

SCHEDULE 1

Regulation 4(5)

Sulphur content of liquid fuels permits

1. An operator of an existing plant, new plant or other combustion plant who wishes to operate that plant under an exception provided for in regulation 4(2) may apply to SEPA for a sulphur content of liquid fuels permit if the operation of that plant does not require—

- (a) an authorisation under Part I of the Environmental Protection Act 1990; or
- (b) a permit under regulations made under section 2 of the Pollution Prevention and Control Act 1999.

2. An application under paragraph 1 shall be in writing (or in an electronic form acceptable to SEPA), shall be accompanied by any charge prescribed in respect of the application under section 41 of the Environment Act 1995⁽¹⁾ and shall contain—

- (a) the applicant's name, telephone number, address (including postcode) and e-mail address (if any) and, if different, any address to which correspondence should be sent;
- (b) the address of the site of the combustion plant, the rated thermal input (in megawatts) and the fuel used in the plant; and
- (c) the condition which the applicant wishes to be included in the permit, being a condition which is referred to in regulation 4(2).

3. An application under paragraph 1 may be withdrawn at any time before it is determined.

4. On receipt of an application made under paragraph 1, SEPA shall grant a sulphur content of liquid fuels permit subject to the condition identified in the application.

5. A sulphur content of liquid fuels permit may be transferred by the holder of the permit to a person who intends to operate the plant to which the permit relates in place of the holder.

6. The person to whom a sulphur content of liquid fuels permit is transferred as permitted by paragraph 5 shall—

- (a) notify SEPA in writing (or in electronic form acceptable to SEPA) of the transfer; and
- (b) do so within 21 days of the date of the transfer.

7.—(1) A sulphur content of liquid fuels permit may be surrendered by the holder of the permit serving on SEPA notice in writing (or in electronic form acceptable to SEPA) of the surrender containing the date on which the surrender is to have effect.

(2) Where a surrender is notified under this paragraph, the permit shall cease to have effect on the date specified in the notice.

8. Section 41 of the Environment Act 1995 shall apply in respect of a sulphur content of liquid fuels permit for the purpose of prescribing charges payable under that section as it applies to environmental licences, within the meaning of Part I of that Act.

SCHEDULE 2

Regulation 6(4)

Technical requirements for analysis of samples

1. The reference method adopted for determining the sulphur content of fuels sampled pursuant to regulation 6(1) shall be defined by—

(1) 1995 c. 25.

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

- (a) ISO method 8754 (1992) and PrEN ISO 14596 for heavy fuel oil(2);
 - (b) EN method 24260 (1987), ISO 8754 (1992) and PrEN ISO 14596 for gas oil(3).
2. The arbitration method shall be PrEN ISO 14596.
 3. The statistical interpretation of the verification of the sulphur content of the gas oils used shall be carried out in accordance with ISO standard 4259 (1992)(4).

(2) ISO method 8754 (1992) is described in the British Standard entitled “Petroleum Products-Determination of Sulphur content-Energy-dispersive X-ray fluorescence methods”, published under the numbers BS EN ISO 8754:1995 and ISO 8754:1992, which came into effect on 31st July 1995. PrEN ISO 14596 is described in the British Standard entitled “Petroleum Products-Determination of Sulphur content-Wavelength-dispersive X-ray fluorescence spectrometry”, published under the numbers BS EN ISO 14596:1998 and ISO 14596:1998, which came into effect on 15th December 1998.

(3) EN method 24260 (1987) is described in the British Standard entitled “Petroleum Products and Hydrocarbons-Determination of Sulphur Content-Wickbold combustion method”, published under the numbers BS EN 24260:1994 and ISO 24260:1987, which came into effect on 30th September 1994.

(4) ISO standard 4259 (1992) is described in the British Standard entitled “Petroleum Products-Determination and Application of precision data in relation to methods of test”, published under the numbers BS EN ISO 4259:1996 and ISO 4259:1992, which came into effect on 15th February 1996.