

## SCHEDULE 1

### Activities, installations and mobile plant

## PART 2

### Activities

#### CHAPTER 1

#### Energy activities

##### SECTION 1.1

##### *Combustion activities*

#### Interpretation of Section 1.1

1. In this Section “recovered oil” means waste oil which has been processed before being used.

#### **Part A(1)**

- (a) Burning any fuel in an appliance with a rated thermal input of 50 or more megawatts.
- (b) Unless carried on as part of a Part A(2) or Part B activity, burning any—
  - (i) waste oil;
  - (ii) recovered oil; or
  - (iii) fuel manufactured from, or comprising, any other waste,in an appliance with a rated thermal input of 3 or more megawatts, but less than 50 megawatts.

#### Interpretation and application of Part A(1)

1. For the purpose of Part A(1)(a) of this Section, where 2 or more appliances with an aggregate rated thermal input of 50 megawatts or more are operated on the same site by the same operator those appliances must be treated as a single appliance with a rated thermal input of 50 megawatts or more.

2. Nothing in this Part of this Section applies to burning fuels in an appliance installed on an offshore platform situated on, above or below those parts of the sea adjacent to England and Wales from the low water mark to the seaward baseline of the United Kingdom territorial sea.

3. In paragraph 2, “offshore platform” means any fixed or floating structure which—
  - (a) is used for the purposes of or in connection with the production of petroleum; and
  - (b) in the case of a floating structure, is maintained on a station during the course of production,

but does not include any structure where the principal purpose of the use of the structure is the establishment of the existence of petroleum or the appraisal of its characteristics, quality or quantity or the extent of any reservoir in which it occurs.

4. In paragraph 3, “petroleum” includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.

5. In Part A(1)(b)(iii) of this Section, “fuel” excludes gas produced by biological degradation of waste in a landfill that is not listed in Part 2 of this Schedule.

#### **Part B**

Unless falling within Part A(1)(a) of this Section—

- (a) Burning any fuel (other than a fuel mentioned in Part A(1)(b)) in—
  - (i) a boiler;
  - (ii) a furnace;
  - (iii) a gas turbine; or
  - (iv) a compression ignition engine,  
with a net rated thermal input of 20 or more megawatts, but a rated thermal input of less than 50 megawatts.
- (b) Burning any—
  - (i) waste oil;
  - (ii) recovered oil;
  - (iii) solid fuel which has been manufactured from waste by an activity involving the application of heat,  
in an appliance with a rated thermal input of less than 3 megawatts.
- (c) Burning fuel manufactured from or including waste (other than a fuel mentioned in paragraph (b)) in an appliance with a net rated thermal input of 0.4 or more megawatts, but a rated thermal input of less than 3 megawatts.
- (d) Burning fuel manufactured from or including waste (other than a fuel mentioned in paragraph (b)) in 2 or more appliances which have a combined net rated thermal input of 0.4 or more megawatts, but a rated thermal input of less than 3 megawatts.

Interpretation and application of Part B

1. Part B does not apply to any activity falling within Part A(1) or Part A(2) of Section 5.1.
2. In Part B(c) or (d) of this Section, “fuel” does not include gas produced by biological degradation of waste.