
STATUTORY INSTRUMENTS

2013 No. 971

**The Offshore Combustion Installations (Pollution
Prevention and Control) Regulations 2013**

PART 2

Applications for permits and conditions in permits

Determining applications [F¹: large combustion installations]

7.—(1) Before granting or refusing an application for a permit [F²for the operation of a large combustion installation], the Secretary of State must take into account—

- (a) representations received—
 - (i) from the public by the date provided for their receipt in the application notice or any supplemental notice; and
 - (ii) where regulation 6(1) applies, from [F³a member State] by the date provided under regulation 6(3);

and

- (b) F⁴... any relevant information obtained by or provided to the Secretary of State and any conclusion of the Secretary of State [F⁵under retained EU law that implemented Articles 4,] 5, 6, 7 and 9 of the EIA Directive.

(2) The Secretary of State must grant a permit [F⁶for the operation of a large combustion installation] to an applicant if the Secretary of State is satisfied that the [F⁷large combustion installation] will be operated in compliance with the 2010 Directive.

(3) The Secretary of State must in particular be satisfied that the applicant will operate the [F⁸large combustion installation] in accordance with the principles that—

- (a) all appropriate measures are taken to prevent pollution, including by the application of best available techniques;
- (b) no significant pollution will be caused;
- (c) the production of non-gaseous waste is avoided where possible by the use of—
 - (i) clean technologies which are sparing in their use of natural resources; or
 - (ii) products designed to reduce the amount or harmfulness of waste;
- (d) where non-gaseous waste is produced, it is—
 - (i) prepared for reuse, recycled or recovered; or
 - (ii) where compliance with paragraph (i) is not technically and economically possible, disposed of in such a way as to avoid or minimise any impact on the environment;
- (e) energy is used efficiently;

- (f) necessary measures are taken to prevent accidents which may affect the environment and to limit the environmental consequences of accidents;
- (g) necessary measures are taken when the operation finally ceases—
 - (i) to decommission and remove the [^{F9}combustion plant]; and
 - (ii) to avoid any risk of pollution arising in consequence of the decommissioning and removal.

Textual Amendments

- F1** Words in reg. 7 heading inserted (18.7.2018) by *The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018 (S.I. 2018/798)*, regs. 1, **10(a)**
- F2** Words in reg. 7(1) inserted (18.7.2018) by *The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018 (S.I. 2018/798)*, regs. 1, **10(b)**
- F3** Words in reg. 7(1)(a)(ii) substituted (31.12.2020) by *The Pipe-lines, Petroleum, Electricity Works and Oil Stocking (Miscellaneous Amendments) (EU Exit) Regulations 2018 (S.I. 2018/1325)*, regs. 1(1), **8(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 7(1)(b) omitted (31.12.2020) by virtue of *The Pipe-lines, Petroleum, Electricity Works and Oil Stocking (Miscellaneous Amendments) (EU Exit) Regulations 2018 (S.I. 2018/1325)*, regs. 1(1), **8(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in reg. 7(1)(b) substituted (31.12.2020) by *The Pipe-lines, Petroleum, Electricity Works and Oil Stocking (Miscellaneous Amendments) (EU Exit) Regulations 2018 (S.I. 2018/1325)*, regs. 1(1), **8(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in reg. 7(2) inserted (18.7.2018) by *The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018 (S.I. 2018/798)*, regs. 1, **10(c)(i)**
- F7** Words in reg. 7(2) substituted (18.7.2018) by *The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018 (S.I. 2018/798)*, regs. 1, **10(c)(ii)**
- F8** Words in reg. 7(3) substituted (18.7.2018) by *The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018 (S.I. 2018/798)*, regs. 1, **10(d)**
- F9** Words in reg. 7(3)(g)(i) substituted (18.7.2018) by *The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018 (S.I. 2018/798)*, regs. 1, **10(e)**

Changes to legislation:

There are currently no known outstanding effects for the The Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013, Section 7.