

SCHEDULE 5

CONSEQUENTIAL AMENDMENTS

The Pollution Prevention and Control (England and Wales) Regulations 2000

1. In regulation 12 (conditions of permits: specific requirements) of the England and Wales Regulations—

- (a) in paragraph (2), delete “paragraph (8)” and insert “paragraphs (8) and (8A)”; and
- (b) in paragraph (8), after “Where appropriate” insert “subject to paragraph (8A)”; and
- (c) after paragraph (8), insert—

“(8A) Subject to paragraph (8B), where emissions of a pollutant from an installation are the subject of conditions imposed pursuant to regulation 10(2) and (3) of the Greenhouse Gas Emissions Trading Scheme Regulations 2003, the permit shall not include an emission limit value, equivalent parameter or technical measure in respect of those emissions unless the regulator considers that the value, parameter or technical measure concerned is necessary to ensure that no significant local pollution is caused.

(8B) Paragraph (8A) shall not apply where the relevant installation is an excluded installation for the purposes of the Greenhouse Gas Emissions Trading Scheme Regulations 2003.”