
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 453

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2012

PART 2

PERMITS

Surrender of a permit for a Part B or Part C installation or Part B or Part C mobile plant

23.—(1) This regulation applies—

- (a) where an operator of a Part B or Part C installation or Part B or Part C mobile plant ceases or intends to cease operating the installation (in whole or in part) or the mobile plant; and
- (b) in relation to that part of any installation or mobile plant where an activity falling within paragraphs (b), (d), (g) and (h) of Part A of section 5.1 of Part 1 of Schedule 1 is carried out.

(2) Where this regulation applies, the operator may—

- (a) if they have ceased or intend to cease operating all of the installations and mobile plant covered by the permit, notify the enforcing authority of the surrender of the whole permit; or
- (b) in any other case, notify the enforcing authority of the surrender of the permit in so far as it authorises the operation of the installation or mobile plant (“the surrender unit”) which the operator has ceased or intends to cease operating (a “partial surrender”).

(3) A notification under paragraph (2) shall contain the following information—

- (a) the operator’s telephone number and address and, if different, any address to which correspondence relating to the notification should be sent;
- (b) in the case of a partial surrender of a permit, a description of the surrender unit and a map or plan identifying the part of the site used for the operation of the surrender unit;
- (c) in the case of a partial surrender of a permit applying to mobile plant, a list of the mobile plant to which it applies; and
- (d) the date on which the surrender is to take effect, which shall be at least 28 days after the date on which the notice is served on the enforcing authority.

(4) The enforcing authority may, by notice in writing, require the operator to supply such further information specified in the notice within the period so specified.

(5) Subject to paragraphs (6) and (7), where a surrender is notified under this regulation the permit shall cease to have effect on the date specified in the notification or, in the case of partial surrender, shall cease to have effect on that date to the extent surrendered.

(6) If, in the case of a partial surrender, the enforcing authority is of the opinion that it is necessary to vary the conditions of the permit to take account of the surrender, the enforcing authority shall—

- (a) notify the operator of its opinion in writing; and

(b) serve a variation notice under regulation 19 on the operator specifying the variations of the conditions necessitated by the surrender,

and the permit shall cease to have effect to the extent surrendered on the date on which the variations specified in the variation notice take effect if that date is after the date specified in the notification of the surrender.

(7) If the enforcing authority has required the operator to supply further information by notice in writing, the enforcing authority shall serve notice on the operator acknowledging receipt of the requested information, and stating the date on which the permit will cease to have effect, which shall not be more than 28 days after the date on which the information was received.