

SCHEDULES

SCHEDULE 9

Regulation 7

LARGE COMBUSTION PLANTS

Application

1. This Schedule applies in relation to every combustion plant referred to in Article 30(3) of the IED.
2. This Schedule applies, from 1st January 2016, in relation to every combustion plant referred to in Article 30(2) of the IED.

Interpretation

3. When interpreting Chapter III of the IED, for the purposes of this Schedule, the competent authority is—
 - (a) for the purposes of exercising a judgment as to whether there is an overriding need to maintain energy supplies under Article 30(6) or 37(2) of the IED, the Department; or
 - (b) otherwise, the chief inspector.

Exercise of relevant functions

- 4.—(1) The chief inspector must exercise his functions under regulation 7 so as to ensure compliance with the following provisions of Chapter III of the IED—
 - (a) Article 29 (aggregation rules);
 - (b) Article 30(1), (2), (3), (4) (5) (6), (7) and (8) (emission limit values), except the second sub-paragraph of 30(5) and the second sub-paragraph of 30(6);
 - (c) Article 31(1) and (2) (desulphurisation rate) which shall be read as if the words “Member States” were replaced by “The chief inspector”;
 - (d) Article 33(1), (3) and (4) (limited life time derogation) ;
 - (e) Article 34 (1) and (2) (small isolated systems);
 - (f) Article 35(1) (district heating plants);
 - (g) Article 36(1) and (2) (geological storage of carbon dioxide) which shall be read as if the words “Member States” were replaced by “the chief inspector”
 - (h) Article 37 (malfunction or breakdown of the abatement equipment);
 - (i) Article 38 (monitoring of emissions into air) which shall be read as if the words “Member States” were replaced by “the chief inspector”;
 - (j) Article 39 (compliance with emission limit values);
 - (k) Article 40 (multi-fuel firing combustion plants); and
 - (l) Article 82(4) (transitional provision).
- (2) The chief inspector must—

Status: This is the original version (as it was originally made).

- (a) immediately inform the Department of any derogation under Article 30(5) of the IED;
- (b) immediately inform the Department if he considers that the Department must make a judgment as to whether there is an overriding need to maintain energy supplies under Article 30(6) or 37(2) of the IED; and
- (c) exercise his functions under regulation 7 in relation to such a judgment made by the Department.