

## SCHEDULE 10

### SAVINGS AND TRANSITIONAL PROVISIONS

#### PART 3

##### Permit conditions

###### **Permit condition: large combustion plants**

**13.**—(1) This paragraph applies to an installation at which an activity described in Chapter III of the Industrial Emissions Directive is carried out, whether before or after that Chapter has effect.

(2) An existing permit for such an installation includes the conditions specified in sub-paragraphs (2) and (3).

(3) The first specified condition is that in the event of malfunction or breakdown of abatement equipment the operator—

- (a) must, if a return to normal operation is not achieved within 24 hours, reduce or close down operations or use low-polluting fuels, or take such other steps as SEPA requires, and
- (b) must ensure that the cumulative duration of unabated operation in any 12 month period does not, unless agreed in advance by SEPA, exceed 120 hours.

(4) The second specified condition is that the values of the 95% confidence intervals of single measured results must not exceed the following percentages of the emission limit values—

- (a) 10% for carbon monoxide,
- (b) 20 % for sulphur dioxide,
- (c) 20% for nitrogen oxides, and
- (d) 30% for dust,

where the validated hourly and daily average values are determined from the measured valid hourly average values after having subtracted the value of the confidence interval specified above, and providing that any day in which three or more hourly average values are invalid due to malfunction or maintenance of the continuous measurement system shall be invalidated.

(5) This paragraph applies in the period from 7th January 2013 until the date that SEPA next varies a condition of the permit so as to give effect—

- (a) in the case of sub-paragraph (3), to Article 37 of the Industrial Emissions Directive, and
- (b) in the case of sub-paragraph (4), to paragraph 9 of Part 3 of Annex V to that Directive.