
DRAFT STATUTORY INSTRUMENTS

2015 No.

**The Environmental Permitting (England
and Wales) (Amendment) Regulations 2015**

PART 3

Transitional provisions

Interpretation of Part 3

7. In this Part—

- (a) references to any provision of the principal Regulations are references to those provisions as amended by these Regulations;
- (b) “Part B installation” has the meaning given in Part 1 of Schedule 1 to the principal Regulations;
- (c) “regulated facility” has the meaning given in regulation 2 of the principal Regulations;
- (d) “substantially refurbished” has the meaning given in paragraph 1(1) of Schedule 8A to the principal Regulations (as inserted by regulation 6).

Aggregation of rated thermal input – existing installations

8.—(1) This regulation applies to a Part B installation that is a regulated facility solely as a result of the aggregation of the net rated thermal input of 2 or more appliances in accordance with paragraph 1A of Section 1.1 of Part 2 of Schedule 1 (interpretation and application of Part B) to the principal Regulations.

(2) A Part B installation that was in operation immediately prior to the coming into force of these Regulations is taken to be an exempt facility for the purposes of regulation 8(2) of the principal Regulations.

(3) Paragraph (2) ceases to apply to a Part B installation (so that it is no longer taken to be an exempt facility) if, after the coming into force of these Regulations, the energy plant of the Part B installation is substantially refurbished.

Existing applications for the grant or variation of an environmental permit

9.—(1) Schedule 8A to the principal Regulations (as inserted by regulation 6) does not apply to an existing application.

(2) In this regulation, “existing application” mean a duly made application received by the regulator prior to the coming into force of these Regulations—

- (a) for the grant of an environmental permit pursuant to regulation 13 of the principal Regulations; or
- (b) for the variation of an environmental permit pursuant to regulation 20(1) of the principal Regulations.