
STATUTORY INSTRUMENTS

2018 No. 798

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

New regulations 12A and 12B (variation of existing permits and variation of operation)

20. After regulation 12, insert—

“Variation of existing permits: medium combustion plant

12A. In any case where there is a permit granted before the relevant date which relates to a medium combustion plant, the Secretary of State must—

- (a) review the permit before the relevant date; and
- (b) if necessary, vary the permit to ensure that it complies with the relevant requirements of regulation 9A on the relevant date.

Variation of operation of medium combustion plant

12B.—(1) Where an operator proposes to vary (“the proposed variation”) the operation of a medium combustion plant, the operator must—

- (a) give notice to the Secretary of State of the proposed variation; and
- (b) supply such information as the Secretary of State requests in order that the Secretary of State may consider whether or not to approve the variation and what, if any, variation of the permit may be required.

(2) The operator must not put into effect the proposed variation unless and until the operator receives a notice under paragraph (3) approving the variation.

(3) The Secretary of State must, as soon as possible after the notice under paragraph (1) is received, give notice to the operator—

- (a) approving the proposed variation, together with any varied conditions in the permit; or
- (b) refusing the proposed variation, together with reasons for that decision.

(4) Subject to regulation 9A(1), where the Secretary of State approves a proposed variation, the conditions in the permit may be varied as the Secretary of State thinks fit.”