

SCHEDULE 8

Regulation 35(2)(b)

Part B installations and Part B mobile plant

Application

1. This Schedule applies in relation to every Part B installation and Part B 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 B installation” or “Part B mobile plant”;
 - (c) “permit” means “environmental permit”;
 - (d) a reference to “emission limit values” is to be read as a reference to those values which are relevant to air pollution;
 - (e) the competent authority is the regulator; and
 - (f) “substance” is to be read as including, after the words “its compounds” in Article 2(1) of that 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 preventing or, where that is not practicable, reducing emissions into the air.

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—
 - (a) ignore points (b), (d) and (g);
 - (b) ignore points (c) and (e) to the extent that the application relates to the carrying on of dry cleaning at a Part B installation;
 - (c) in point (e), the reference to “each medium” is to be read as a reference to “air”;
 - (d) ignore point (f) to the extent that the application relates to the burning of waste oil in an appliance with a net rated thermal input of less than 0.4 megawatts at a Part B installation;
 - (e) in point (h), read the reference to “Article 3” as a reference to “Article 3(1)(a) and (1)(b)”.

(3) In this paragraph, “dry cleaning” has the meaning given in Part B of Section 7 of Part 2 of Schedule 1.

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(1)(a) and (b);
- (b) Article 9(1) to (4);
- (c) Article 10;

Status: This is the original version (as it was originally made).

- (d) Article 12;
 - (e) Article 19(2).
- (2) But when interpreting the IPPC Directive for the purposes of this paragraph, the regulator must—
- (a) in Article 3(1), ignore the words “provide that the competent authorities”;
 - (b) in Article 9(1) read—
 - (i) the reference to “Article 3” as a reference to “Article 3(1)(a) and (b)”, and
 - (ii) the words from “in order” to the end of the Article as “for the purpose of preventing or, where that is not practicable, reducing emissions into the air”;
 - (c) in Article 9(3), ignore the words “and their potential to transfer pollution from one medium to another (water, air and land)”;
 - (d) in Article 9(4)—
 - (i) in the case of Part B mobile plant, ignore the words “its geographical location and the local environmental conditions”, and
 - (ii) ignore the last sentence;
 - (e) in the case of Part B mobile plant, ignore Article 12;
 - (f) in Annex III, ignore the section headed “WATER”.

Review of environmental permits

6. 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 B installation or Part B mobile plant whose operation it authorises.

Developments in best available techniques

- 7.—(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, save that the reference to “Annex IV” in that Article is to be read as a reference to “paragraphs 4 to 8 of Annex IV”.