
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 160

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

**PART 2
PERMITS**

Conditions of permits: specific conditions for all installations and mobile plant

12.—(1) Subject to paragraphs (11) and (12) and regulations 15 and 16, there shall be included in all permits such conditions as the enforcing authority considers appropriate to ensure compliance with paragraphs (2) to (7).

(2) Subject to paragraph (6), a permit shall include emission limit values for pollutants, in particular those listed in Schedule 5, likely to be emitted from the installation or mobile plant in significant quantities, having regard to their nature and, in the case of emissions from a Part A installation or a Part A mobile plant, their potential to transfer pollution from one environmental medium to another.

(3) The emission limit values required by paragraph (2)—

- (a) may, where appropriate, apply to groups of pollutants rather than to individual pollutants; and
- (b) shall normally apply at the point at which the emissions leave the installation or mobile plant, any dilution being disregarded when determining those values.

(4) Where an environmental quality standard requires stricter emission limit values than those that would be required from the application of BAT, the enforcing authority shall require that those stricter emission limit values are imposed.

(5) The emission limit values required by paragraph (2) may, where appropriate, be supplemented or replaced by equivalent parameters or technical measures ensuring an equivalent level of environmental protection.

(6) Where emissions of a pollutant from an installation are the subject of conditions imposed pursuant to regulation 10(2) and (3) of the Greenhouse Gas Emissions Trading Scheme Regulations 2005⁽¹⁾, the permit shall not include an emission limit value, equivalent parameter or technical measure for those emissions unless the enforcing authority considers that the value, parameter or measure is necessary to ensure that no significant local pollution is caused.

(7) For activities listed in Annex I to Directive 2003/87/EC⁽²⁾, the competent authority may choose not to impose requirements relating to energy efficiency in respect of combustion units or other units emitting carbon dioxide on the site.

(1) S.I. 2005/925

(2) O.J. L275, 25.10.2003,p.32

(8) Paragraphs (6) and (7) shall not apply where the relevant installation is an excluded installation for the purposes of regulation 11 of the Greenhouse Gas Emissions Trading Scheme Regulations 2005.

(9) Subject to paragraph (10), there is implied in every permit a condition that, in operating the installation or mobile plant, the operator shall use BAT for preventing or, where that is not practicable, reducing emissions from the installation or mobile plant.

(10) The obligation implied by virtue of paragraph (9) shall not apply in relation to any aspect of the operation of the installation or mobile plant in question which is regulated by a condition imposed under any other paragraph of this regulation.

(11) A permit may, without prejudice to the generality of the previous provisions of this regulation, include conditions—

- (a) imposing limits on the amount or composition of any substance produced or utilised during the operation of the installation or mobile plant in any period;
- (b) which are supplemental or incidental to other conditions contained in the permit.

(12) The Department may give directions to enforcing authorities—

- (a) as to the specific conditions which are, or are not, to be included in all permits, in permits of a specified description or in any particular permit;
- (b) as to the objectives which are to be achieved by conditions included in such permits,

and the enforcing authorities shall include in such permits such conditions as are specified or required to comply with such directions.

(13) The enforcing authority may rely on arrangements referred to in, and sanctioned by, guidance issued by the Department under regulation 41 to secure a particular result, as an alternative to including a condition in the permit pursuant to this regulation or regulation 8 (conditions to be included in landfill permits) of the 2003 Landfill Regulations.