

L.N. 47 of 2017

**ENVIRONMENT PROTECTION ACT
(CAP. 549)**

**Industrial Emissions (Large Combustion Plants)
(Amendment) Regulations, 2017**

BY VIRTUE of the powers conferred by article 54 of the Environment Protection Act, the Minister for Sustainable Development, the Environment and Climate Change, in consultation with the Environment and Resources Authority, has made the following regulations:-

1. The title of these regulations is the Industrial Emissions (Large Combustion Plants) (Amendment) Regulations, 2017, and these regulations shall be read and construed as one with the Industrial Emissions (Large Combustion Plants) Regulations, hereinafter referred to as "the principal regulations". Citation.
S.L. 549.78
2. These regulations provide for the implementation, in part, of Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast)*. Scope.
3. In regulation 2 of the principal regulations, for the definition "emission limit value" there shall be substituted the following: Amends
regulation 2 of
the principal
regulations.

"emission limit value" shall have the same meaning as in the Industrial Emissions (Framework) Regulations, and shall be expressed at standard conditions according to the following equation:

$$[P]_s = \left[\frac{T}{273.15} \times \frac{101.3}{P} \times \frac{100}{100 - W} \times \frac{20.94 - O_s}{100 - O_m} \right] \times [P]_M$$

Where:

$[P]_s$ is the mass concentration of the pollutant at standard conditions.

$[P]_M$ is the mass concentration of the pollutant measured at

* OJ L 334, 17.12.2010, p. 17 – 119.

the temperature T in Kelvin (K), at a Pressure P in kilopascal (kPa), at a percentage flue gas water vapour content of W and at a flue gas oxygen content of O_M .

T is the actual flue gas temperature in K.

P is the actual flue gas pressure in kPa.

W is the percentage water vapour content of the flue gas.

O_S is the standard oxygen content by volume in the waste gas which shall be 3% in the case of liquid and gaseous fuels, 6% in the case of solid fuels and 15% in the case of gas turbines or gas engines.

O_M is the measured oxygen content in the flue gas;"

Amends
regulation 15 of
the principal
regulations.

4. Immediately after sub-regulation (13) of regulation 15 of the principal regulations there shall be added the following new sub-regulation:

"(14) The operator shall inform the competent authority of any significant changes in the type of fuel used or in the mode of operation of the plant. The competent authority shall decide whether the monitoring requirements laid down in sub-regulations (1) to (13) are still adequate or require adaptation."

Amends
regulation 17 of
the principal
regulations.

5. Regulation 17 of the principal regulations shall be amended as follows:

(a) the present regulation shall be re-numbered as sub-regulation (1) thereof;

(b) in sub-regulation (1) thereof, as re-numbered:

(i) for paragraph (c) thereof there shall be substituted the following:

"(c) validated average values are determined as set out in paragraphs 4 and 5 of Schedule XIII; and"; and

(ii) immediately after paragraph (c) thereof, there shall be added the following new paragraph:

"(d) 95% of all the validated hourly average values over the year do not exceed 200% of the relevant emission limit values set out in Schedules I, II, III, IV, V, VI, VII, VIII, IX and X."; and

(c) immediately after sub-regulation (1) thereof, as re-numbered, there shall be added the following new sub-regulation:

"(2) Without prejudice to sub-regulation (1), for combustion plants composed only of boilers using coal with a total rated thermal input below 50 MW, no validated daily average value shall exceed 150% of the limit values in Schedules I and II."

6. In Schedule I to the principal regulations, for the words:

Amends
Schedule I to
the principal
regulations.

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 6% to be applied by combustion plants pursuant to regulation 5."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 6% to be applied by combustion plants pursuant to regulation 5."

7. In Schedule II to the principal regulations, for the words:

Amends
Schedule II to
the principal
regulations.

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 6% to be applied by combustion plants pursuant to regulation 6."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 6% to be applied by combustion plants pursuant to regulation 6."

8. In Schedule III to the principal regulations, for the words:

Amends
Schedule III to
the principal
regulations.

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 3% to be applied by combustion plants pursuant to regulation 5."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm^{-3} and shall be

calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 3% to be applied by combustion plants pursuant to regulation 5."

Amends
Schedule IV to
the principal
regulations.

9. In Schedule IV to the principal regulations, for the words:

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 3% to be applied by combustion plants pursuant to regulation 6."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 3% to be applied by combustion plants pursuant to regulation 6."

Amends
Schedule V to
the principal
regulations.

10. In Schedule V to the principal regulations, for the words:

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 3% (for combustion plants other than gas turbines and gas engines) and an oxygen content of 15% for gas engines, to be applied by combustion plants pursuant to regulation 5."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 3% (for combustion plants other than gas turbines and gas engines) and an oxygen content of 15% for gas engines, to be applied by combustion plants pursuant to regulation 5."

Amends
Schedule VI to
the principal
regulations.

11. In Schedule VI to the principal regulations, for the words:

"Emission limit values expressed in mg.Nm^{-3} and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 3% (for combustion plants other than gas turbines and gas engines) and an oxygen content of 15% for gas engines, to be applied by combustion plants pursuant to regulation 6."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm^{-3} and shall be

calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 3% (for combustion plants other than gas turbines and gas engines) and an oxygen content of 15% for gas engines, to be applied by combustion plants pursuant to regulation 6."

- 12.** In Schedule VII to the principal regulations, for the words:
- Amends
Schedule VII to
the principal
regulations.
- "For a combustion plant firing lignite, the emissions of total mercury shall not exceed 0.03 mg. Nm⁻³."

there shall be substituted the following:

"For a combustion plant firing coal or lignite, the emissions of total mercury shall not exceed 0.03 mg. Nm⁻³."

- 13.** In Schedule IX to the principal regulations, for the words:
- Amends
Schedule IX to
the principal
regulations.
- "Emission limit values expressed in mg.Nm⁻³ and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 15%, to be applied by gas turbines pursuant to regulation 8(1). The limit values apply only above 70% load."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm⁻³ and shall be calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 15%, to be applied by gas turbines pursuant to regulation 8(1). The limit values apply only above 70% load."

- 14.** In Schedule X to the principal regulations, for the words:
- Amends
Schedule X to
the principal
regulations.
- "Emission limit values expressed in mg.Nm⁻³ and shall be calculated at a temperature 273 K, a pressure of 101.3 kPa and at an oxygen content of 15%, to be applied by gas turbines pursuant to regulation 8(2). The limit values apply only above 70% load."

there shall be substituted the following:

"Emission limit values expressed in mg.Nm⁻³ and shall be calculated at a temperature 273.15 K, a pressure of 101.3 kPa and at an oxygen content of 15%, to be applied by gas turbines pursuant to regulation 8(2). The limit values apply only above 70% load."

Amends
Schedule XIII to
the principal
regulations.

15. Paragraph 5 of Schedule XIII to the principal regulations shall be substituted by the following:

"Any day in which more than three hourly average values are invalid due to malfunction or maintenance of the automated measuring system shall be invalidated. If more than 10 days a year are invalidated for such situations, the competent authority shall require the operator to take adequate measures to improve the reliability of the automated measuring system.".

