

### SCHEDULE 3

#### PRESCRIBED DATES AND TRANSITIONAL ARRANGEMENTS

#### PART 1

##### PART A INSTALLATIONS AND MOBILE PLANT

2.—(1) Subject to paragraph 4, the prescribed date for an existing Part A installation or existing Part A mobile plant—

- (a) where an application for a permit to operate the installation or mobile plant is duly made within the relevant period (or before the beginning of the relevant period where allowed under paragraph 5), is the determination date for the installation or mobile plant;
- (b) where no such application is made, is the day after the date on which the relevant period expires.

(2) For the purpose of sub-paragraph (1), the relevant period for an existing Part A installation or existing Part A mobile plant is the period specified for that description of installation or mobile plant in the following table:—

<i>Any installation where an activity falling within the following Sections of Part 1 of Schedule 1 is carried out or any mobile plant used to carry out such an activity</i>	<i>Relevant Period</i>
Section 1.1	January 1st to March 31st 2006
Part A	
Section 1.2	
Part A	June 1st to August 31st 2001
Paragraph (c)	June 1st to August 31st 2006
Remaining paragraphs	
Section 2.1	
Part A	May 1st to July 31st 2002
Paragraph (c), (e), (f), (g) and (h)	June 1st to August 31st 2001
Remaining paragraphs	
Section 2.2	June 1st to August 31st 2002
Part A	
Section 2.3	May 1st to July 31st 2004
Part A	
Section 3.1	June 1st to August 31st 2001

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<i>Any installation where an activity falling within the following Sections of Part 1 of Schedule 1 is carried out or any mobile plant used to carry out such an activity</i>	<i>Relevant Period</i>
Part A	
Section 3.2	June 1st to August 31st 2006
Part A	
Section 3.3	May 1st to July 31st 2002
Part A	
Section 3.4	May 1st to July 31st 2002
Part A	
Section 3.6	January 1st to March 31st 2004
Part A	
Section 4.1	
Part A	January 1st to March 31st 2003
Paragraphs (a) (i), (v), (vi), (vii) and (xii), (e) and (f)	June 1st to August 31st 2003
	January 1st to March 31st 2006
Paragraphs (a) (ii), (iii), (iv)	June 1st to August 31st 2006
Paragraphs (a) (viii) and (ix), (b) (c) and (d)	
Paragraph (a) (x) to (xi)	
Section 4.2	
Part A	October 1st to December 31st 2004
Paragraph (a) (i),(ii),(iii) and (vi)	June 1st to August 31st 2005
Paragraph (a) (iv) and (v)	October 1st to December 31st 2004
Paragraphs (b) to (f)	
Section 4.3	June 1st to August 31st 2005
Part A	
Section 4.4	January 1st to March 31st 2006
Part A	
Section 4.5	January 1st to March 31st 2006
Part A	
Section 4.6	January 1st to March 31st 2006

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<i>Any installation where an activity falling within the following Sections of Part 1 of Schedule 1 is carried out or any mobile plant used to carry out such an activity</i>	<i>Relevant Period</i>
Part A	
Section 4.7	October 1st to December 31st 2004
Part A	
Section 5.1	June 1st to August 31st 2005
Part A	
Section 5.2	January 1st to March 31st 2007
Part A	
Section 5.3	
Part A	
	June 1st to August 31st 2005
Paragraph (a) and (b)	January 1st to March 31st 2004
Paragraph (c)(i)	June 1st to August 31st 2004
Paragraph (c)(ii)	
Section 5.4	January 1st to March 31st 2005
Part A	
Section 5.5	January 1st to March 31st 2004
Part A	
Section 6.1	April 1st to June 30th 2001
Part A	
Section 6.2	January 1st to March 31st 2004
Part A	
Section 6.3	
Part A	
	January 1st to March 31st 2004
Paragraph (i)	October 1st to December 31st 2001
Paragraph (ii)	
Section 6.4	October 1st to December 31st 2002
Part A	
Section 6.5	October 1st to December 31st 2002

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<i>Any installation where an activity falling within the following Sections of Part 1 of Schedule 1 is carried out or any mobile plant used to carry out such an activity</i>	<i>Relevant Period</i>
Part A	
Section 6.6	June 1st to August 31st 2006
Part A	
Section 6.8	
Part A	May 1st to July 31st 2002
Paragraph (a)	June 1st to March 31st 2004
Paragraphs (b) and (c)	June 1st to August 31st 2004
Paragraph (d) (i)	January 1st to March 31st 2005
Paragraphs (d) (ii), (e) and (f)	
Section 6.9	October 1st to December 31st 2006
Part A	

(3) For the purpose of sub-paragraph (2), where an activity falls within a description in Part A of more than one Section of Part 1 of Schedule 1, it shall be regarded as falling only within that description which fits it most aptly.

(4) Subject to sub-paragraph (5), where more than one activity falling within Part A of any Section in Part 1 of Schedule 1 is carried out in an existing Part A installation or using an existing Part A mobile plant, the relevant period for that installation or mobile plant shall be the period beginning with the earliest date listed against one of those activities in the table in sub-paragraph (2).

(5) Where more than one activity falling within Part A of any Section in Part 1 of Schedule 1 is carried out in an existing Part A installation, the operator of the installation may apply to SEPA to determine that the relevant period for the installation shall not be the period determined by sub-paragraph (4) but the later period listed in the table in sub-paragraph (2) against the primary activity of the installation.

(6) An application under sub-paragraph (5) shall be in writing (or in electronic form acceptable to SEPA) and shall –

- (a) identify the installation concerned;
- (b) list the activities falling within Part A of any Section in Part 1 of Schedule 1 which are carried on in the installation; and
- (c) identify which of those activities the operator considers to be the primary activity,

and shall be submitted at least 3 months before the beginning of the period which would be the relevant period for the installation concerned under sub-paragraph (4).

(7) Where SEPA receives a duly made application under sub-paragraph (5) it shall, if it agrees with the operator that the activity identified pursuant to sub-paragraph (6)(b) is the primary activity, serve notice of its determination on the operator, and the later period listed against that activity in sub-paragraph (2) shall be the relevant period for the installation.

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(8) Where SEPA does not agree with the operator as mentioned in sub-paragraph (7) it shall serve notice of its determination on the operator and the relevant period for the installation shall be the period determined by sub-paragraph (4).

(9) SEPA shall serve notice of its determination of any application made under sub-paragraph (5) within 2 months of receiving the application.

(10) Where there is more than one operator of an installation, an application under sub-paragraph (5) shall be made by the operators of the installation jointly and the references in sub-paragraphs (6) to (8) to the operator shall be construed as a reference to all of the operators.

(11) For the purpose of sub-paragraphs (5) to (9) the primary activity of an installation is the activity the carrying out of which constitutes the primary purpose for operating the installation.