

For the future of our environment

SEPA Position Statement

Collection of scheme packaging as part of Scotland's Deposit Return Scheme

Reference: DRS-PO-01

Date: January 2026

Purpose

This position statement supports the establishment of a network of return points for collecting, sorting and storing waste scheme packaging under Scotland's Deposit Return Scheme.

SEPA will not enforce the legal requirement to hold a permit to operate a return point for Scotland's Deposit Return Scheme where PET plastic, aluminium and steel scheme packaging is stored together (mixed), provided the conditions in this position statement are adhered to.

This position statement only applies to the operation of a return point as set out in The Deposit and Return Scheme for Scotland Regulations 2020.

This position statement does **not apply to return points where plastic and metal scheme packaging are stored separately**. For these return points the General Binding Rule (GBR) for the temporary storage of waste at a collection point applies and should be adhered to.

Background

If you are a groceries retailer who sells drinks (scheme articles) to consumers in Scotland, then (in most cases¹) from 1 October 2027 you must operate a return point and accept returns of

¹ Groceries retailers who have limited retail space and are situated within an urban area, are an export shop, only sell scheme articles via a vending machine or online are automatically exempt from the requirement to operate a return point. You may also apply to the scheme administrator, UK DMO Ltd for an exemption.

empty drinks containers made from PET plastic, steel or aluminium (scheme packaging). It is also possible to register to operate a voluntary return point from premises other than an obligated groceries retailer.

Under Scotland's Deposit Return Scheme, it should be easy to return an item of scheme packaging. A return point operator must accept any empty scheme packaging that is returned to their return point and store it until it is collected. Returned scheme packaging is waste.

From 1 October 2027, there will be many groceries retailers that will be required to operate return points for scheme packaging and will be carrying out waste management activities – storing and sorting waste. It is an offence to carry out a waste management activity unless it is authorised by a general binding rule (GBR), registration or permit under the Environmental Authorisations (Scotland) Regulations 2018 (EASR).

General binding rules (GBR) are mandatory rules which apply to low-risk activities, but there is no need to apply or notify SEPA. Registration and permit level authorisations are more involved, complex and require an application to be made to SEPA. There is a GBR for the temporary storage of waste at a collection point, but for the storage of scheme packaging at a return point to be authorised under that GBR it would need to be sorted and stored separately.

Return points that need to store mixed plastic and metal scheme containers would require to be authorised under a permit. SEPA recognises that requiring return point operators to hold a permit under EASR to sort and then separately store waste scheme packaging would be disproportionate and may be a barrier to the effective implementation of the deposit return scheme.

For this reason, if you store mixed scheme packaging at a return point and do not hold a permit under EASR, SEPA will not take enforcement action as long as you comply with the position set out below.

SEPA position

If you manage waste, including waste scheme packaging, you must comply with the requirements of Section 34 of the Environmental Protection Act 1990 (the Duty of Care Obligations). You must ensure that waste is managed in a manner that promotes high quality

recycling and that mixing of dry recyclable materials does not result in lower quality material than would be achieved from full separation.

SEPA will not take enforcement action against a return point operator who stores mixed waste scheme packaging at a return point without a permit under EASR, provided the following conditions are met:

1. All waste scheme packaging must be stored securely such that
 - a. all reasonable precautions are taken to ensure that the waste cannot escape from the collection point, and
 - b. members of the public are unable to gain access to the waste.
2. Waste scheme packaging must not be stored for longer than 12 months.
3. The total amount of scheme packaging waste stored at any one time must not exceed 50 cubic metres.
4. The activity must not endanger human health or the environment and must not:
 - cause a risk to water, air, soil, plants or animals;
 - cause a nuisance through noise or odours;
 - adversely impact the countryside or places of special interest.

This position statement applies only in Scotland. The terms of this position statement may be subject to periodical review and be changed or withdrawn considering technological, regulatory or legislative changes, future government guidance or experience of its use. SEPA reserves its discretion to depart from the position outlined here and to take appropriate action to avoid any risk of pollution or harm to human health or the environment.

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