

SCHEDULE 7

Regulation 35(2)(a)

Part A installations and Part A mobile plant

Application

1. This Schedule applies in relation to every Part A installation or Part A mobile plant.

Interpretation

2. When interpreting the IPPC Directive for the purposes of this Schedule—
 - (a) except where otherwise defined in this paragraph, an expression that is defined in Part 1 of these Regulations has the meaning given in that Part;
 - (b) “installation” means “Part A installation or Part A mobile plant”;
 - (c) “permit” means “environmental permit”;
 - (d) the competent authority is the regulator; and
 - (e) “substance” is to be read as including, after the words “its compounds” in Article 2(1) of the IPPC Directive, the words “and any biological entity or micro-organism”.

Exercise of regulator’s functions: general

3. The regulator must exercise its functions under these Regulations for the purpose of achieving a high level of protection of the environment taken as a whole by, in particular, preventing or, where that is not practicable, reducing emissions into the air, water and land.

Applications for the grant of an environmental permit

4.—(1) The regulator must ensure that every application for the grant of an environmental permit includes the information specified in Article 6(1) of the IPPC Directive.

(2) But when interpreting Article 6(1), the regulator must ignore the fourth indent in the case of Part A mobile plant.

Exercise of relevant functions

5.—(1) The regulator must exercise its relevant functions so as to ensure compliance with the following provisions of the IPPC Directive—

- (a) Article 3, ignoring the words “provide that the competent authorities” contained in the first sentence of Article 3(1);
- (b) Article 9(1) to (6);
- (c) Article 10;
- (d) Article 12;
- (e) Article 14 point (b);
- (f) Article 19(2).

(2) But when interpreting the IPPC Directive for the purposes of this paragraph, the regulator must—

- (a) ignore the second and fourth paragraphs of Article 9(3);
- (b) in the case of Part A mobile plant, in Article 9(4), ignore the words “its geographical location and the local environmental conditions”;

- (c) ignore the second paragraph of Article 9(5);
- (d) ignore the second paragraph of Article 9(6); and
- (e) in the case of Part A mobile plant, ignore Article 12.

Public participation

6. The regulator must exercise its functions under the public participation provisions in relation to Part A installations so as to meet the requirements of Article 15(1) of the IPPC Directive.

Review of environmental permits

7. The regulator must review an environmental permit if any of the circumstances in Article 13(2) of the IPPC Directive apply in relation to the Part A installation or Part A mobile plant whose operation it authorises.

Developments in best available techniques

8.—(1) The regulator must ensure that it is informed of developments in best available techniques.

(2) In this paragraph, “best available techniques” has the meaning given in Article 2(12) of the IPPC Directive.