
STATUTORY INSTRUMENTS

2018 No. 798

The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018

New regulations 11A to 11G

18. After regulation 11, insert—

“Industrial Emissions Directive: large combustion plant

11A. Where a permit relates to a large combustion plant, the Secretary of State must exercise the Secretary of State’s functions under these Regulations so as to ensure compliance with the following provisions of the 2010 Directive—

- (a) Article 29;
- (b) Article 30(1) and 30(3) to (8);
- (c) Article 37;
- (d) Article 38;
- (e) Article 39;
- (f) Article 40(1).

Emission limit values: medium combustion plant

11B.—(1) Paragraphs (2) to (4) apply subject to regulations 11C to 11G.

(2) From 20th December 2018, emissions into the air of sulphur dioxide, NO_x and dust from a new medium combustion plant must not exceed the emission limit values set out in Part 2 of Annex 2.

(3) From 1st January 2025, emissions into the air of sulphur dioxide, NO_x and dust from an existing medium combustion plant with a rated thermal input greater than 5 megawatts must not exceed the emission limit values set out in Tables 2 and 3 of Part 1 of Annex 2.

(4) From 1st January 2030, emissions into the air of sulphur dioxide, NO_x and dust from an existing medium combustion plant with a rated thermal input of 5 megawatts or less must not exceed the emission limit values set out in Tables 1 and 3 of Part 1 of Annex 2.

Limited operating hours – existing medium combustion plant

11C.—(1) An existing medium combustion plant which operates for no more than 500 operating hours per year, as a rolling average over a period of five years, is not required to comply with the emission limit values set out in Part 1 of Annex 2 during that period of five years, provided that the operator has signed a declaration in accordance with paragraph 7 of Annex 1 before the start of that period of five years.

(2) An existing medium combustion plant which operates for no more than 1,000 operating hours per year, as a rolling average over a period of five years, is not required to comply with the emission limit values set out in Part 1 of Annex 2 where it operates to

produce heat in cases of exceptionally cold weather events during that period of five years, provided that the operator has signed a declaration in accordance with paragraph 7 of Annex 1 before the start of that period of five years.

Limited operating hours: new medium combustion plant

11D. A new medium combustion plant which operates for no more than 500 operating hours per year, as a rolling average over a period of three years, is not required to comply with the emission limit values set out in Part 2 of Annex 2 during that period of three years, provided that the operator has signed a declaration in accordance with paragraph 7 of Annex 1 before the start of that period of three years.

Temporary derogations: medium combustion plant

11E.—(1) This paragraph applies in relation to a medium combustion plant which normally uses low sulphur fuel where—

- (a) the operator is unable to comply with the relevant emission limit values for sulphur dioxide in regulation 11B, because of an interruption in the supply of low-sulphur fuel resulting from a serious shortage; and
- (b) the operator requests a temporary derogation from the requirement to comply with those emission limit values.

(2) Where paragraph (1) applies, the Secretary of State may grant a derogation from the obligation to comply with the emission limit values for a maximum of six months.

(3) This paragraph applies in relation to a medium combustion plant using only gaseous fuel where—

- (a) the installation has to resort exceptionally to the use of other fuels because of an interruption in the supply of gas resulting from a serious shortage; and
- (b) the installation would need to be equipped with secondary abatement equipment in order to comply with those emissions limit values.

(4) Where paragraph (3) applies, the Secretary of State may grant a derogation from the obligation to comply with the relevant emissions limit values in regulation 11B—

- (a) for a maximum of 10 days; or
- (b) for such longer period as the operator satisfies the Secretary of State is justified under the circumstances.

Simultaneous use of fuels: medium combustion plant

11F. Where a medium combustion plant simultaneously uses two or more fuels, the emission limit value for each pollutant must be calculated by—

- (a) taking the emission limit value relevant for each individual fuel as set out in Annex 2;
- (b) determining the fuel-weighted emission limit value, which is obtained by multiplying the individual emission limit value referred to in paragraph (a) by the thermal input delivered by each fuel, and dividing the product of multiplication by the sum of the thermal inputs delivered by all fuels; and
- (c) aggregating the fuel-weighted emission limit values.

Emission limit values: compliance

11G. The emission limit values shall be regarded as having been complied with if the results of monitoring conducted in accordance with the conditions of the permit show that the emissions for the combustion installation and the pollutant concerned do not exceed the emission limit value which applies in respect of that installation and that pollutant.”.