
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

The Pollution Prevention and
Control (Scotland) Regulations 2012

PART IV
STANDARD RULES

Standard rules

36.—(1) A rule-making authority may make, revise or revoke rules (“standard rules”) which apply to an installation or any mobile plant described in the rules.

(2) A rule-making authority must, when making or revising standard rules, ensure that the rules—

- (a) give effect to the best available techniques for preventing, or where that is not practicable reducing, emissions from an installation or any mobile plant, and
- (b) so far as relating to an activity set out in Annex I to the Industrial Emissions Directive, do not prescribe the use of any technique or specific technology in order to ensure compliance with Articles 14 and 15 of that Directive.

(3) A rule-making authority may only make or revise standard rules if it is satisfied that the operation of an installation or any mobile plant will, to the extent that it is covered by a standard rules condition, result in—

- (a) the same level of environmental protection, and
- (b) in the case of Part A installations, the same high level of integrated pollution prevention and control,

as would result were there no standard rules condition and the installation or mobile plant were operated under the conditions that would be included under Part II of these Regulations.

(4) A rule-making authority must—

- (a) keep standard rules made by the authority under review, and
- (b) revise any such rules whenever it considers necessary to do so in order to—
 - (i) follow developments in best available techniques, or
 - (ii) ensure compliance with the Industrial Emissions Directive.

(5) A rule-making authority must ensure that standard rules made by them contain a reference to the Industrial Emissions Directive.

(6) A reference to revising standard rules includes a partial revocation of the rules.