
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 160

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

**PART 2
PERMITS**

Revocation of permits

24.—(1) The enforcing authority may at any time revoke a permit, in whole or in part, by serving a notice in writing (“a revocation notice”) on the operator.

(2) Without prejudice to the generality of paragraph (1), the enforcing authority may serve a notice under this regulation in relation to a permit where—

- (a) the permit authorises the carrying out of a specified waste management activity and it appears to the chief inspector that the operator of the installation or mobile plant concerned has ceased to be a fit and proper person to carry out that activity by reason of their having been convicted of a relevant offence within the meaning of regulation 4(5) or by reason of the management of that activity having ceased to be in the hands of a technically competent person; or
 - (b) the holder of the permit has ceased to be the operator of the installation or mobile plant covered by the permit.
- (3) A revocation notice may—
- (a) revoke a permit entirely;
 - (b) revoke a permit only in so far as it authorises the operation of some of the installations or mobile plant to which it applies; or
 - (c) revoke a permit only in so far as it authorises the carrying out of some of the activities which may be carried out in an installation or by means of mobile plant to which it applies.
- (4) A revocation notice shall specify—
- (a) in the case of a revocation specified in paragraph (3)(b) or (c) (a “partial revocation”), the extent to which the permit is being revoked; and
 - (b) in all cases, the date on which the revocation shall take effect, which shall be at least 28 days after the date on which the notice is served.
- (5) If, in the case of a revocation specified in paragraph (3)(b) or (c) applying to a Part A installation or Part A mobile plant, the chief inspector considers that it is appropriate to require the operator to take steps, once the installation or mobile plant is no longer in operation, to—
- (a) avoid any pollution risk resulting from the operation of the installation or mobile plant on the site or, in the case of a partial revocation, that part of the site used for the operation of that installation or mobile plant;
 - (b) return the site, or that part of the site, to a satisfactory state; or

- (c) remove, control, contain or reduce any relevant hazardous substance in soil or groundwater so that the site, taking into account its current or approved future use, ceases to pose a significant risk to human health or the environment,

the revocation notice shall specify that this is the case and, in so far as those steps are not already required to be taken by the conditions of the permit, the steps to be taken.

(6) Subject to paragraph (7) and regulation 31(6), a permit shall cease to have effect, or, in the case of a partial revocation, shall cease to have effect to the extent specified in the revocation notice, from the date specified in the notice.

(7) Where paragraph (5) applies, the permit shall cease to have effect to authorise the operation of the Part A installation or Part A mobile plant from the date specified in the revocation notice but shall continue to have effect in so far as the permit requires steps to be taken once it is no longer in operation until the chief inspector issues a certificate of satisfaction stating that all such steps have been taken.

(8) Where a permit continues to have effect as specified in paragraph (7), any steps specified in a revocation notice pursuant to paragraph (5) shall be treated as if they were required to be taken by a condition of the permit and regulations 19, 26, 27 and 36(1)(b) shall apply in relation to the requirement to take such steps, and to any other conditions in the permit which require steps to be taken once the installation is no longer in operation, until the chief inspector issues a certificate as specified in paragraph (7).

(9) An enforcing authority which has served a revocation notice may, before the date on which the revocation takes effect, withdraw the notice.

(10) Regulation 22(12) shall apply for the purpose of deciding whether a pollution risk results from the operation of a Part A installation or Part A mobile plant for the purpose of this regulation as it applies for the purpose of regulation 22.