

## SCHEDULES

### SCHEDULE 9

Regulation 7

#### LARGE COMBUSTION PLANTS

##### **Application**

1. This Schedule applies in relation to every combustion plant referred to in Article 30(3) of the IED.
2. This Schedule applies, from 1<sup>st</sup> January 2016, in relation to every combustion plant referred to in Article 30(2) of the IED.

##### **Interpretation**

3. When interpreting Chapter III of the IED, for the purposes of this Schedule, the competent authority is—
  - (a) for the purposes of exercising a judgment as to whether there is an overriding need to maintain energy supplies under Article 30(6) or 37(2) of the IED, the Department; or
  - (b) otherwise, the chief inspector.

##### **Exercise of relevant functions**

- 4.—(1) The chief inspector must exercise his functions under regulation 7 so as to ensure compliance with the following provisions of Chapter III of the IED—
  - (a) Article 29 (aggregation rules);
  - (b) Article 30(1), (2), (3), (4) (5) (6), (7) and (8) (emission limit values), except the second sub-paragraph of 30(5) and the second sub-paragraph of 30(6);
  - (c) Article 31(1) and (2) (desulphurisation rate) which shall be read as if the words “Member States” were replaced by “The chief inspector”;
  - (d) Article 33(1), (3) and (4) (limited life time derogation) ;
  - (e) Article 34 (1) and (2) (small isolated systems);
  - (f) Article 35(1) (district heating plants);
  - (g) Article 36(1) and (2) (geological storage of carbon dioxide) which shall be read as if the words “Member States” were replaced by “the chief inspector”
  - (h) Article 37 (malfunction or breakdown of the abatement equipment);
  - (i) Article 38 (monitoring of emissions into air) which shall be read as if the words “Member States” were replaced by “the chief inspector”;
  - (j) Article 39 (compliance with emission limit values);
  - (k) Article 40 (multi-fuel firing combustion plants); and
  - (l) Article 82(4) (transitional provision).
- (2) The chief inspector must—

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Northern Ireland Statutory Rule: The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 No. 160

- (a) immediately inform the Department of any derogation under Article 30(5) of the IED;
- (b) immediately inform the Department if he considers that the Department must make a judgment as to whether there is an overriding need to maintain energy supplies under Article 30(6) or 37(2) of the IED; and
- (c) exercise his functions under regulation 7 in relation to such a judgment made by the Department.