

STANDARD RULES EXPLANATION

Standard permits contain one condition which refers to a fixed set (or sets) of standard rules that an operator must comply with. The standard rules define the activities that an operator can carry out and specify necessary restrictions on those activities, such as emission limits or the types of waste or raw materials that can be accepted at the sites. Standard rules are published on GOV.UK following public consultation.

Any operator who wishes to carry out a particular activity at a particular site or sites can look at the standard rules and if they can comply with them, can decide to apply for a standard permit

The Environment Agency (EA) are able to issue the standard permit more quickly and cheaply because they have no decisions to make on site-specific permit conditions. An operator who cannot meet the requirements of the standard rules must apply for a bespoke permit and provide EA with additional information. It takes EA longer to issue a bespoke permit because they have to carry out a more detailed assessment of the application.

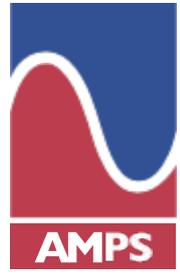
There is no right of appeal against the rules in a standard permit because applying for a standard permit is voluntary. If an operator wants to change the way any site operates so that it falls outside the scope of the standard rules or they feel that the standard permit no longer works for their particular operation, they must apply to vary to a bespoke permit.

Operators must apply for a bespoke permit for any regulated activities not covered by standard rules. These activities generally have a higher potential impact on the environment or require more complex controls than operations for which standard rules can be used.

The Environmental Permitting (England and Wales) Regulations 2016 allow EA to make standard rules to reduce the administrative burden on business while maintaining environmental standards.

The rules take considerable time and resources to develop but once in place they make applying and determining the applications more straightforward.

This is the seventeenth consultation on sets of standard rules. This consultation proposes new standard rules to cover medium combustion plant and specified generators. The Medium Combustion Plant Directive (MCPD) and Specified Generators provides cost efficient emission controls on new and existing plant and is being introduced into Regulation in England and Wales and regulated under an environmental permit. The proposed use of standard rules is a proportionate approach to environmental permitting of this activity. EA would like your views on whether to allow a single standard permit issued to an operator to cover a number of locations for the new medium combustion plant (MCP) standard rule sets.



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EA have also set out the proposed applicable charges for the rules. The proposed charges have been selected from the Application table, Subsistence table and default standard rules charging table in the EPR charging scheme. The selected charges aim to precisely recover the regulatory costs incurred by the EA as a result of the applications and subsistence of these permits.

EA state that they will take account of the consultation responses and publish the consultation response together with the new standard rules and risk assessments (if any) on GOV.UK. This will also have details of the application process for the new standard permit.

The Environmental Permitting (England and Wales) Regulations 2016 (EPR) allow EA to develop standard rules for certain activities. EA base the rules on their understanding of the risks. EA are asking for your views on whether the use of new standard rules are appropriate for the environmental permitting of medium combustion plants and specified generators. EA are not consulting on the measures introduced by SI2018 No. 110 The Environmental Permitting (England and Wales) (Amendment) Regulations 2018. Standard rules permits under EPR have the facility to allow an individual operator to be permitted for a number of MCPs at different locations under a single permit – EA would welcome your views on the use of a single standard permit issued to a specific operator for a number of MCPs at different locations.

The documents refer to an 'Operator'. This term is defined in regulation 7 of the The Environmental Permitting (England and Wales) Regulations 2016.

Finally, these rules are applicable to England and Wales. Scotland and Northern Ireland will be issuing their own specific requirements.

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