or further information is required, this will prolong this timescale and so all Operators are encouraged to ensure they complete the notification form fully prior to submission. Operators should not attempt to access landfill until they have received their Satisfactory Confirmation of Receipt email from SEPA.

Please note that SEPA do not require scanned/electronic signatures on the notification forms.

Q – What can landfill operators expect to see on the confirmation email shown to them by waste producers and what are their responsibilities?

A – They can expect to see details of the operator seeking access to landfill with expected tonnages and dates. The email will clearly state that this confirms satisfactory receipt of the notification and should be assumed to be valid up to the end date specified in that email and/or the maximum tonnage specified within that timeframe, whichever comes first. If a landfill

operator accepts more than the maximum specified tonnage from the waste holder OR accepts waste from them AFTER the end date specified in the email, then they will be operating out with the terms of the tRPS and SEPA reserves the right to take enforcement action.

Q – What should landfill operators do if they have any concerns about the Confirmation email?

A – Landfill operators should contact nationalwaste@sepa.org.uk in the first instance

Q – Can we speculatively/pre-emptively send in a notification form if we assume we will need to landfill at some point, even if we do not currently need to access landfill (e.g. EfW operators concerned about unplanned outages)?

A – No. Notification forms should only be submitted to SEPA at the point where diversion of BMW to landfill is required. SEPA will expedite any urgent requests from operators and will aim to turn these around within 24 hours – these should be flagged as URGENT when the notification forms are sent to SEPA and this should only be used in cases where business continuity is at risk without a rapid response. If you have submitted the online form and require an urgent response, please email nationalwaste@sepa.org.uk to advise of the urgency.

Where the urgent response is required out with the standard working week (from Friday 5pm to Monday 9am/Tuesday 9am during bank holidays ONLY) SEPA will accept out of hours notification forms submitted via our [website](#). This will generate a short-term emergency access confirmation email by return which will be valid for 5 days. This system will be in place from 5pm on Wednesday 31st December 2025 and should ONLY be utilised where there is an urgent, unplanned, need to access landfill, with users submitting standard notification forms to maintain access beyond the initial 5-day emergency period where required.

Q – Is it one notification per site or per business?

A – SEPA's preference is that notifications are made on a site-by-site basis except in cases where all sites managed by a single operator will require access to landfill at the same time (e.g. where a Local Authority operates 3 transfer stations & waste from all three needs to be landfilled)

Q – Why does SEPA ask for so much information on the notification form?

A – SEPA needs to ensure that we have an accurate snapshot of the current waste disposal situation in Scotland as we progress towards full enforcement of the ban in 2028. Having this information will allow us to monitor progress towards full compliance and assess & address any developing risks or areas of concern.

Q – Why am I being asked to justify my reasons for wishing to access landfill? What assessment is being made of these and am I likely to have my ability to access landfill refused?

A – SEPA will log the reasons given and will monitor these as part of the wider picture of monitoring progress towards full compliance, but no assessment will be made regarding whether the reasons given are “valid”.

Q – Would SEPA withdraw the tRPS if there were concerns that this was being exploited?

A – SEPA reserves the right to withdraw the tRPS if operators do not comply with its conditions or if we consider that the activity being undertaken is likely to cause significant harm to the environment or human health as per Section 6.2 of the tRPS.

Q – Do we need to notify SEPA if we wish to use landfill sites out with Scotland to dispose of BMW?

A – No. The BMW ban is only applicable in Scotland and SEPA does not regulate sites out with Scotland.

Q – Will English or Welsh operators be able to send BMW to landfill in Scotland from 1st January 2026?

A – Any operator wishing to utilise landfill for BMW disposal in Scotland from 1st January 2026 will be required to fulfil the conditions of the tRPS & provide the necessary notification to SEPA. SEPA are unlikely to allow English or Welsh operators to utilise the tRPS as they are still permitted to landfill BMW in England & Wales.

Q – Will SEPA be providing further guidance on the ban – what is meant by BMW, threshold limits for mixed waste which may contain BMW, testing etc?

A – SEPA's [BWM Ban Guidance](#) was published in March 2024 and while there are no plans to update this, we do encourage operators to speak to us where they have questions about specific waste streams.

Q – What will be the long-term contingency plan from 2028 onwards when SEPA's tRPS lapses? There are concerns about a lack of capacity in the long terms for planned & unplanned EfW outages

A – Long term contingency plans must be addressed jointly by the waste industry, Scottish Government, SEPA and other stakeholders and the two-year delay to full enforcement provided by SEPA's tRPS will allow the time & space for these discussions.

If you would like this document in an accessible format, such as large print, audio recording or braille, please contact SEPA by emailing equalities@sepa.org.uk