

Construction Sites – Regulation by SEPA

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Agenda

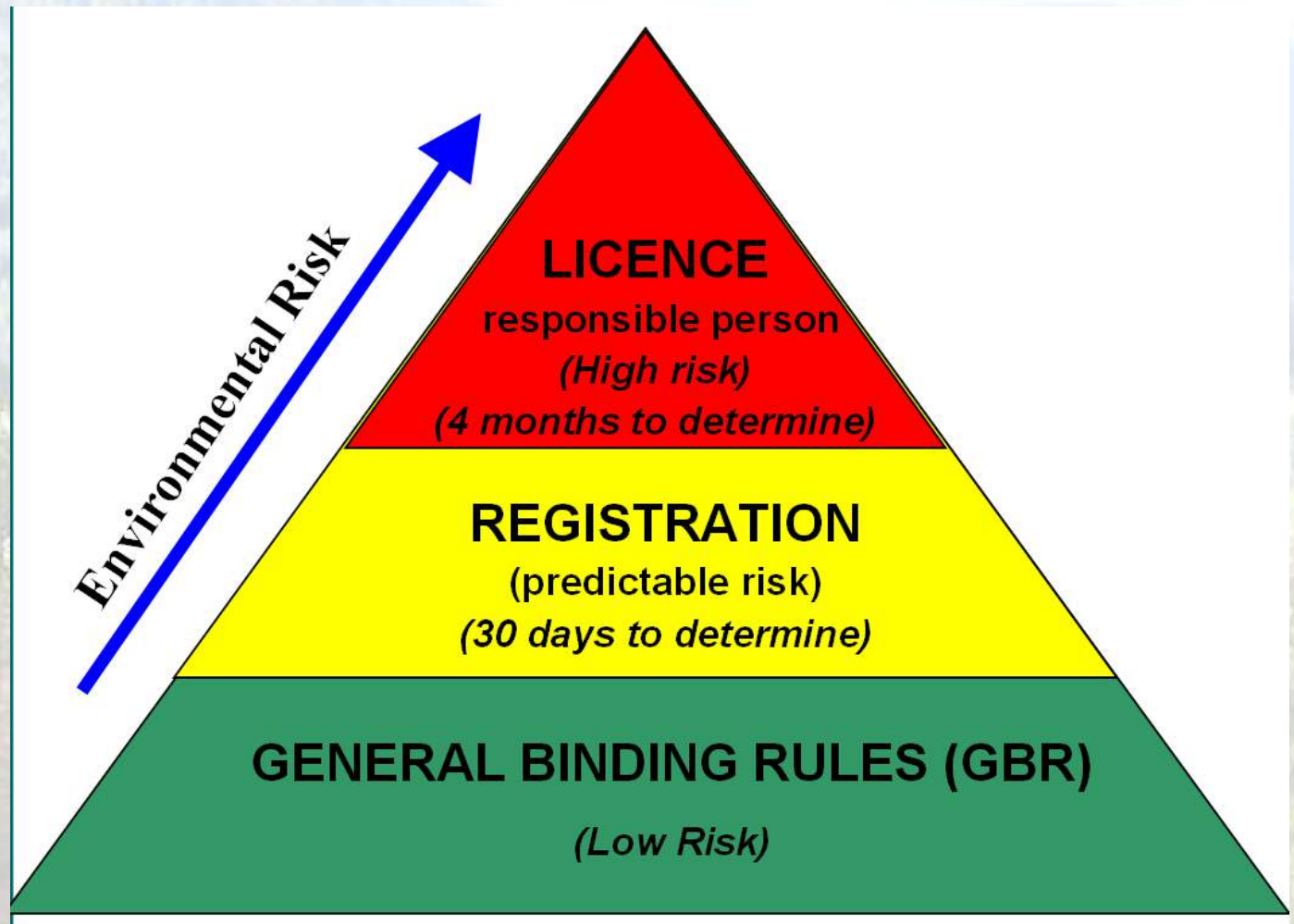
Aim to inform you on activities regulated by SEPA

- Regulations
- Level of Authorisation
- Application
- Construction SUDS

SEPA and Environmental Legislation

- Water activities including discharges, abstractions, impoundments, engineering on bed & banks
 - Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR)
- Waste activities including reuse and disposal of waste materials
 - The Waste Management Licensing (Scotland) Regulations 2011 (WML)
 - Pollution Prevention and Control (Scotland) Regulations 2012 (PPC)

Levels of Authorisation & Fees



CAR Practical Guide

| GBR | Registration | Simple Licence | Complex Licence |
|---|---|---|--|
| Bridges and other types of crossing structures | | | |
| Minor bridges with no construction on bed or banks [GBR6] | Bridges with no construction on bed and $\leq 20\text{m}$ of total bank affected | All other bridges, fords and causeways | |
| Temporary bridges in rivers $< 5\text{m}$ wide [GBR6] | Pipe or box culverts used for footpaths, cycle route or single track road in rivers $\leq 2\text{m}$ wide | All other pipe or box culverts used for crossings | |
| Pipeline or cable crossings by boring beneath the bed of inland surface waters [GBR7] | Pipeline or cable crossings beneath bed by isolated open-cut | All other pipeline or cable crossings, eg by direct open cut or laid on channel bed | |
| In-stream or in-loch structures | | | |
| Boulder placement in a river or burn (occupying $< 10\%$ of channel width) [GBR14] | Bed reinforcement $\leq 10\text{m}$ in length downstream of closed culverts | All other in-stream structures in rivers $\leq 3\text{m}$ wide | All other in-stream structures in rivers $> 3\text{m}$ wide affecting $> 50\text{m}$ of river length |
| | Loch structures with total area $\leq 50\text{m}^2$ | All other in-stream structures in rivers $> 3\text{m}$ wide affecting $\leq 50\text{m}$ of river length | |
| | | Loch structures with total area $\leq 500\text{m}^2$ | Loch structures with total area $> 500\text{m}^2$ |

Application forms

Registration

Simple, Complex & Project licence (Responsible Person)

OFFICE USE: CAR Ref

Application to Register: Engineering

Under Regulation 7 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011.

This form can only be used for applications to register the engineering activities in Table 1 when they are carried out in accordance with ALL of the GENERAL conditions (Section 3) and the relevant ACTIVITY SPECIFIC conditions (Sect. 4).
PLEASE READ ALL SECTIONS TO ENSURE YOU CAN COMPLY BEFORE APPLYING.

| Table 1: Registration-Level Engineering Activities Activities must comply with all conditions in the specified Part of Section 4. | |
|--|---|
| Part A. | Sediment management in canals and lades and other artificial water bodies |
| Part B. | Sediment management within 10m of bridge centrelines |
| Part C. | Sediment management in open culverts |
| Part D. | Green bank reinforcement (≤ 50m in length) |
| Part E. | Bank re-profiling (≤ 50m in length) |
| Part F. | Bridge (no construction in bed ≤ 20m total length of bank affected) |
| Part G. | Bridging culvert (footpath, cycle route, single track road or railway in rivers ≤ 2m wide) |
| Part H. | Pipe / cable crossing (beneath bed by isolated open cut) |
| Part I. | Bed reinforcement (≤ 10m length downstream of a closed culvert using rip-rap) |
| Part J. | Loch structures (total area ≤ 50m ²) |
| Part K. | Removal of sediment from individual and discrete areas of exposed sediment deposits within a length of river or burn not exceeding 1 kilometre |
| Part L. | Removal of sediment from the bed of a stretch of a river or burn that has all of the following characteristics: (a) an average width of greater than, or equal to, 1 metre and less than 5 metres as measured between the base of one bank and the other; (b) artificially straightened or canalised with the lines of its bank tops being parallel, or near parallel, throughout its length; (c) a bed surface layer that is entirely, or almost entirely, comprised of sediments with a diameter of less than 2 mm i.e. sands, silts and clay; and (d) except in flood flows, a smooth, un-rippled water surface for all, or nearly all of its length |
| Part M. | Operating any vehicle, plant or equipment in the water environment for the purpose of carrying out works to reinstate or replace failed or abandoned structures. |
| Part N. | The placement of trees or parts of trees, for the purpose of protecting eroding banks. |
| Structure Removal: Use this form to apply for removal of a registration level structure (F, G, H, I, J above) by ticking the appropriate box in Sect. 5. Please ensure that removal of any structure complies with all the General Conditions in Sect. 3. | |

If your proposed engineering works do not fall within the above categories, you may need to complete a Licence application form, available from the SEPA website (<http://www.sepa.org.uk/>) or local SEPA office.

Multiple associated activities: You may apply for multiple 'associated' engineering activities using this form. Only use this form for multiple engineering activities when they are part of the same development.
Discounts apply for associated activities based on the total number of activities submitted by the same person and at the same time (even when more than one form is submitted).

Application Fee

Please ensure you submit the correct fee for your application. The standard application fee applies for one registration activity with reduced fees applicable if you apply for multiple associated activities. This fee is reviewed every year. For latest fees please consult the latest *Environmental Regulation (Scotland) Charging Scheme* on the SEPA website (www.sepa.org.uk) and search for 'charging schemes and summary charging booklets' or contact your local SEPA office (see final page for details).

Please make payment using one of the methods described in section 7, and then return your completed application form (along with your cheque/remittance advice/proof of payment as applicable) to the appropriate SEPA area office listed at the end of this form.

There is NO application fee if you are applying to remove a registration level structure or for activities considered as Environmental Services (see page 7). To claim for these activities, tick the appropriate box in Section 5.

Notification of Registration

SEPA has 30 days to determine your application. You will be notified by post.

The Water Environment (Controlled Activities) (Scotland) Regulations 2011

Licence Application FORM A

To be completed by all licence applicants

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 application, to monitor compliance with the licence/permit/registration conditions, 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 (e.g. 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

The Water Environment (Controlled Activities) (Scotland) Regulations 2011

Licence Application FORM B

Complete this form for point source discharges other than
fish farm effluent

Contents

- Section 1: General Discharge Information
- Section 2: Sewage Effluents >15pe
- Section 3: 'Other' Effluents (including trade)
- Section 4: Surface Water, Construction Sites and SUDS
- Section 5: Indirect/Direct Discharges to Groundwater (including soakaways)

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Construction SUDS Licence

| Licence type | Simple licence | Complex licence | Project-based |
|--------------------------------------|---|---|---|
| Charging activity description | Any other activity subject to a simple licence | Any other activity subject to a complex licence | "large and complex" |
| Application fee | £2101 | £3152 | Time and materials at £89 / hour. |
| Subsistence fee / year | £0 | £2361 | |
| Construction activity | Single lane road / track or pipe/ services infrastructure >5km and <10km in length. | Area of the construction site between 4 and 15 hectares (approx. 10 acres to 37 acres) for transport infrastructure, housing and any other construction projects. | Large construction projects where the area of the construction site is greater than 15 hectares (>37 acres) for transport infrastructure, housing and any other construction project. |
| Inspections / year | 0-1 | 1-2 | 2+ |

Surface water management & construction SUDS



General Binding Rule 10b (CAR)

- Requirement for a construction SUDS (GBR10b) where a construction site, including any constructed access tracks:
 - Has an area of 4 hectares or less;
 - A length of 5km or less;
 - Includes any area of less than 1 hectare or any length of less than 500 metres on ground with a slope in excess of 25 degrees
- Above this level the activity will be regulated via a Construction SUDS Licence

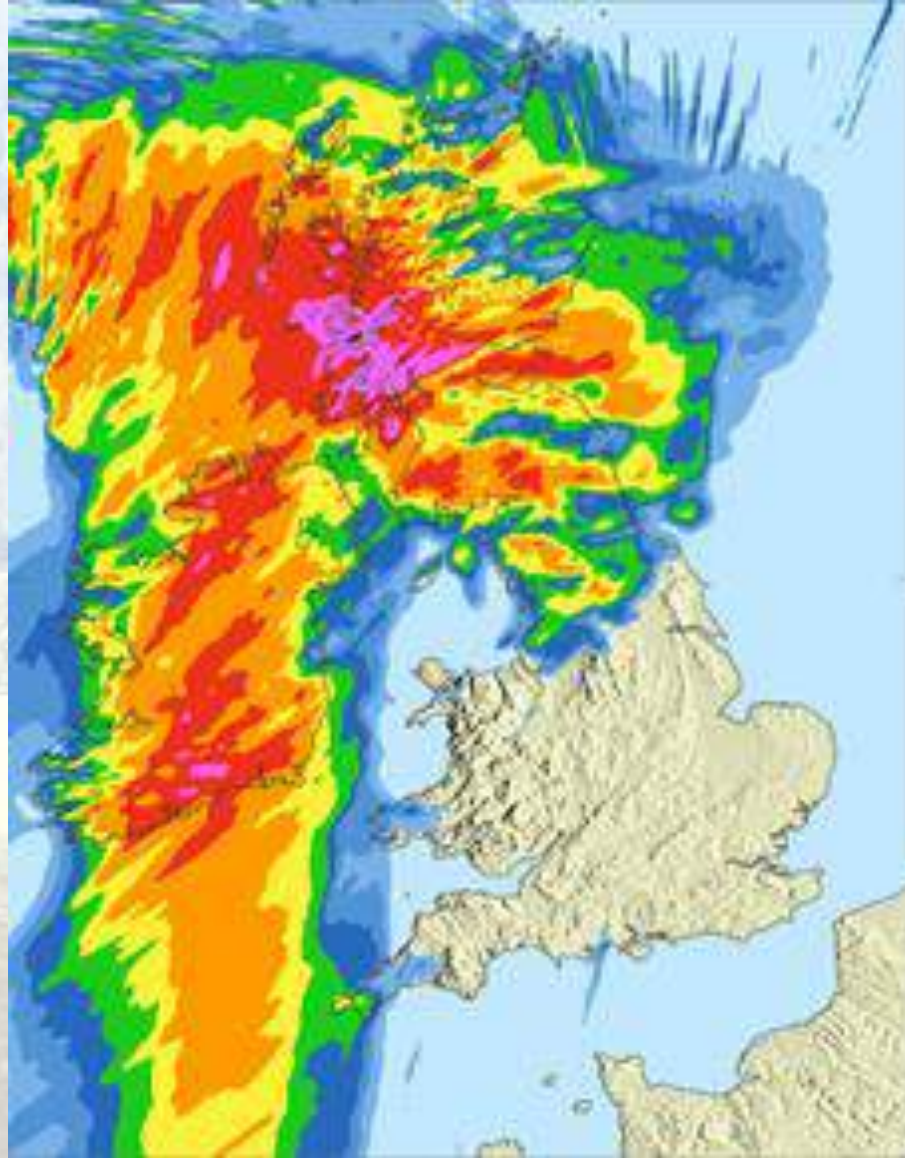
Construction SUDS Licence

- GBR10b
 - Know how your site works and how you are controlling the run-off to prevent sediment going into the river
- Construction SUDS Licence
 - Application to SEPA
 - Write a Pollution Prevention Plan (WAT-SG-75)
 - Keep the Pollution Prevention Plan up-to-date
 - Work on site as described in the Pollution Prevention Plan

Pollution Prevention Plan

- What land?
- What construction activity?
- Point of Contact
- Identify pollution risks
- How are you preventing pollution?
- Managing the water run-off
- What if something goes wrong?
- How do you know your Pollution Prevention Plan is effective and being adhered to?
- Who is in charge of making the plan work?

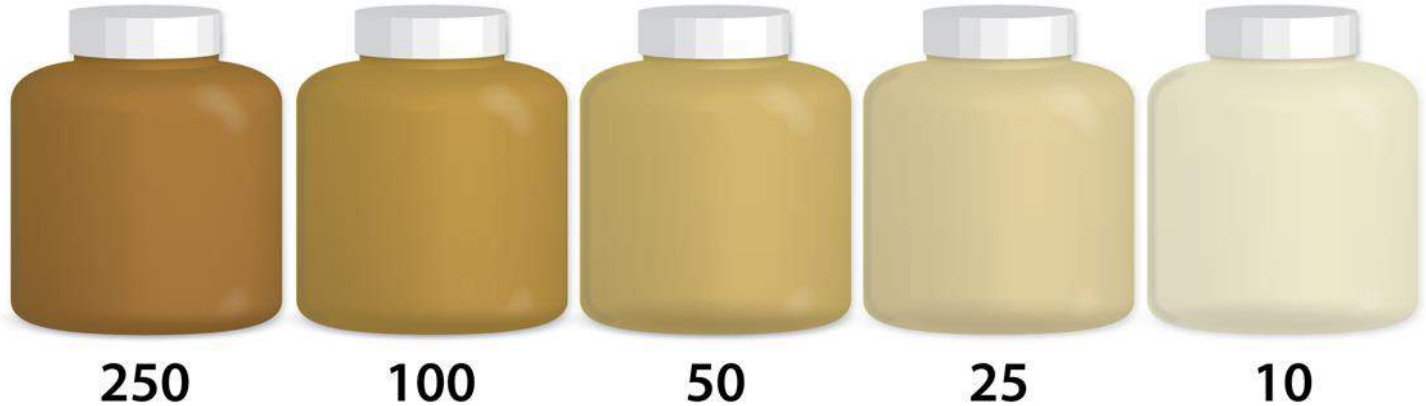
Environment on a Construction Site



WHY ARE WE DOING IT?

Turbidity (NTU)

Water Samples:



Surface water management & construction SUDS

- Different elements in combination:
 - silt fences (terram)
 - V ditches
 - check dams
 - Siltbusters
 - catch pits
 - lagoons
- Good practice:
 - Separate clean water from dirty water (e.g. cut off ditches) to minimise dirty water volumes
 - Keep soil on land!
 - Don't use permanent SUDs
 - Avoid using flocculants (if possible)

Impacts of silt pollution downstream



Poor practice. Release of fine sediments during the construction phase can pollute watercourses leading to loss of, or damage to, protected species and habitats such as fish spawning areas

Examples of SUDS elements



Make sure they are fit for purpose



Maintaining SUDS is important



Access /Haulage Roads



Going wrong



Going wrong



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Going wrong



Your Responsibilities

- Responsible Person – liable for meeting licence conditions
- There may be conditions within licence requiring drawings, ‘method statements’ to be submitted and agreed with SEPA.
- Construction SUDS licence will need to be surrendered on completion of work.
- CARE! Temporary crossings covered by GBR
- CAR Licence variations (if details change, e.g. NGR for crossing altered); Transfers possible
- Monitoring works for large scale projects

In the event of an incident call -

Pollution hotline

0800 80 70 60

24 hours a day, 7 days a week