
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Emissions Performance Standard Regulations 2015

PART 1

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Emissions Performance Standard Regulations 2015, and come into force on the day after the day on which they are made.

(2) Parts 1 and 2 of these Regulations extend to the United Kingdom.

(3) Part 3 of these Regulations applies to England only.

Interpretation

2. In these Regulations—

“the Act” means the Energy Act 2013;

“associated gasification plant” has the meaning given by regulation 5;

“CCS notification” means a notification under regulation 10;

“CHPQA certificate” means a certificate issued by the Secretary of State in which is reported the amount specified as CHP Qualifying Heat Output (as defined in the CHPQA standard) applying to the relevant fossil fuel plant;

“CHPQA standard” means the Combined Heat and Power Quality Assurance Standard, Issue 5, November 2013⁽¹⁾;

“civil penalty notice” means a notice issued under regulation 15;

“combined heat and power generating station” means a generating station which is (or may be) operated in order to supply to any premises—

(a) heat produced in association with the electricity generated; or

(b) steam produced from, or air or water heated by, such heat;

“emissions limit notification” means a notification under regulation 9;

“enforcement notice” means a notice issued under regulation 14;

“EPS annual emissions” is to be construed in accordance with regulations 7 and 8;

“EPS annual emissions notification” means a notification under regulation 11;

“generating station” means a station which generates electricity;

“generating unit” means any combination of generators, boilers, turbines, or other prime movers that are physically connected as one unit and operated together to produce electricity independently of any other unit;

(1) This document can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/335471/CHPQAStandardIssue5.pdf.

“the GGETS Regulations” means the Greenhouse Gas Emissions Trading Scheme Regulations 2012⁽²⁾;

“Greenhouse Gas Emissions Permit” means a permit granted under regulation 10 of the GGETS Regulations;

“Greenhouse Gas Emissions Report” means a report required to be submitted by an operator by Article 67(1) of the Monitoring and Reporting Regulation⁽³⁾;

“information notice” is a notice issued under regulation 13;

“installed generating capacity”, in relation to a generating station or generating unit, means the maximum capacity of electricity generation (in MW) at which that generating station or generating unit could be operated for a sustained period without damage being caused to it (assuming the source of energy used to generate electricity is available without interruption);

“main boiler” means any fired vessel or vessels used to produce steam as part of a generating unit—

(a) with a total thermal capacity in excess of 300MWth; and

(b) in which any mixture of fossil fuel in gaseous, liquid or pulverised solid form is combusted;

“the Monitoring and Reporting Regulation” means Commission Regulation (EU) No 601/2012 on the monitoring and reporting of greenhouse gas emissions pursuant to [Directive 2003/87/EC](#) of the European Parliament and of the Council⁽⁴⁾;

“MW” means megawatts;

“MWth” means megawatt of thermal output;

“operator”, in relation to a relevant fossil fuel plant, means the person required to hold a Greenhouse Gas Emissions Permit for the relevant fossil fuel plant;

“relevant fossil fuel plant” means a fossil fuel plant to which the emissions limit duty applies under the Act or a generating unit to which the emissions limit duty applies by virtue of regulation 3;

“source stream” has the same meaning as in Article 3(4) of the Monitoring and Reporting Regulation;

“the Verification Regulation” means Commission Regulation (EU) No 600/2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to [Directive 2003/87/EC](#) of the European Parliament and of the Council⁽⁵⁾; and

“verified” means verified in accordance with the Verification Regulation.

(2) [S.I. 2012/3038](#) which has been amended by [S.I. 2013/1037](#), [S.I. 2013/3135](#) and [S.I. 2014/3125](#).

(3) See the requirement in a Greenhouse Gas Emissions Permit inserted pursuant to Schedule 4, paragraph 2(3)(b) of the GGETS Regulations.

(4) OJ No L 181, 12.7.2012, p 30.

(5) OJ No L 181, 12.7.2012, p 1.