
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 160

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

PART 2

PERMITS

Permits: general provisions

10.—(1) An application for a permit to operate an installation or mobile plant shall be made to the enforcing authority in accordance with Part 1 of Schedule 4 and shall be accompanied by any fee prescribed in respect of the application under regulation 25.

(2) Subject to paragraphs (3) and (4), where an application is duly made to the enforcing authority, the enforcing authority shall either grant the permit, subject to any conditions which may be imposed pursuant to regulations 11, 12, 13, 14 or 15 of these Regulations, and regulation 8 of the 2003 Landfill Regulations, or refuse the permit.

(3) A permit shall not be granted if the enforcing authority considers that the applicant will not be the person who will have control over the operation of the installation or mobile plant concerned after the grant of the permit, or will not ensure that the installation or mobile plant is operated so as to comply with any conditions which would be included in the permit.

(4) In the case of an application for a permit that will authorise the carrying out of a specified waste management activity at an installation or by means of mobile plant, the permit shall not be granted unless—

- (a) the chief inspector is satisfied that the applicant is a fit and proper person to carry out that activity; and
- (b) in the case of an installation where the use of the application site for the carrying out of the activity requires planning permission granted under the Planning (Northern Ireland) Order 1991—
 - (i) such planning permission is in force in relation to the use of the land; or
 - (ii) a certificate under Article 83A of that Order has been issued in respect of that use of the land.

(5) A permit may authorise the operation of—

- (a) more than one Part A installation or Part A mobile plant on the same site operated by the same operator;
- (b) more than one Part B installation on the same site operated by the same operator;
- (c) more than one Part B mobile plant operated by the same operator;
- (d) more than one Part C installation on the same site operated by the same operator; or
- (e) more than one Part C mobile plant operated by the same operator,

but may not otherwise authorise the operation of more than one installation or mobile plant.

(6) A permit authorising the operation of a Part A mobile plant may only authorise the operation of that plant on a site specified in the permit and only one site may be specified in each such permit (accordingly, the operation of the plant on a different site shall require a distinct permit).

(7) A permit authorising the operation of an installation or Part A mobile plant shall include a map or plan showing the site of the installation or mobile plant covered by the permit and, in the case of an installation, the location of the installation on that site.

(8) A permit shall be transferred only in accordance with regulation 20 or 21 and shall cease to have effect only in accordance with regulation 21, 22, 23, 24 or paragraph (9).

(9) Where—

- (a) the conditions of a permit have been varied under regulation 19 or affected by a partial transfer, surrender or revocation under regulations 20 to 24; or
- (b) there is more than one permit applying to installations on the same site operated by the same operator or to mobile plant operated by the same operator,

the enforcing authority may replace the permit or permits with a consolidated permit applying to the same installations or mobile plant and subject to the same conditions as the permit or permits being replaced.

(10) Parts 1 and 2 of Schedule 4 shall have effect subject to Part 3 of that Schedule.