# Standard rules

Chapter 4, The Environmental Permitting

(England and Wales) Regulations 2016

# Standard Rules SR2018 No7

## New, Low Risk, Stationary Medium Combustion Plant between 1 and < 20MWth (in operation on or after 20/12/2018)

# Introductory note

This introductory note does not form a part of these standard rules.

When referred to in an environmental permit these rules will allow the operator to operate one or more new medium combustion plant (MCP) between 1 and < 20MWth which were put in operation on or after 20/12/2018 at a specified location which may be in an Air Quality Management Area (AQMA). This includes MCP’s that are an ‘excluded generator’ as defined in Schedule 25B of the Environmental Permitting (England and Wales) (Amendment) Regulations 2018.

These standard rules cover the following categories on new Medium Combustion Plant, burning either:

* Gas oil
* Natural Gas
* Biogas
* Gaseous fuels (other than natural gas or biogas).

a) The capacity of each MCP must have a rated thermal input capacity between ≥1 and < 20MWth, with all in-scope MCPs aggregated to less than 50MWth.

b) Combustion plant which are engines and turbines must have single fuel combustion.

c) Dual fuel combustion applicable on boilers is only permitted where gas oil is used as back-up fuel for <500 hours per year.

d) It does not include any activities subject to Schedule 24 (Energy Efficiency Directive) of the EP Regulations.

e) Minimum distances set from any MCP to a SAC, SPA, Ramsar or SSSI depending on the type of fuel/technology.

f) The MCP may be located within an AQMA.

g) The specified activities may include limited operating hours MCPs.

h) The MCP should not generate electricity as a Generator unless as an excluded ‘back-up generator’.

End of introductory note

Record of changes

|  |  |  |
| --- | --- | --- |
| Version | Date | Change |
| 1.0 | May 2018 | Published for SRP consultation May 2018 |
| 2.0 | October 2018 | Final |
| 3.0 | November 2019 | Published for SRP consultation November 2019 |
| 4.0 | April 2020 | Revised SRP following consultation |
| 5.0 | October 2020 | SRP format changed to make web accessible (no material changes to SRP itself) |

# Rules

1. Management

**1.1 General Management**

* + 1. The operator shall manage and operate the activities:
    2. in accordance with a written management system that identifies and minimises risks of pollution, so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
    3. using sufficient competent persons and resources.
    4. Records demonstrating compliance with rule 1.1.1 shall be maintained.
    5. Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of the permit.

1. Operations
   1. Permitted activities
      1. These standard rules cover the following categories on new Medium Combustion Plant:
2. Combustion plant burning either:

Gas oil;

Natural Gas;

Biogas;

Gaseous fuels (other than natural gas or biogas).

1. The capacity of each MCP must have a rated thermal input capacity between ≥1 and < 20MWth, with all in-scope MCPs aggregated to less than 50MWth.
2. Combustion plant which are engines and turbines must have single fuel combustion.
3. Dual fuel combustion applicable on boilers is only permitted where gas oil is used as back-up fuel for <500 hours per year.
4. It does not include any activities subject to Schedule 24 (Energy Efficiency Directive) of the EP Regulations.
5. Minimum distances set from any MCP to SAC, SPA, Ramsar or SSSI depending on type of fuel/technology.
6. The MCP may be located within an AQMA.
7. The specified activities may include limited operating hours MCPs.
8. The MCP should not generate electricity as a Generator unless as an excluded ‘back-up generator’.
   1. The site
      1. Only the MCPs listed in the permit can be operated at the site. No MCP shall be operated beyond the site of the grid reference specified for it in the permit.
      2. The activities authorised by the permit shall only be carried out in accordance with the limits given in tables 2.2a, 2.2b and 2.2c.
      3. No MCP shall be located within the minimum distances specified in table 2.2a, 2.2b and 2.2c.
      4. Where the distance from the MCP emission point to a SAC, SPA, Ramsar or SSSI is between the minimum distance and maximum distance specified in tables 2.2a, 2.2b and table 2.2c, the emission point stack height must be a minimum of 3m above ground level.

**Table 2.2a Boilers**

|  |  |  |
| --- | --- | --- |
| **Fuel** | **Minimum Distance from any MCP to SAC, SPA, Ramsar or SSSI (metres)** | **Maximum Distance from any MCP to SAC, SPA, Ramsar or SSSI (metres)** |
| Biogas | 3500 | 10000 |
| Gas oil | 1400 | 5000 |
| Natural Gas | 900 | 5000 |
| Other gaseous fuel | 2000 | 10000 |

**Table 2.2b Engine or Turbine**

|  |  |  |
| --- | --- | --- |
| **Fuel** | **Minimum Distance from any MCP to SAC, SPA, Ramsar or SSSI (metres)** | **Maximum Distance from any MCP to SAC, SPA, Ramsar or SSSI (metres)** |
| Biogas | 5000 | 10000 |
| Gas oil | 3500 | 5000 |
| Natural gas | 2000 | 5000 |
| Other gaseous fuel | 3500 | 10000 |

**Table 2.2c Engine operating as a back-up generator (50 hours testing/year limit)**

|  |  |  |
| --- | --- | --- |
| Fuel | Minimum Distance from any MCP to SAC, SPA, Ramsar or SSSI (metres) | Maximum Distance from any MCP to SAC, SPA, Ramsar or SSSI (metres) |
| Biogas | 200 | 10000 |
| Gas oil (ultra -low sulphur diesel 10ppm sulphur) | 500 | 5000 |
| Natural gas | 100 | 10000 |
| Other gaseous fuel | 100 | 10000 |

* 1. Operating techniques
     1. The activities shall be operated using the techniques and, in the manner, described below:
  2. Each MCP must be operated in accordance with the manufacturers instruction’s and records must be made and retained to demonstrate this.
  3. The operator must keep periods of start-up and shut down of each MCP as short as possible.
  4. The operator should keep periods of operating dual fuel boilers on more polluting back-up fuel as short as possible
  5. There must be no persistent emission of ‘dark smoke’ as defined in section 3(1) of the Clean Air Act 1993.
  6. The stack(s) must be vertical and unimpeded by cowls or caps
  7. A limited operating Hours MCP which is an excluded generator may only be operated for the sole purpose of maintaining power supply to a site during an on-site emergency and it may not participate in any balancing services including Triad Avoidance operations.
  8. A limited operating Hours MCP which is an excluded generator may only be operated for the sole purpose of testing no more than 50 hours a year.

1. Emissions and monitoring
   1. Emissions to air
      1. There shall be no point source emissions to air except from the applicable sources and emission points listed in tables 3.1a and 3.1b, and conditions 3.1.3 and 3.1.4.
      2. The limits given in the applicable tables 3.1a and 3.1b shall not be exceeded.

**Table 3.1a Point source emissions to air – emission limit values for MCPs other than engines and gas turbines**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Pollutant** | **Fuel**  **Gas oil**  **mg/Nm3** | **Fuel**  **Natural Gas**  **mg/Nm3** | **Fuel**  **Biogas mg/Nm3** | **Gaseous fuels other than natural gas mg/Nm3** |
| Sulphur Dioxide (SO2) | N/A | N/A | 100 | 35 |
| Oxides of Nitrogen (NO and NO2 expressed as NO2) | 200 | 100 | 200 | 200 |
| Carbon monoxide (CO) | No limit | No limit | No limit | No limit |

All limits are defined at a temperature of 273.15 K, a pressure of 101.3 kPa and after correction for the water vapour content of the waste gases at a standardised O2 content of 15% for engines and gas turbines and 3% for all other MCPs.

**Table 3.1b Point source emissions to air – emission limit values for MCPs which are engines and gas turbines (MCP should not generate electricity as a generator unless as an excluded ‘back-up generator’)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Pollutant** | **Type of MCP** | **Fuel**  **Gas oil**  **mg/Nm3** | **Fuel**  **Natural Gas**  **mg/Nm3** | **Fuel**  **Biogas mg/Nm3** | **Gaseous fuels other than natural gas mg/Nm3** |
| Sulphur Dioxide (SO2) | Engine & Gas Turbine | N/A | N/A | 40 | 15 |
| Oxides of Nitrogen (NO and NO2 expressed as NO2) | Engine | 190 | 95 | 190 | 190 |
| Oxides of Nitrogen (NO and NO2 expressed as NO2) | Gas Turbine | 75 | 50 | 75 | 75 |
| Carbon monoxide (CO) | Engine and Gas Turbine | No limit | No limit | No limit | No limit |

All limits are defined at a temperature of 273.15 K, a pressure of 101.3 kPa and after correction for the water vapour content of the waste gases at a standardised O2 content of 15% for engines and gas turbines and 3% for all other MCPs.

* + 1. Limited operating hours MCPs burning natural gas and/or gas oil have no emission limit values for the parameter’s Oxides of Nitrogen and Carbon Monoxide.
    2. Limited operating hours MCPs burning biogas and/or gaseous fuels other than natural gas have no emission limit values for the parameters Sulphur Dioxide, Oxides of Nitrogen and Carbon Monoxide.
    3. Limited operating hours MCPs shall:
       1. not exceed 500 hours operation in a 12 month period as a rolling average over a 3 year period and thereafter annually.
       2. No more than 750 hours may be operated by a limited operating hours MCP in any single year.
  1. Monitoring
     1. The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake monitoring at each stack of the MCP for the parameters in tables 3.1a and 3.1b every three years and for limited operating hours MCP once every 1500 hours of operation, with a minimum frequency of once every five years, for the parameters in conditions 3.1.3 and 3.1.4. Monitoring is not required for Sulphur Dioxide on limited operating hours MCP burning natural gas and/or gas oil.
     2. The operator shall, if notified in writing by Natural Resources Wales, undertake additional monitoring for the parameters specified in tables 3.1a and 3.1b and conditions 3.1.3 and 3.1.4.
     3. The first monitoring measurements shall be carried out within four months of the issue date of this permit or the date of when the MCP is first put into operation, whichever is later.
     4. The stack emissions monitoring programme shall be carried out according to the Environment Agency TGN M5, unless otherwise agreed in writing by Natural Resources Wales.
     5. Monitoring shall not include periods of start up or shut down.
     6. The operator shall maintain records of all monitoring required by these standard rules including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, test and surveys and any assessment or evaluation made on the basis of such data.

1. Information
   1. Records
      1. All records required to be made by these standard rules shall:
         1. be legible;
         2. be made as soon as reasonably practicable;
         3. if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
         4. be retained, unless otherwise agreed in writing by Natural Resources Wales, for at least 6 years from the date when the records were made,
      2. The operator shall maintain convenient access, in either electronic or hard copy, to the records, plans and management system required to be maintained by this permit.
      3. The operator shall maintain a record of the type and quantity of fuel used and the total annual hours of operation for each MCP.
      4. The operator shall maintain a record of any events of non-compliance and the measures taken to ensure compliance is restored in the shortest possible time.
   2. Reporting
      1. The operator shall send all reports and notifications required by these standard rules to Natural Resources Wales using the contact details supplied in writing by Natural Resources Wales.
      2. Where monitoring is undertaken in accordance with rule 3.2.1, 3.2.2 and/or 3.2.3 the operator shall submit to Natural Resources Wales within 28 days of undertaking the monitoring, using the form made available for the purpose, the information specified on the form relating to that monitoring.
   3. Notifications
      1. In the event:
         1. of a breach of any permit rule or Emission Limit Value the operator must immediately—
            1. inform Natural Resources Wales, and
            2. take the measures necessary to ensure that compliance is restored within the shortest possible time;
         2. of a breach of a permit rule or Emission Limit Value which causes a significant degradation of local air quality, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit rules has been restored.
      2. In the event of a breach of rule 3.1.3 the notification shall include a summary of compliance with the 3 year rolling average rule 3.1.2.
      3. Where the operator is notified by Natural Resources Wales under rule 3.2.2, to undertake monitoring at frequencies not otherwise specified in condition 3.2.1, the operator shall provide, at least 14 days prior to the monitoring being carried out, details of when the monitoring is to take place.
      4. Any information provided under standard rule 4.3.1 and 4.3.2 shall be confirmed in writing within 24 hours.
      5. Natural Resources Wales shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

* + - 1. any change in the operator’s trading name, registered name or registered office address; and
      2. any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

* + - 1. any change in the operator’s name or address; and
      2. any steps taken with a view to the dissolution of the operator.

In any other case:

* + - 1. the death of any of the named operators (where the operator consists of more than one named individual);
      2. any change in the operator’s name(s) or address(es); and
      3. any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.
    1. The operator shall notify Natural Resources Wales in writing, as soon as is practicable, of any change of new medium combustion plant at the site.
  1. Interpretation
     1. In these standard rules the expressions listed below shall have the meaning given below.
     2. In these standard rules references to reports and notifications mean written reports and notifications, except where reference is made to notification being made immediately, in which case it may be provided by telephone.

Accident - an accident that may result in pollution

AQMA (Air quality management area) - defined in the Environment Act 1995, Part VI, 83.(1) as amended.

Back-up generator - a generator that is operated for the sole purpose of providing power at a site during an onsite emergency from 1 January 2019

Diesel engine – an internal combustion engine which operates according to the Diesel cycle and uses compression ignition to burn fuel

Environment Agency TGN M5 - the guidance with that title published on gov.uk in August 2018, or any subsequent version which makes only editorial changes

Engine - a gas engine or diesel engine

EP Regulations - The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

First put into operation - when fuel is first combusted in the MCP

Gas engine - an internal combustion engine which operates according to the Otto cycle and uses spark ignition to burn fuel

Gas oil - as defined in Article 3(19) of the Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants

Limited operating hours MCP - an MCP that meets the requirements of paragraph 8 of Part 2 of Schedule 25A of the EP Regulations

MCPD (Medium Combustion Plant Directive) - Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants

MCP ‘medium combustion plant’ - a combustion plant with a rated thermal input equal or greater than1 megawatt but less than 50 megawatts

Operating hours - the time, expressed in hours, during which a combustion plant is operating and discharging emissions into the air, excluding start-up and shut-down periods

SAC, SPA, Ramsar or SSSI - Special Areas of Conservation, Special Protection Areas, Ramsar sites and Sites of Special Scientific Interest respectively.

Year - calendar year ending 31 December.

End of standard rules