

SCHEDULE 7

Regulation 35(a)

Provision in relation to Part A installations and Part A mobile plant

Application

1. This Schedule applies in relation to every Part A installation and 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 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.

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 an environmental permit

- 4.—(1) The regulator must ensure that every application for 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—
 - (a) Part A mobile plant; and
 - (b) any Part A installation which includes a SED activity or part of a SED activity (and any directly associated activity) which is not also an activity other than a SED activity (or a directly associated activity).

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”;
 - (b) Article 9(1) to 9(6);
 - (c) Article 10;
 - (d) Article 12;
 - (e) Article 14 second indent;
 - (f) Article 18(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”;

Status: This is the original version (as it was originally made).

- (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.—(1) 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.

(2) In this paragraph, “public participation provisions” means regulations 26, 29 and 59, and paragraphs 6 and 8 of Schedule 5.

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 it authorises.

Developments in best available techniques

8.—(1) The regulator must follow developments in best available techniques.

(2) In this paragraph, “best available techniques” has the meaning given in Article 2(11) of the IPPC Directive.