

SCHEDULE

Regulation 4(6)

Sulphur content of liquid fuels permits

1. An operator of a combustion plant who wishes to operate that plant under an exception provided for in regulation 4(2) or (3) 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 (pollution control); or
- (b) a permit under Regulations made under section 2 of the Pollution Prevention and Control Act 1999; or
- (c) an authorisation under regulations made under section 18 of the Regulatory Reform (Scotland) Act 2014.

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

- (a) the applicant's name, telephone number, address (including postcode) and an 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) or (3).

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 An application under paragraph 1 may be withdrawn at any time before it is determined.

4. On receipt of an application duly made under paragraph 1, SEPA must 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 intended to be transferred under paragraph 5 must –

- (a) notify SEPA in writing (or in electronic form acceptable to SEPA) of the intended transfer; and
- (b) do so within 21 days of the intended 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 ceases to have effect on the date specified in the notice.

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

(1) 1995 c.25.