
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2013 No.

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

PART 2

PERMITS

General binding rules

16.—(1) The Department may make rules (“general binding rules”) containing requirements applying to certain types of installation or mobile plant.

(2) The Department shall only make general binding rules under this regulation applying to Part A installations or Part A mobile plant, if it is satisfied that the operation of such installations or mobile plant under the rules will result in the same high level of environmental protection and integrated prevention and control of pollution, as would result from the operation of the installations or mobile plant under the conditions that would be included in the permits for those installations or mobile plant, pursuant to regulations 12 and 13 if the rules did not apply.

(3) In the case of a Part A installation or Part A mobile plant, general binding rules shall be based on BAT, without prescribing the use of any technique or specific technology, in order to ensure compliance with Articles 14 and 15 of the IED.

(4) The Department shall ensure that general binding rules applying to Part A installations or Part A mobile plant are updated to take into account any developments in BAT and in order to ensure compliance with Article 21 of the IED.

(5) Where the Department makes general binding rules an enforcing authority may, at the request of the operator, include, in a permit authorising the operation of an installation or mobile plant covered by the rules, a condition (a “general binding rules condition”) providing that the aspects of the operation of the installation or mobile plant covered by the requirements in the rules shall be subject to those requirements instead of to conditions included in the permit pursuant to regulations 12 to 14.

(6) Where a permit includes a general binding rules condition the requirements in the general binding rules shall be treated as if they were conditions of the permit for the purpose of regulations 26, 27 and 36(1)(b).

(7) The Department may vary general binding rules by means of a notice of variation specifying the variations and the date on which the variations are to take effect, which shall not be less than 3 months after the date on which notice of the variation is given in the Belfast Gazette pursuant to paragraph (11)(c).

(8) The Department may revoke general binding rules by means of a notice of revocation.

(9) Where aspects of the operation of an installation or mobile plant are covered by the requirements in general binding rules which are revoked, the enforcing authority shall vary the permit authorising the operation of the installation or mobile plant under regulation 19, to delete the general

binding rules condition and to insert the conditions that will be required by regulations 11 to 14 when the requirements in the general binding rules no longer apply.

(10) Where the Department revokes general binding rules, the requirements in the general binding rules shall continue to be treated under paragraph (6) as if they were conditions of a permit until the variations of the permit required by paragraph (9) take effect.

(11) Where the Department makes, varies or revokes general binding rules it shall—

- (a) serve a copy of the rules, notice of variation or notice of revocation on the chief inspector and all district councils;
- (b) publish the rules, notice of variation or notice of revocation in such manner as it considers appropriate for the purpose of bringing the rules or notice to the attention of operators likely to be affected by them and, in the case of Part A installations or Part A mobile plant, the rules shall contain a reference to the IED; and
- (c) give notice of the making, variation or revocation of the rules in the Belfast Gazette.