STATUTORY RULES OF NORTHERN IRELAND

2013 No. 160

ENVIRONMENTAL PROTECTION

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

Laid before the Assembly in draft

Made - - - 5th June 2013 Coming into operation in accordance with regulation 1

THE POLLUTION PREVENTION AND CONTROL (INDUSTRIAL EMISSIONS) REGULATIONS (NORTHERN IRELAND) 2013

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- 3. Interpretation: "best available techniques" or "BAT"
- 4. Fit and proper person
- 5. Application to the Crown
- 6. Applications
- 7. Discharge and scope of functions
- 8. Appointment of chief inspector and other inspectors

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- 10. Permits: general provisions
- 11. Conditions of permits: general principles
- 12. Conditions of permits: specific conditions for all installations and mobile plant
- 13. Conditions of permits: specific conditions for Part A installations and Part A mobile plant
- 14. Conditions of permits: specific conditions for Part B and C installations and mobile plant
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Status: This is the original version (as it was originally made).

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PART 2 — INTERPRETATION OF PART 1

- 1. The following rules apply for the interpretation of Part 1...
- 2 (1) Subject to sub-paragraph (2), an activity shall not be...
- An activity shall not be taken to be an activity... 3.
- 4. An activity listed in section 7 of Part 1 shall...
- References in Part 1 to related activities are references to... 5
- 6. (1) This paragraph applies for the purpose of determining whether...
- 7. (1) Where an activity falls within a description in Part...
- 8. In Part 1— "background quantity" means, in relation to the...
- 9. References to, or to the release into the air of,...
- 10. References to, or to the release into water of, a...
- (1) References to a substance listed in this paragraph are... 11.

PART 3 — INTERPRETATION OF "PART A INSTALLATION" ETC.

- 12. For the purpose of these Regulations—"Part A installation" means...
- For the purpose of these Regulations—"Part A mobile plant"... 13. 14
- A Part B installation where an activity falling within paragraph...
- 15 A Part B installation where an activity falling within paragraph...
- (1) A Part B or Part C installation where an... 16.
- Where an installation is a Part A installation, a Part... 17.
- 18. Where an installation is authorised by a permit granted under...
- In this Part, "Part A activity", "Part B activity" and... 19

SCHEDULE BEST AVAILABLE TECHNIQUES

- 1. Subject to paragraph 2, in determining BAT, special consideration shall...
- Sub-paragraphs (a) to (c) and (j) to (l) of paragraph...

SCHEDULE PRESCRIBED DATE AND TRANSITIONAL ARRANGEMENTS

PART 1 — PART A INSTALLATIONS AND MOBILE PLANT

- Save as set out in paragraph 2(b), for a Part... 1.
- 2. For a Part A installation or Part A mobile plant—...
- For a Part A installation or Part A mobile plant... 3.
- 4. For any Part A installation or Part A mobile plant,...

PART 2 — PART B AND PART C INSTALLATIONS AND MOBILE PLANT

5. The prescribed date for a Part B or Part C...

PART 3 — TRANSITIONAL ARRANGEMENTS

- (1) The enforcing authority may accept a permit issued under... 6.
- The enforcing authority must ensure that the permit is fully... 7.

PART 4 — APPLICATION OF THE POLLUTION PREVENTION AND CONTROL REGULATIONS (NORTHERN IRELAND) 2003

8. The Pollution Prevention and Control Regulations (Northern Ireland) 2003 shall...

SCHEDULE GRANT OF PERMITS

PART 1 — APPLICATIONS FOR PERMITS

- (1) An application to an enforcing authority for a permit... 1
- 2 An application for a permit to operate a waste incineration...
- An application for a landfill permit, where an activity falling... 3.
- 4. (1) An application for a permit to operate an installation...
- 5. Paragraph 1(1) applies in relation to an application for a...
- 6. The enforcing authority may, by notice in writing, require the...
- Subject to paragraph 30, the applicant shall, within the period... 7.
- Any advertisement required by paragraph 7 shall— 8.
- 9. In the case of an application for a permit to...

- 10. Where an application is for a permit to operate more...
- 11. Paragraph 7 shall not apply in relation to an application...

PART 2 — DETERMINATION OF APPLICATIONS

- 12. (1) Subject to paragraph 30, the enforcing authority shall, within...
- 13. Paragraph 12 does not apply in relation to an application...
- 14. (1) If the enforcing authority proposes to grant a permit...
- 15. (1) Any representations made by any persons within the period...
- 16. In the case of an application for a permit to...
- 17. (1) The Department may give directions to the enforcing authority...
- 18. (1) Except in a case where an application has been...
- 19. (1) The enforcing authority shall— (a) within a period of...
- 20. (1) An advertisement required by paragraph 19 shall—
- 21. If the enforcing authority fails to give notice of its...
- 22. Where the Department is aware that the operation of an...
- 23. (1) Where an application is forwarded to another Member State...
- 24. Any representations on the draft determination made in the Member...
- 25. (1) For the purposes of Parts 1 and 2 "working...

PART 3 — NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

- 26. The requirements of paragraph 7 shall not apply in so...
- 27. The requirements of paragraph 12, other than paragraph 12(f), shall...
- 28. Subject to paragraph 29, the requirements of paragraph 12(1)(b)(ii), (iii)...
- 29. Paragraph 28 shall not apply in relation to information which...
- 30. Where a matter falls to be determined under regulation 34...
- 31. For the purpose of paragraph 30, the matters to be...

SCHEDULE POLLUTANTS

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- 1. AIR
- 2. Oxides of nitrogen and other nitrogen compounds.
- 3. Carbon monoxide.
- 4. Volatile organic compounds.
- 5. Metals and their compounds.
- 6. Dust including fine particulate matter.
- 7. Asbestos (suspended particulates, fibres).
- 8. Chlorine and its compounds.
- 9. Fluorine and its compounds.
- 10. Arsenic and its compounds.
- 11. Cyanides.
- 12. Substances and mixtures which have been proved to possess carcinogenic...
- 13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans.
- 1. WATER
- 2. Organophosphorus compounds.
- 3. Organotin compounds.
- 4. Substances and mixtures which have been proved to possess carcinogenic...
- 5. Persistent hydrocarbons and persistent and bioaccumulable organic toxic substances.
- 6. Cyanides.
- 7. Metals and their compounds.
- 8. Arsenic and its compounds.

- 9. Biocides and plant protection products.
- 10. Materials in suspension.
- 11. Substances which contribute to eutrophication (in particular, nitrates and phosphates)....
- 12. Substances which have an unfavourable influence on the oxygen balance...
- 13. Substances listed in Annex X to Directive 2000/60/EC.

SCHEDULE COMPENSATION IN RELATION TO OFF-SITE CONDITIONS

6

- 1. (1) This Schedule applies in any case where—
- 2. In a case where this Schedule applies, any person who...
- 3. Subject to paragraph 6(3) and (5)(b), compensation shall be payable...
- 4. (1) Subject to sub-paragraph (2), an entitlement to compensation under...
- 5. (1) An application for compensation under this Schedule shall be...
- 6. (1) The amount to be paid by way of compensation...
- 7. (1) Compensation payable under this Schedule in respect of an...
- 8. (1) Compensation payable under this Schedule shall carry interest at...

SCHEDULE VARIATION OF CONDITIONS

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PART 1 — APPLICATIONS FOR VARIATION OF CONDITIONS

- 1. An application under regulation 19(2) for the variation of the...
- 2. If a proposed change in the operation of a Part...
- 3. An application under regulation 19(2) for the variation of the...
- 4. The enforcing authority may, by notice in writing to the...
- 5. (1) Subject to sub-paragraph (2), this paragraph shall apply where...
- 6. (1) Subject to paragraph 24(b), an operator notified under paragraph...
- 7. (1) The Department may give directions to the enforcing authority...
- 8. (1) Except in a case where an application under regulation...
- 9. (1) The enforcing authority shall give notice of their draft...
- 10. (1) An advertisement required by paragraph 9 shall—
- 11. If the enforcing authority fails to give notice of its...

PART 2 — VARIATION NOTICES

- 12. (1) Subject to paragraph (2), this paragraph applies where the...
- 13. The chief inspector shall notify the operator of a Part...
- 14. (1) Subject to paragraph 24(b), an operator notified under paragraph...
- 15. (1) If the enforcing authority proposes to serve a variation...
- 16. (1) In the case of a proposed variation notice affecting...

PART 3 — TRANSBOUNDARY NOTIFICATION

- 17. Where the Department is aware that an application or a...
- 18. Where an application or proposal to serve a variation notice...
- 19. In determining an application or before serving a variation notice...
- 20. Any representations on the draft determination made in the Member...
- 21. (1) For the purposes of this Schedule "working day" means...
 PART 4 NATIONAL SECURITY AND CONFIDENTIAL INFORMATION
- 22. The requirements of paragraph 6(1) and 14(1) shall not apply...
- 23. Paragraphs 27, 28 and 29 of Schedule 4 shall apply...
- 24. Where a matter falls to be determined under regulation 34...

Status: This is the original version (as it was originally made).

25.	Paragraph 31 of Schedule 4 shall apply for the purpose
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1.	Application
2.	Interpretation
3.	Exercise of relevant functions
SCHEDULE	LARGE COMBUSTION PLANTS
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1.	Application
2.	This Schedule applies, from 1st January 2016, in relation to
3.	Interpretation
4.	Exercise of relevant functions
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1.	Application
2.	Interpretation
3.	Exercise of functions
SCHEDULE	WASTE INCINERATION
11	A
1.	Application
2.	Interpretation
3.	Exercise of relevant functions
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12	PART 1 — PVR I
1.	Application
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1.	Application
2.	Interpretation
3.	Exercise of chief inspector's functions
SCHEDULE	SUPPLEMENTAL PROVISIONS WITH RESPECT TO POWERS
14	OF ENTRY
1.	In this Schedule— "relevant power" means a power conferred by
2.	(1) If it is shown to the satisfaction of a
3.	(1) Subject to regulation 30(10), information obtained in
	consequence of
4.	An inspector who, in the exercise of a relevant power,
5.	(1) Where an inspector exercises any power conferred by
	regulation
SCHEDULE	APPEALS FROM DECISIONS WITH RESPECT TO PERMITS
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1.	(1) A person who wishes to appeal to the Planning
2.	Notice of appeal in accordance with paragraph 1 is to
3.	The enforcing authority shall, within 14 days of receipt of
4.	(1) The Planning Appeals Commission shall determine the appeal
	and

SCHEDULE REGISTERS

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- 1. (1) A register maintained by an enforcing authority under regulation
- 2. Where an application is withdrawn by the applicant at any...
- 3. Where, following an amendment of Schedule 1, these Regulations cease...
- 4. Nothing in paragraph 1 requires an enforcing authority to keep...
- 5. Any details of a formal caution included in a register...

SCHEDULE REVOCATIONS

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Explanatory Note