

Environmental Authorisations (Scotland) Regulations 2018: Proposed Standard Conditions for Registration level activities consultation – Energy UK response

Q.3.2.9 Do you agree with the list of standard conditions for the anaerobic digestion of <10 tonnes per day of non-waste materials? Yes or No.

If you answered 'No', please explain your answer.

SC 20 states that 'Air must not be added to dilute emissions in order to achieve emission limit values specified in Table 1.' This is required since the ELV definition is based on 'as measured' emissions. If there is unintended dilution due to leakage into the sample, within either the plant or the emissions test equipment, then this would not be corrected for. This is a non-standard approach since there is no reference oxygen condition specified. It would be better to specify ELVs at appropriate reference conditions.

Q.2. What factors do you think could positively or negatively affect the development of a consensus on how more localised and integrated water and land management could work?

Please clarify the scope of the registration process – is this required for both existing and new plants and how are these categories defined?

The activity description also needs to clearly define the scope of the registration process. It is implied that registration is not required if the units are already part of a permitted installation. If registration is intended to only consider the aggregation of very small generating units, as indicated, that lie outside of both MCPD and IED, then that should be clear, e.g.,

Activity description: Burning any fuel in combustion plant generating electricity on the same site, comprising individual units < 1 MWth, with an aggregated rated thermal input of 1 MWth or more, that are not part of a permitted installation.

Either way, it should be clear that units that are intended for emergency use are exempt. In this respect, we propose that the exclusions specified for England & Wales are reviewed: see 'Excluded generators' at <https://www.gov.uk/guidance/specified-generator-when-you-need-a-permit>. Most of these cases are covered by the restriction in scope to installations that are not already permitted. However, engines for emergency use at registered installations need to be exempted from the NOx controls.

SC3 The proposed NOx limit of 190 mg/m³ for these smaller units is equivalent to the nominal MCPD ELV for existing engines but without considering the relevant MCPD derogations for dual fuel engines and for engines in the size range 1 to 5 MWth. It is a more onerous approach than for MCPD which is contrary to the stated rationale. Has this been fully considered?

Conversely, the proposed NOx limit is less onerous than the MCPD ELV for new gas fired engines and is comparable for gas firing in dual fuel fired engines, which is perhaps appropriate for these smaller engines. However, the modest MCPD derogations for new dual fuel engines when firing liquid fuel are not mentioned. Again, has this been fully considered?

How do the requirements for these smaller units compare with the requirements for similar size engines in the Non-Road Mobile Machinery (NRMM) provisions? Is there consistency?

SC4 (air dilution of flue gas) is not needed as the reference conditions for the ELV are clearly stated in the interpretation.

SC5 (other substances) the broad-ranging nature of this condition is inappropriate for these low-risk plants; we propose that this is removed since this should not extend beyond the pollutants considered under MCPD. Alternatively, the species to be considered for assessment should be listed.

SC6 (monitoring) requires the use of the Standard Reference Method for NO_x monitoring (chemiluminescence) which would normally be operated by an accredited emissions test laboratory. Simplified monitoring arrangements are appropriate for these low-risk activities which allow appropriately certified equipment to be used by any organisation that has an appropriate accreditation, e.g., an equipment service provider, which enables emission measurement to be combined with service visits. See link below.

Sample ports must also be compliant with EN 15259. However, it would be difficult, if not impossible, to apply the requirements of EN 15259 to these smaller units/plants. A simpler approach is required in which a downstream location can be assumed to be representative of the emission point. See guidance for England & Wales:

<https://www.gov.uk/government/publications/monitoring-stack-emissions-low-risk-mcps-and-specified-generators/monitoring-stack-emissions-low-risk-mcps-and-specified-generators>

SC8 (representative emissions sampling) see SC6 comments.

SC9 (timing of first monitoring) 'within four months from the start of operation' is appropriate for new plants – what is applicable for existing plants? If there are many existing plants, and the intention is for monitoring to take place within four months of the authorisation being granted, then this may cause practical difficulties; this is another reason to allow greater monitoring flexibility.

SC12 (event reporting) the requirement to submit a report within 14 days is onerous for this plant size and risk rating - one month would be more reasonable for registered plants.

SC15 (emissions reporting) submission of results by email within 8 weeks is reasonable if simplified monitoring arrangements are in place but this would be more challenging if an accredited test laboratory is required to perform the monitoring as there is often a considerable delay before reports are issued according to their internal QA procedures.

For more information, please contact Chris Friedler at chris.friedler@energy-uk.org.uk