

SCHEDULE 1

Regulation 4(5)

Sulphur content of liquid fuel permits

1. An operator of an existing plant, new plant or other combustion plant who wishes to operate that plant under an exception provided for in regulation 4(2) may apply to the enforcing authority for a sulphur content of liquid fuels permit if the operation of that plant does not require—

- (a) an authorisation under Article 6 of the 1997 Order; or
- (b) a permit under regulations made under Article 4 of the Environment (Northern Ireland) Order 2002(1)

2. An application under paragraph 1 shall be in writing and accompanied by a fee prescribed in relation to that application by a scheme under Article 8(2) of the 1997 Order and shall contain—

- (a) the name and address of the applicant and any other address to which correspondence should be sent and the applicant's telephone number;
- (b) the address of the site of the combustion plant, the rated thermal input (in megawatts) and the fuel used in the plant; and
- (c) the condition which the applicant wishes to be included in the permit, being a condition referred to in regulation 4(2).

3. An applicant may withdraw his application at any time before it is determined.

4. An enforcing authority which receives a duly made application under paragraph 1 shall grant a sulphur content of liquid fuels permit subject to the condition identified in the application.

5. A sulphur content of liquid fuels permit may be transferred by the holder of the permit to a person who intends to operate the plant to which the permit relates in place of the holder.

6. The person to whom a sulphur content of liquid fuels permit is transferred as permitted by paragraph 5 shall—

- (a) notify the transfer in writing to the enforcing authority which granted the permit; and
- (b) do so within 21 days of the date of the transfer.

7. The holder of a sulphur content of liquid fuels permit may surrender it to the enforcing authority which granted it and such a surrender—

- (a) shall be notified in writing to the enforcing authority within 21 days of the date of the intended surrender; and
- (b) where duly notified shall take effect on the surrender date stated in the notification.

8. In this Schedule “enforcing authority” in relation to the discharge of functions under these Regulations, means either the chief inspector or district council by whom the functions are determined to be exercisable.

9. Regulation 7 of the 2003 Regulations (Discharge and scope of functions) shall apply to functions under these Regulations as it applies to functions under the 2003 Regulations.

10. Article 8 of the 1997 Order shall apply for the purpose of prescribing a fee in respect of an application under paragraph 1 as it applies for the purposes of prescribing a fee in respect of an application for an authorisation granted under Article 6 of the Order.

(1) [S.I. 2002/3153 \(N.I.\)](#)