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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 000**

**ENVIRONMENTAL PROTECTION**

**The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013**

*Made - - - - 2013  
Coming into operation in accordance with  
regulation 1*

**THE POLLUTION PREVENTION AND CONTROL (INDUSTRIAL EMISSIONS) REGULATIONS (NORTHERN IRELAND) 2013**

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3. An activity shall not be taken to be an activity...
4. An activity listed in section 7 of Part 1 shall...
5. References in Part 1 to related activities are references to...
6. (1) This paragraph applies for the purpose of determining whether...
7. (1) Where an activity falls within a description in Part...
8. In Part 1— “background quantity” means, in relation to the...
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15. A Part B installation where an activity falling within paragraph...
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#### SCHEDULE 2 — BEST AVAILABLE TECHNIQUES

1. Subject to paragraph 2, in determining BAT, special consideration shall...
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1. Save as set out in paragraph 2(b), for a Part...
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3. For a Part A installation or Part A mobile plant...
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##### PART 2 — PART B AND PART C INSTALLATIONS AND MOBILE PLANT

5. The prescribed date for a Part B or Part C...
6. (1) The enforcing authority may accept a permit issued under...
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8. The Pollution Prevention and Control Regulations (Northern Ireland) 2003 shall...

#### SCHEDULE 4 — GRANT OF PERMITS

##### PART 1 — APPLICATIONS FOR PERMITS

1. (1) An application to an enforcing authority for a permit...
2. An application for a permit to operate a waste incineration...
3. An application for a landfill permit, where an activity falling...
4. (1) An application for a permit to operate an installation...
5. Paragraph 1(1) applies in relation to an application for a...
6. The enforcing authority may, by notice in writing, require the...
7. Subject to paragraph 30, the applicant shall, within the period...
8. Any advertisement required by paragraph 7 shall—
9. In the case of an application for a permit to...
10. Where an application is for a permit to operate more...



11. Paragraph 7 shall not apply in relation to an application...
- PART 2 — DETERMINATION OF APPLICATIONS
12. (1) Subject to paragraph 30, the enforcing authority shall, within...
13. Paragraph 12 does not apply in relation to an application...
14. (1) If the enforcing authority proposes to grant a permit...
15. (1) Any representations made by any persons within the period...
16. In the case of an application for a permit to...
17. (1) The Department may give directions to the enforcing authority...
18. (1) Except in a case where an application has been...
19. (1) The enforcing authority shall— (a) within a period of...
20. (1) An advertisement required by paragraph 19 shall—
21. If the enforcing authority fails to give notice of its...
22. Where the Department is aware that the operation of an...
23. (1) Where an application is forwarded to another Member State...
24. Any representations on the draft determination made in the Member...
25. (1) For the purposes of Parts 1 and 2 “working...
- PART 3 — NATIONAL SECURITY AND CONFIDENTIAL INFORMATION
26. The requirements of paragraph 7 shall not apply in so...
27. The requirements of paragraph 12, other than paragraph 12(f), shall...
28. Subject to paragraph 29, the requirements of paragraph 12(1)(b)(ii), (iii)...
29. Paragraph 28 shall not apply in relation to information which...
30. Where a matter falls to be determined under regulation 34...
31. For the purpose of paragraph 30, the matters to be...

#### SCHEDULE 5 — POLLUTANTS

1. AIR
2. Oxides of nitrogen and other nitrogen compounds.
3. Carbon monoxide.
4. Volatile organic compounds.
5. Metals and their compounds.
6. Dust including fine particulate matter.
7. Asbestos (suspended particulates, fibres).
8. Chlorine and its compounds.
9. Fluorine and its compounds.
10. Arsenic and its compounds.
11. Cyanides.
12. Substances and mixtures which have been proved to possess carcinogenic...
13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans.
1. WATER
2. Organophosphorus compounds.
3. Organotin compounds.
4. Substances and mixtures which have been proved to possess carcinogenic...
5. Persistent hydrocarbons and persistent and bioaccumulable organic toxic substances.
6. Cyanides.
7. Metals and their compounds.
8. Arsenic and its compounds.
9. Biocides and plant protection products.
10. Materials in suspension.
11. Substances which contribute to eutrophication (in particular, nitrates and phosphates)...
12. Substances which have an unfavourable influence on the oxygen balance...
13. Substances listed in Annex X to Directive 2000/60/EC.

#### SCHEDULE 6 — COMPENSATION IN RELATION TO OFF-SITE CONDITIONS

1. (1) This Schedule applies in any case where—
2. In a case where this Schedule applies, any person who...
3. Subject to paragraph 6(3) and (5)(b), compensation shall be payable...
4. (1) Subject to sub-paragraph (2), an entitlement to compensation under...
5. (1) An application for compensation under this Schedule shall be...
6. (1) The amount to be paid by way of compensation...
7. (1) Compensation payable under this Schedule in respect of an...
8. (1) Compensation payable under this Schedule shall carry interest at...

#### SCHEDULE 7 — VARIATION OF CONDITIONS

##### PART 1 — APPLICATIONS FOR VARIATION OF CONDITIONS

1. An application under regulation 19(2) for the variation of the...
2. If a proposed change in the operation of a Part...
3. An application under regulation 19(2) for the variation of the...
4. The enforcing authority may, by notice in writing to the...
5. (1) Subject to sub-paragraph (2), this paragraph shall apply where...
6. (1) Subject to paragraph 24(b), an operator notified under paragraph...
7. (1) The Department may give directions to the enforcing authority...
8. (1) Except in a case where an application under regulation...
9. (1) The enforcing authority shall give notice of their draft...
10. (1) An advertisement required by paragraph 9 shall—
11. If the enforcing authority fails to give notice of its...

##### PART 2 — VARIATION NOTICES

12. (1) Subject to paragraph (2), this paragraph applies where the...
13. The chief inspector shall notify the operator of a Part...
14. (1) Subject to paragraph 24(b), an operator notified under paragraph...
15. (1) If the enforcing authority proposes to serve a variation...
16. (1) In the case of a proposed variation notice affecting...

##### PART 3 — TRANSBOUNDARY NOTIFICATION

17. Where the Department is aware that an application or a...
18. Where an application or proposal to serve a variation notice...
19. In determining an application or before serving a variation notice...
20. Any representations on the draft determination made in the Member...
21. (1) For the purposes of this Schedule “working day” means...

##### PART 4 — NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

22. The requirements of paragraph 6(1) and 14(1) shall not apply...
23. Paragraphs 27, 28 and 29 of Schedule 4 shall apply...
24. Where a matter falls to be determined under regulation 34...
25. Paragraph 31 of Schedule 4 shall apply for the purpose...

#### SCHEDULE 8 — SED INSTALLATIONS

1. Application
2. Interpretation
3. Exercise of relevant functions

#### SCHEDULE 9 — LARGE COMBUSTION PLANTS

1. Application
2. This Schedule applies, from 1st January 2016, in relation to...
3. Interpretation
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#### SCHEDULE 10 — TITANIUM DIOXIDE

1. Application
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1. Application
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#### SCHEDULE 12 — PETROL VAPOUR RECOVERY

##### PART 1 — PVR I

1. Application
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##### PART 2 — PVR II

1. Application
2. Interpretation
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#### SCHEDULE 13 — ASBESTOS

1. Application
2. Interpretation
3. Exercise of chief inspector's functions

#### SCHEDULE 14 — SUPPLEMENTAL PROVISIONS WITH RESPECT TO POWERS OF ENTRY

1. In this Schedule— “relevant power” means a power conferred by...
2. (1) If it is shown to the satisfaction of a...
3. (1) Subject to regulation 30(10), information obtained in consequence of...
4. An inspector who, in the exercise of a relevant power,...
5. (1) Where an inspector exercises any power conferred by regulation...

#### SCHEDULE 15 — APPEALS FROM DECISIONS WITH RESPECT TO PERMITS

1. (1) A person who wishes to appeal to the Planning...
2. Notice of appeal in accordance with paragraph 1 is to...
3. The enforcing authority shall, within 14 days of receipt of...
4. (1) The Planning Appeals Commission shall determine the appeal and...

#### SCHEDULE 16 — REGISTERS

1. (1) A register maintained by an enforcing authority under regulation...
2. Where an application is withdrawn by the applicant at any...
3. Where, following an amendment of Schedule 1, these Regulations cease...
4. Nothing in paragraph 1 requires an enforcing authority to keep...
5. Any details of a formal caution included in a register...

#### SCHEDULE 17 — REVOCATIONS

Explanatory Note