
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 446

**The Pollution Prevention and Control
(Scotland) Amendment Regulations 2017**

Grant of permits

14. In schedule 4 (grant of permits)—

(a) after paragraph 11 insert—

“**11A.** An application for a permit to operate a Part B installation where no activity listed in schedule 1 or 2 other than the activities described in paragraph (d) of Part B of Section 1.1 of schedule 1 will be carried out need include only—

- (a) the information described in paragraph 1(1)(a), (b), and (f),
- (b) the rated thermal input (in megawatts) of the medium combustion plant,
- (c) the type of medium combustion plant (diesel engine, gas turbine, dual fuel engine, other engine or other medium combustion plant),
- (d) the type and share of fuels used (according to the categories in Part 2 of schedule 1B),
- (e) the date of the start of the operation of the medium combustion plant or, where the exact date of the start of the operation is unknown, proof of the fact that the operation started before 20th December 2018,
- (f) the sector of activity of the medium combustion plant or the facility in which it is applied (NACE code)⁽¹⁾,
- (g) the expected number of annual operating hours of the medium combustion plant and average load in use,
- (h) if required for the purposes of an exemption from compliance with emission limit values, a declaration signed by the operator that the medium combustion plant will not be operated for more than 500 hours or 1000 hours (as appropriate).

11B. An application in respect of a Part B installation at which the activities listed in both paragraphs (c) and (d) of Part B of Section 1.1 of schedule 1 will be carried out, but at which no other activity listed in schedule 1 or 2 will be carried out, need include only the information specified in paragraph 11A and the cost benefit analysis required by paragraph 5(b) of schedule 1A.

11C. The requirements of paragraphs 8 and 13 and paragraph 4(4)(c) and (8) of schedule 7 do not apply to an application in respect of a Part B installation where no activity listed in schedule 1 other than an activity in paragraph (d) of Part B of Section 1.1 is to be carried out.”;

(1) NACE (nomenclature statistique des activités économiques dans la Communauté Européenne) refers to the industry standard classification system used in the European Union. The current version is established by Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20th December 2006 establishing the statistical classification of economic activities NACE Revision 2 (OJ L 393, 30.12.2006, p.1).

(b) after paragraph 28 insert—

28A. SEPA must, in respect of an application for a permit for a medium combustion plant, inform the applicant when it begins the procedure for determining the permit.

28B. SEPA must ensure, in respect of a permit for a Part B installation at which the only activity carried out is the activity described in paragraph (d) of Part B of Section 1.1 of schedule 1, that the permit includes only such conditions as set in accordance with regulation 26A and any other requirement in these Regulations to include any other condition does not apply in respect of the permit to that extent.

28C. SEPA must ensure, in respect of a permit for a Part B installation at which the activities listed in both paragraphs (c) and (d) of Part B of Section 1.1 of schedule 1 will be carried out but at which no other activity listed in schedule 1 or 2 will be carried out, that the permit includes only such conditions as SEPA considers necessary to comply with regulation 26A and paragraphs 13 and 14 of schedule 1A, and any requirement in these Regulations to include any other condition does not apply in respect of the permit to that extent.”.