
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Emissions Performance Standard Regulations 2015

PART 3

Monitoring and Enforcement in England

Emissions limit notification duty

9.—(1) If any of the conditions in paragraph (3) are met in relation to a relevant fossil fuel plant, the operator of the plant must submit a notification (“an emissions limit notification”) to the Environment Agency within 31 days of the date on which the condition is met (or if more than one condition is met, within 31 days of the date on which the earliest condition is met).

(2) An emissions limit notification must contain—

- (a) the emissions limit (in tonnes of carbon dioxide) for the relevant fossil fuel plant, calculated in accordance with section 57(1) of the Act and as modified, if applicable, by regulations 4 and 6;
- (b) the installed generating capacity (in MW) of the relevant fossil fuel plant; and
- (c) the date on which the relevant fossil fuel plant commenced or is expected to commence generation.

(3) The conditions referred to in paragraph (1) are—

- (a) that a Greenhouse Gas Emissions Permit in relation to the relevant fossil fuel plant—
 - (i) is held by the operator on the date these Regulations come into force;
 - (ii) is granted to the operator after the date these Regulations come into force; or
 - (iii) is varied in relation to the amount of installed generating capacity covered by that permit after the date these Regulations come into force; or
- (b) the emissions limit for the relevant fossil fuel plant is modified by regulation 4.

(4) An emissions limit notification must be submitted in such form and manner as the Environment Agency may reasonably require.