

SEPA Non-Hazardous Landfill Permit Consultation

Overview

General Comments

Detailed Response

Specific Comments

Questions 1-3 ask for contact information which we will provide

4	Do you agree that the removal of SEPA approval of site management plans in the permit is the way forward?
Scottish Water has no comment.	
5	Do you agree with this approach to technical competence?
Scottish Water has no comment.	
6	Is it clear from Table 2 in the permit what type of waste is allowed and not allowed in the landfill?
<p>It could be confusing to have 'excluded wastes' listed in a table that is titled 'authorised wastes'.</p> <p>It is not clear if specific waste types will be listed in the 'Authorised Wastes' column or if it will simply state 'non-hazardous waste' as currently shown in the draft permit. At Scottish Water's landfill site, only one waste type can be accepted and so it would be preferable for this information to be replicated in the new permit template to ensure it is clear what waste can be imported to the site. It would also be beneficial to include the EWC code for the authorised wastes.</p>	
7	What are your views on this approach?
<p>Scottish Water would prefer to see any documentation that forms part of a permit condition being described as 'statutory' or 'mandatory' to clearly distinguish from 'advisory' guidance.</p> <p>It is also important to ensure that appropriate governance is in place to manage changes to these types of documents. Scottish Water would expect a consultation to be held prior to initial publication of any 'guidance' that forms part of a permit condition and that any future proposals to revise it would also be consulted upon.</p>	

8	As an operator, or waste producer, do you think a guidance document would be helpful?
Scottish Water would agree that guidance is helpful, provided it is clear whether the guidance is 'mandatory' or 'advisory'.	
9	Do you agree with how SEPA approaches construction at landfills?
Scottish Water has no comment.	
10	Do you think we should have more or less oversight of construction at landfills?
Scottish Water has no comment.	
11	What do you think of our proposed approach to landfill gas regulation and protection of the surrounding environment at landfill sites?
<p>Scottish Water would welcome discussion with SEPA around the proposed 'perimeter landfill gas compliance limits' for our landfill site. In particular, we would like clarification on the following points:</p> <ul style="list-style-type: none"> • The definition of 'sufficient' in relation to the historic background gas data that is to be used to determine new site and borehole-specific limits and what approach will be adopted where there is not sufficient data. • The criteria that will be used to identify new limits from the historic data. <p>Scottish Water would also like to understand the implementation timescale for any new compliance limits.</p>	
12	What do you think of our approach to leachate regulation and groundwater protection in the permit?
As per the answer to Q.11, Scottish Water would welcome discussion with SEPA around the proposed 'groundwater compliance limits' for our landfill site and would like to understand the timescale for implementing the new limits together with how the necessary approvals may be obtained for any investment requirements.	
13	Are you clear on what these conditions are asking an operator to do?
Scottish Water has no comment.	
14	As an operator, do you anticipate any difficulty complying with these conditions?
Scottish Water has no comment.	
15	What do you think of our proposals regarding restoration plans?
Scottish Water has no comment.	

16	What do you think of our proposal to have an environmental monitoring plan (EMP) for the landfill?
<p>As mentioned in the responses to previous questions, Scottish Water would like clarity on whether the guidance on the required content of the monitoring plan will be 'statutory' (i.e. enforceable) or 'advisory'.</p>	
17	Is it clear from the EMP guidance document what is required in the EMP?
<p>As mentioned in previous responses, it is important that guidance is clearly identified as either 'statutory/mandatory' or 'advisory'.</p> <p>The draft EMP guidance document includes details of monitoring that should be done in addition to the monitoring set out in the EMP (Section 1.1). Although this monitoring is not to be included in the EMP, it is set out in the guidance document; clarity is required on the extent to which this is enforceable.</p> <p>As mentioned previously, Scottish Water would like to understand the timescale for complying with a new EMP.</p>	
18	Do you agree with the planned future transition to 'full' operator monitoring for the landfill sector?
<p>Scottish Water broadly agrees with the proposal to transition to 'full' operator monitoring in the landfill sector.</p> <p>We would like to understand how the proposal fits with SEPA's plans for Operator Self-Monitoring (OSM) in other sectors, particularly where it has been rolled out already.</p> <p>We would seek assurances that the resource needs associated with running the existing operator self-monitoring programmes, and completing full implementation, will not be affected by development and roll-out of OSM in other sectors.</p>	
19	What lead/development time do you estimate would be required prior to this transition?
<p>Introduction of Operator Self-Monitoring (OSM) at Scottish Water's waste water treatment works was implemented on 01 January 2017, following nearly 18 months of joint development work with SEPA.</p> <p>The transition would have benefited from a period of time where the regulatory samples were collected and analysed by SEPA whilst the operator (Scottish Water) carried out a 'shadow' sampling programme. This was identified during the 'lessons learnt' review and would have allowed us to become familiar with the certification schemes and data transfer processes prior to OSM being implemented and becoming eligible for compliance assessment.</p> <p>In relation to implementation of OSM in the Landfill Sector, it is not yet clear how much, if any, development time would be required by Scottish Water. This would be dependent on the volume and type of additional sampling and analysis work; it could be minimal, if it relates only to our single landfill site, or it could be significant, if other landfill operators want to contract us to carry out the monitoring activities on their</p>	

behalf (similar to the current model used by the PFI operators in the water industry).

20	Do you foresee any benefits or issues?
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Depending on the scale of monitoring required, there may not be sufficient capacity in the supply chain to cover sampling/analysis for OSM in the landfill sector. Conversely, there may not be sufficient volume of samples/analysis to generate interest from laboratories and justify the effort required to gain MACS certification.

Although there may be a reduction in subsistence fees, due to SEPA monitoring activities being lower, the cost of implementing OSM could exceed any savings. It would also be useful to understand any potential impacts of the proposals on the environmental component of the annual subsistence fees.

Learnings from implementation of OSM in the water sector could be used to ensure a smooth transition for the landfill sector.

21	Do you think our conditions around nuisance are robust enough to protect the local community?
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Scottish Water has no comment.

22	Do you think our proposed approach is fair to operators?
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Scottish Water has no comment.

23	Do you have any comments on our new closure procedure condition?
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It is not clear if the permit review post-closure, to formally agree a closure plan, will incur a permit variation cost.

24	Do you have additional comments on the permit?
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Scottish Water has no further comments.

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