

**P-WAS-A4**

**The Environmental Authorisations (Scotland) Regulations 2018 (EASR)**

**Waste Permit Activity:**

**Restoration of open cast coal sites**

Version 1.0

August 2025

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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.

## How to use this activity form

Use this form to apply for:

* A **new permit** to carry on the waste activity: ‘Restoration of open cast coal sites’.
* A **variation of an existing permit** to add the waste activity: ‘Restoration of open cast coal sites’.

## Before you apply

* Check the [activity webpage](http://www.sepa.org.uk/easr) to ensure you are using the correct application form.
* Read the guidance for the waste activity you are applying for on the relevant activity specific page on our [website](https://www.sepa.org.uk/easr).
* Where you see the term ‘document reference’, enter the document reference(s) for the information you have provided. These must be submitted along with the completed form.
* For applications made with insufficient or inadequate information; we will return these to the applicant with an explanation of what additional information is required and may retain part of the application fee in accordance with our published charging scheme.

## Multiple activities under a single permit

We may authorise multiple activities under a single permit, but only if the activities are connected. Activities may be considered connected if they are:

* located at the same geographical location,
* part of the same project, or
* operationally linked.

If the activities are connected, you may submit a single application for multiple activitiesunder one permit.

If the activities are not connected, you must submit a separate application for each activity.

## How to apply

**Digital application service:**

The quickest and easiest way to [apply is via our digital application service](https://www.sepa.org.uk/easr) on our website.

You will need to upload:

1. Completed activity form(s)
2. Any required supporting information

**Email/Post application:**

If you cannot apply using our digital application service, you can complete and submit an application via email or by post.

* For **a new permit**, your application must include:
1. A completed APP-GEN1 form
2. Completed activity form(s)
3. Any required supporting information
* For **a variation of a permit to add a new activity**, your application must include:
1. A completed APP-GEN1 form
2. Completed variation form(s)
3. Completed activity form(s)
4. Any required supporting information

Email and postal addresses for submitting your application are included in the APP-GEN1 form.

You can download [APP-GEN1, activity forms and variation forms](https://www.sepa.org.uk/easr) from our website.

## Section 1 - Location of the activity

### 1.1 Location details

Please provide the following information about the location of the activity.

**Table 1: Location details**

| **Question** | **Answer** |
| --- | --- |
| **Location name** |  |
| **Address** |  |
| **Postcode** |  |
| **National Grid Reference (NGR)**(At least 2 letters followed by 8 digits, e.g., AB 1234 6789. You can use our [SEPA NGR Tool](https://map.sepa.org.uk/ngrtool/) to find your NGR.) |  |

### 1.2 Location plan

Please provide a location plan showing the area where the activity will take place.

The location plan must:

1. Clearly outline and identify the boundary of the area where the activity will be carried on. Once authorised, this area will be known as the authorised place.
2. Limit the boundary of the proposed authorised place strictly to the extent of the activities.
3. Be based on an Ordnance Survey (OS) map.
4. Be clear and easy to read on an A4 page, avoiding unnecessary details.
5. Include a defined scale, the date it was created, a north direction indicator, and context such as roads and buildings.

| **Document reference** |
| --- |
|  |

### 1.3 Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR sites

If your activity could impact an SSSI, SAC, SPA, or a RAMSAR site you should contact NatureScot to obtain the necessary consents and address any concerns before submitting your application.

1.3.1 Potential impact on SSSIs, SACs, SPAs and RAMSAR sites

Use the [NatureScot website map](https://sitelink.nature.scot/map) to check if your activity could impact an SSSI, SAC, SPA, or a RAMSAR site.

If so, please provide details in the table below and then complete Section 1.3.2.

**Table 2: Designated sites details**

|  |  |  |
| --- | --- | --- |
| **Site name** | **Designation**(e.g. SSSI, SAC, SPA) | **Distance from the proposed authorised place** (km) |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1.3.2 Consultation with NatureScot

If your activity could impact a designated site, have you discussed it with NatureScot?

Yes [ ]

No [ ]

Please provide a document that details your discussions with NatureScot and if required any mitigation actions you intend to implement to address areas of concern.

| **Document reference** |
| --- |
|  |

## Section 2 - About your proposed activities

### 2.1 Non-technical summary

Please provide a non-technical summary of your application, including:

* A brief overview of the proposed activities.
* A description of the processes that will be carried on.
* The measures you will implement to control the main environmental emissions from the proposed authorised place.

This summary may be published on our website as part of the public consultation process. Ensure it is written in simple and plain language so that all members of the public can clearly understand the details of your application.

| **Document reference** |
| --- |
|  |

### 2.2 Baseline assessment for surrender purpose

When you come to surrender your permit, you must demonstrate that:

* The activity has not caused and will not cause environmental harm.
* The environment affected by the activity has been restored to a satisfactory state.

To support this, you should carry out a baseline assessment of the proposed authorised place and submit it with your application. This assessment will help confirm whether the activity has impacted the environment and will support the surrender of your permit.

The information and level of technical assessment required will depend on the type of activity and the environmental setting. For this activity, a description of the current status of the land, details of previous land use, and information on any ground investigation works already carried out should be sufficient.

These are key details, but for a full list of possible information, please see Appendix 1.

It is in your best interest to submit a representative description of the condition of the proposed authorised place at the time of application and keep detailed records of operational practice such as inspections, maintenance, incidents, accidents and remediation. This will help make the surrender process faster and more likely to be successful.

| **Document reference** |
| --- |
|  |

### 2.3 Waste types and quantities

Please provide the required details in the table below. If necessary, use separate sheets.

**Table 3: Waste types and quantities**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Waste type**  | **List of waste code** (LoW) | **Maximum****quantity accepted per day** (tonnes) | **Maximum quantity accepted per year** (tonnes) | **Maximum storage limit at any one time** (tonnes) |
|  |  |  |  |  |
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### 2.4 Operating **days**

Please select the days of the week when the proposed authorised place will operate.

Monday [ ] Tuesday [ ] Wednesday [ ] Thursday [ ]

Friday [ ] Saturday [ ] Sunday [ ]

### 2.5 Infrastructure

#### 2.5.1 Discharge from waste activities

1. Please indicate where the waste activities at the proposed authorised place will discharge by selecting the appropriate box. You may select more than one option if applicable:

#### Foul sewer [ ]

#### Surface water sewer [ ]

#### Combined sewer [ ]

#### Collected onsite for offsite treatment [ ]

#### Soakaway [ ]

#### Surface water (e.g. directly to a river, stream, pond) [ ]

#### Groundwater (e.g. via injection or infiltration) [ ]

#### Coastal or transitional water (e.g. estuary, sea) [ ]

#### No discharge from the proposed authorised place [ ]

1. For discharges to the water environment, please provide the following details for each discharge outfall location. If there are multiple discharge points, add more entries as needed.

**Table 4: Discharge outfall location**

| **Question** | **Answer** |
| --- | --- |
| **Name of the receiving water body** (if applicable) |  |
| **National Grid Reference (NGR)** |  |

1. Please indicate where the discharge from waste activities will occur by selecting one of the following options:

#### Inside the boundary of the proposed authorised place [ ]

#### Outside the boundary of the proposed authorised place [ ]

1. If the discharge is authorised by SEPA, please provide the authorisation details below.

**Table 5: Existing discharge authorisation details**

|  |  |
| --- | --- |
| **SEPA authorisation reference** | **Authorised place**  |
|  |  |
|  |  |
|  |  |

1. If the discharge is authorised by Scottish Water, please provide a copy of their approval.

| **Document reference** |
| --- |
|  |

1. If the discharge is a new regulated activity, you may need to complete a different activity form. Activity forms are available on the relevant activity specific page on our [website](https://www.sepa.org.uk/easr).

#### 2.5.2 Infrastructure plan

Please provide an infrastructure plan of the area where the activity will be carried on. The plan must have a defined scale, the preparation date, a north direction indicator, and include the following:

1. Buildings, containers, and any infrastructure such as storage bays and security fences.
2. The location and extent of any impermeable surfaces.
3. Storage facilities for hazardous materials (e.g. oil and fuel tanks).
4. Entrances and exits that can be used by emergency services.
5. Points designed to control pollution, such as monitoring points.
6. Clearly outline and identify the foul and combined drainage facilities and the surface water drainage facilities, showing:
	1. The direction of flow of the water in the drain.
	2. The location of discharge points to the sewer, watercourse or soakaway.
	3. The location of manhole covers and drains.
	4. The location of stop and diverter valves and interceptors.

| **Document reference** |
| --- |
|  |

### 2.6 Written management system

To apply for a new permit or a variation of an existing permit, you must provide a written management system. This can comprise one or multiple documents.

SEPA will assess the scope and measures included in the written management system in principle only. It will remain the responsibility of the authorised person to ensure that the details of any measures adopted including the design, operation and maintenance is suitable and sufficient to comply with the requirements of the authorisation and to prevent harm to human health or the environment. SEPA will not formally approve the written management system.

The written management system must provide details of the processes that will be undertaken to ensure that the activity results in the restoration of the authorised place, meets the definition of recovery and does not negatively impact on the environment.

The written management system must provide details of:

* Pre-acceptance checks, including sampling frequency and methodology for soils and waste streams.
* Waste acceptance process.
* Waste storage, including durations.
* Waste treatment, including a description of the process, its purpose, any outputs, and their destinations.
* Waste application methods and the factors that could affect their implementation in particular circumstances.
* Proposed management structure including details of technical competence arrangements.
* Key plant and infrastructure.
* Measures to control emissions and pollution, including risk assessments and identification of potentially impacted locations.
* Any monitoring carried out.
* Routine maintenance and checks.
* Audits and review process.
* Record keeping procedures.

Before starting your application, please read the following guidance documents thoroughly:

* [WAS-G-EASR-13 - Restoration of Open Cast Coal Sites](http://www.sepa.org.uk/easr) – This provides specific guidance on this activity.
* [WAS-G-EASR-03 - Waste Storage and Treatment](http://www.sepa.org.uk/easr) – This provides general guidance outlining the requirements for a written management system and its content.

Your written management system must include all relevant information required by SEPA’s guidance. If there is any divergence between the two guidance documents, the activity specific guidance ([WAS-G-EASR-13 -Restoration of Open Cast Coal Sites](http://www.sepa.org.uk/easr)) takes precedence.

| **Document reference** |
| --- |
|  |

### 2.7 Odour management plan

If the proposed activity has the potential to generate offensive odours, please provide an odour management plan (OMP). An OMP template is available with our [Odour Guidance](http://www.sepa.org.uk/easr).

|  **Document reference** |
| --- |
|  |

## Section 3 - Fit and Proper Person

When determining an application to grant a permit we must be satisfied that the applicant is a fit and proper person to be in control of the regulated activity.

Please read our guidance on [Who can hold an authorisation](https://www.sepa.org.uk/easr) to understand our criteria for assessing if you are a ‘fit and proper person’ to hold or continue to hold an authorisation.

### 3.1 Technical competence

The regulated activities must be carried on by someone who is technically competent.

Before completing this section, please review our guidance on [Provision and assessment of technically competent management at waste management facility](https://www.sepa.org.uk/easr).

Please select the relevant box to indicate how you will demonstrate that the proposed authorised place will have technically competent management.

**Formal qualification**  [ ]

(e.g. FACTS accreditation, WAMITAB Certificate, vocational certificates SVQ and NVQ)

Proceed to Section 3.1.1

**Competency Management Scheme (CMS)** [ ]  Proceed to Section 3.1.2

#### 3.1.1 Formal qualification

Please provide details of the person(s) providing technically competent management of the regulated activities, along with copies of the relevant certificates. Add more entries, if required.

**Table 1(a): Technically competent person 1 details**

| **Question** | **Answer** |
| --- | --- |
| **Name** |  |
| **Date of birth** |  |
| **Position** |  |
| **Business name and address** |  |
| **Certification scheme name** |  |
| **Level of qualification obtained** |  |
| **Copy of certificate** (Document reference) |  |

**Table 1(b): Technically competent person 2 details**

| **Question** | **Answer** |
| --- | --- |
| **Name** |  |
| **Date of birth** |  |
| **Position** |  |
| **Business name and address** |  |
| **Certification scheme name** |  |
| **Level of qualification obtained** |  |
| **Copy of certificate** (Document reference) |  |

If the proposed technically competent person(s) also provides technically competent management at other authorised places, please provide a separate document explaining how they will manage all authorised places effectively and meet the attendance requirements. Additionally, complete Table 2 below with the necessary details.

|  **Document reference** |
| --- |
|  |

**Table 2: Management of other authorised places**

|  |  |  |
| --- | --- | --- |
| **Technically competent person name** | **SEPA Authorisation reference** | **Authorised place name and address** |
|  |  |  |
|  |  |  |
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#### 3.1.2 Competency Management Scheme (CMS)

We recognise the Competency Management Scheme (CMS) as evidence of technical competence. If you are using a CMS, it is not necessary to identify an individual technically competent person to manage regulated activities. However, a responsible person must be appointed to ensure that the CMS is established, implemented and maintained.

**Table 3: Competency Management Scheme (CMS) details**

| **Question** | **Answer** |
| --- | --- |
| **CMS provider** |  |
| **Responsible person**  |  |
| **Position** |  |
| **Business name and address** |  |
| **Certification Body name** |  |
| **Proof of certification** (Document reference) |  |

### 3.2 Financial Provision

Financial provision must be sufficient to meet all obligations of the authorised person and adequately cover the costs of closure and environmental liability risks.

The amount of financial provision required is normally based on the maximum quantity of wastes that you can keep or treat at the proposed authorised place at any one time, and the haulage costs associated with their removal.

For details on how we assess financial provision, please review our guidance on [Financial provision for Non-Landfill Waste Management Activities](https://www.sepa.org.uk/easr).

#### 3.2.1 Other SEPA authorisations subject to financial provision

Please note that we will assess the applicant’s financial suitability considering the financial provision cumulative value for all the authorisations held by the applicant.

If the applicant already holds other SEPA authorisations subject to financial provision, please provide details below.

**Table 4: SEPA authorisations subject to financial provision**

|  |  |
| --- | --- |
| **SEPA authorisation reference** | **Authorised place name and address** |
|  |  |
|  |  |
|  |  |
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## Appendix 1: Baseline assessment

You must submit a baseline assessment that provides information on the current state of the environment. This may be a single document or multiple documents.

The purpose of the baseline assessment is to provide a baseline of the proposed authorised place condition and to identify potential pollution risks associated with the waste activity you intend to carry on.

All aspects that are associated with the activity and have the potential to cause pollution should be considered, such as above ground storage, stockpiles of materials, and substances in underground pipes and tanks.

In preparing the baseline assessment you should consider including the following information:

1. **Proposed authorised place history**
* Previous uses of the proposed authorised place
* Substances likely to be present in the environment
* If substances are likely to be present, identify potential sources which may have resulted in their presence
* Any previous site investigation data, if available
1. **Environmental setting**
* Topography
* Geology and hydrogeology
* Direction of groundwater flow
* Potential migration pathways such as drains, services, airborne emissions
* Nearby industries and surrounding land use
1. **Substances (wastes, raw materials, products, by-products) to be handled**
* The type and quantity of each substance handled
* How and where they will be used, stored, and transported at the authorised place
* Identify whether the substances are harmful to the environment
* Measures that have been and will be adopted to prevent environmental harm
* The mobility, persistence and potential effect on the environment
1. **Assess the proposed authorised place infrastructure and likelihood of emissions**

Consider containment measures and potential release mechanisms. This could include:

* Are bunds appropriately sized?
* Are structures cracked or damaged?
* Are there any signs of chemical attack to concrete surfaces?
* Is brickwork and pointing intact?
* Identify drainage routes, service corridors, etc. and locate outfalls
* Are drains in good condition?
* What is the nature and integrity of the site surfacing? (e.g. concrete, tarmac, gravel, open ground, etc.)
* Identify whether any direct or indirect emissions to the environment occur on site
* Are there signs of emissions already having occurred? Consider nature and extent of those emissions
1. **Site investigation**

It is not possible to provide prescriptive guidance on when a site investigation will be necessary or what it should include, as this will need to be determined on a site-specific basis.

A site investigation may be required if there is insufficient information to describe the site’s condition or if there are direct emissions to the environment. It may also be helpful if the site has a history of industrial activity.

Any site characterisation, including intrusive investigation and environmental monitoring, should follow relevant industry standards and guidance, including:

* BS5930:2015+A1:2020 Code of practice for ground investigations
* BS10175:2011+A2:2017 Investigation of potentially contaminated sites - Code of practice
* BS EN ISO 5667 series Water quality – Sampling
* BS EN ISO 18400 series Soil quality
* BS 8576:2013 Guidance on investigations for ground gas. Permanent gases and Volatile Organic Compounds (VOCs)

When designing a sampling programme, careful planning is important since contaminants may not be evenly spread across the site.

Samples should be collected in enough quantity and from suitable locations to provide an accurate picture of the land’s condition and identify where contaminants might be present.

The field monitoring and/or laboratory analysis of soil, ground gas, surface water, and/or groundwater should include:

* Contaminants which you reasonably expect to be present.
* Potential daughter products derived from degradation of the original contaminants.
* Relevant supporting parameters required to characterise site-specific contaminant behaviour (e.g. in relation to mobility, bioavailability or degradation).