
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 160

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

PART 3

ENFORCEMENT

Enforcement notices

27.—(1) If the enforcing authority is of the opinion that an operator has contravened, is contravening or is likely to contravene any condition of his permit, the enforcing authority may serve on him a notice (an “enforcement notice”).

(2) An enforcement notice shall—

- (a) state the opinion of the enforcing authority;
- (b) specify the matters constituting the contravention or the matters making it likely that the contravention will arise;
- (c) specify the steps that must be taken to remedy the contravention or to remedy the matters making it likely that the contravention will arise, as the case may be;
- (d) specify the period within which those steps must be taken; and
- (e) be in writing.

(3) The steps that may be specified in an enforcement notice as steps that must be taken to remedy the contravention of any condition of a permit may include both steps that must be taken to make the operation of the installation or mobile plant comply with the conditions of the permit and steps that must be taken to remedy the effects of any pollution caused by the contravention.

(4) The enforcing authority may also serve on an operator an enforcement notice in the event of an accident or incident significantly affecting the environment.

(5) An enforcement notice served under paragraph (4) shall—

- (a) specify the measures that the enforcing authority considers necessary to limit the environmental consequences and to prevent further possible incidents or accidents;
- (b) specify the period within which those steps must be taken; and
- (c) be in writing.

(6) The enforcing authority may withdraw an enforcement notice at any time by further written notice served on the operator.