
STATUTORY INSTRUMENTS

2015 No. 1973

**The Large Combustion Plants (Transitional
National Plan) Regulations 2015**

Interpretation

2.—(1) In these Regulations—

“the Agency” means the Environment Agency;

“calendar year” means—

(a) in relation to any year from 2015 to 2019 inclusive, the period from 1st January up to and including 31st December; and

(b) in relation to the year 2020, the period from 1st January up to and including 30th June;

“the Chief Inspector” means the inspector constituted to be the chief inspector under regulation 8(3) of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013⁽¹⁾;

“the Department of the Environment” means the Department of the Environment in Northern Ireland;

“the Directive” means Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (Recast)⁽²⁾;

“emission allowance” means, in relation to a participating plant for a given calendar year, an amount of emissions for each of the LCP pollutants expressed in tonnes or kilotonnes per annum, calculated in accordance with the second and third paragraph of Article 32(3);

“large combustion plant” means a combustion plant to which Chapter III of the Directive applies;

“LCP pollutants” means nitrogen oxides, sulphur dioxide and dust;

“the NRBW” means the Natural Resources Body for Wales;

“participating plant” means a large combustion plant in respect of which the permit contains a TNP provision;

“permit” means—

(a) as regards a plant in England and Wales, the environmental permit under the Environmental Permitting (England and Wales) Regulations 2010⁽³⁾;

(b) as regards a plant in Scotland, the permit granted under Part III of the Pollution Prevention and Control (Scotland) Regulations 2012⁽⁴⁾;

(c) as regards a plant in Northern Ireland, the permit granted under Part 2 of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013;

“permitting functions” means—

(1) S.R. (NI) 2013 No. 160, amended by S.R. (NI) 2014 No. 304, 2015 No. 14 and 2015 No. 325.

(2) OJ L 334, 17.12.2010, p. 17.

(3) S.I. 2010/675, amended by S.I. 2013/390; there are other amending instruments but none is relevant.

(4) S.S.I. 2012/360, amended by S.I. 2014/469 and 2015/483 and by S.S.I. 2014/267, 2015/100, 2015/101 and 2015/188.

- (a) as regards the Agency and the NRBW, functions under the Environmental Permitting (England and Wales) Regulations 2010;
- (b) as regards SEPA, functions under the Pollution Prevention and Control (Scotland) Regulations 2012;
- (c) as regards the Chief Inspector, functions under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013;

“the register” means the register maintained by the Agency in accordance with regulation 4(1);

“the regulator” means—

- (a) the Agency, if the plant in question is in England,
- (b) the NRBW, if the plant in question is in Wales,
- (c) SEPA, if the plant in question is in Scotland, or
- (d) the Chief Inspector, if the plant in question is in Northern Ireland;

“SEPA” means the Scottish Environment Protection Agency;

“TNP provision” means a provision in a permit which identifies a large combustion plant as being a plant within the scope of the Transitional National Plan and so exempt from the requirement to comply with the emission limit values under Article 30(2) in respect of the LCP pollutants;

“Transitional National Plan” means the emission plan prepared under Article 32 by the Secretary of State and submitted to the European Commission on 20th October 2015;

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(5).

(2) A reference in these Regulations to a numbered Article is a reference to the Article so numbered in the Directive.