

THE ENVIRONMENTAL PROTECTION (COMBUSTION PLANTS) (SCOTLAND) DIRECTIONS 2004

The Scottish Ministers, in exercise of the powers conferred by sections 7(3) and 161(5) of the Environmental Protection Act 1990^(a) hereby give the following Directions to the Scottish Environment Protection Agency with respect to the carrying out of its functions under the Act.

Citation, commencement and extent

1. These Directions may be cited as the Environmental Protection (Combustion Plants) (Scotland) Directions 2004 and shall come into force on the day after the day on which these Directions are given.
2. These Directions extend to Scotland only.

Amendment of the Environmental Protection (Combustion Plants) (Scotland) Directions 2002

3. The Environmental Protection (Combustion Plants) (Scotland) Directions 2002 shall be amended in accordance with the following provision.
4. After paragraph 4, the following paragraph shall be inserted:

“4A. In complying with paragraph 4 of these Directions, SEPA shall exempt any existing plant from compliance with emission limit values and from inclusion in a national emission reduction plan if-

 - (a) the plant is the subject of an undertaking which has been submitted in accordance with Article 4(4)(a) of the Directive; and
 - (b) that undertaking is not withdrawn prior to 30 June 2005

Philip Wright

A member of the staff of the Scottish Ministers

23 July 2004

^(a) 1990 c.43. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).