



**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**

# Response form

## Standard rules consultation No. 15: Medium Combustion Plant and Specified Generators

When we come to analyse the results of this consultation, it would help us to know if you are responding as an individual or on behalf of an organisation or group.

Please select from the following options:

- Responding as an individual
- Responding on behalf of an organisation or group
- Other

If you're responding on behalf of an organisation or group, please tell us who you are responding on behalf of and include its type e.g. business, environmental group.

---

If you selected other, please specify.

---

**Name: Andy Limbrick**

**Organisation (if applicable): Energy UK (trade association)**

**Address: 26 Finsbury Square, London EC2A 1DS**

**Telephone: 020 7930 9390**

**Email: [andy.limbrick@energy-uk.org.uk](mailto:andy.limbrick@energy-uk.org.uk)**

Responses may be made public – on the internet or in a report. Please see section 5.4 of the consultation for more information on this. If you would prefer your response to be kept anonymous, please tick this box

Please tell us how you found out about this consultation:

**From Natural Resources Wales**

**From another organisation**

**Through an organisation you're a member of**

**Press article**

**Social media e.g. Facebook, Twitter**

**Through a meeting you attended**

**Other (please specify)** \_\_\_\_\_

## We would like your views on our proposals to revise the standard rules sets.

**Question 1:** Do you agree with the proposals to revise the standard rules sets?

**Please tick the relevant box**

- Yes
- No
- Don't know

Please explain your answer.

Yes, in particular we support the extension of Standard Rules Permits (SRPs) to explicitly include new Medium Combustion Plant (MCPs) and the clarity and extensions provided regarding the range of plant falling within the scope of SRP No.7.

**Question 2:** Are there any barriers to using these rules?

**Please tick the relevant box**

- Yes
- No
- Don't know

Please explain your answer.

We think that there are barriers to being able to use the SRPs due to the strict locational applicability criteria. For example, in the case of SRP No.1, having minimum distances of 150m from the nearest human sensitive receptors and 600m from habitat receptors, and the requirement to be outside an Air Quality Management Area, means that very few sites are able to make use of this permitting route. It is unclear whether such a conservative approach is justified in terms of environmental benefits and this clearly leads to more work for both site operators and NRW in terms of bespoke permit applications/determinations/regulation.

Given the range of different plant covered under the Specified Generator and MCP regulations, the most efficient way to determine which additional plant could be brought under SRP rules would be for NRW to review the outcomes of simple bespoke and complex bespoke permit determinations after a period of implementation, say 18 months, to see where these more detailed assessments consistently indicate low impacts. Such a review could also determine which SRP criteria (e.g. minimum distances to receptors) could be relaxed. This would be particularly useful in the case of back-up generators operating for less than 50 hours per year, which are located within the minimum habitats screening distances in SRP No.7 and hence currently would not qualify for standard rules permits.

**Question 3:** Please tell us about any financial impact on your business of making this proposed change

**Please tick the relevant box**

- Yes
- No
- Don't know

Please explain your answer.

There may be plants which have applied under the bespoke permit process, for which the permits have not yet been issued, and which would be eligible for standard rules permitting under the proposed revisions. We therefore recommend that NRW screen all submitted bespoke permit applications which have yet to be determined, for eligibility under the additional SRP categories as part of the determination process.

Similarly, where permits have already been issued for Tranche B generators which would now be eligible for a standard rules permit under the additional categories, then those operators should be entitled to request a replacement SRP, or have their permit conditions amended to match those applicable under the equivalent SRP. This would ensure a level playing field and avoid penalising early applicants.

**Question 4:** Please tell us if you have any further comments that have not been covered by the previous questions and provide as much information as possible to support your comments.

**Please tick the relevant box**

- Yes
- No
- Don't know

Please explain your answer.

- Table 3.1 in SRPs 1, 2, 3 and 6 states “N/A” in relation to monitoring frequency for a CHP boiler, but includes an ELV and monitoring standard. It is not clear what the implication of this requirement is, particularly in the light of rules 3.2.1 and 3.2.2. Does this mean no monitoring is required, in which case, why is an ELV specified? Or is there simply a requirement to demonstrate compliance with a one-off single measurement? Clarification should be provided on what the compliance and monitoring requirements are for CHPs covered by these SRPs where these are not new MCPs. A similar comment applies to Table 3.1 in SRP No.5 for gas engines with no abatement.
- The purpose of the new rule 3.2.2 is not clear. Rule 3.2.1 sets the default position that monitoring will be required for the parameters in Tables 3.1 and 3.2 unless otherwise agreed in writing by NRW. The new rule 3.2.2 appears to state the opposite position, that the operator shall undertake monitoring if notified in writing by NRW. These rules could be read as conflicting or it could be that 3.2.2 is to allow NRW to reserve the right to request *additional* monitoring. If the intention is that 3.2.2 is applied in cases where an agreement has been obtained from NRW negating the requirements of 3.2.1, or if there is a different intention behind 3.2.2, then this should be stated more clearly.
- SRP No.6 is not compliant with the requirements of the MCP Directive. Table 3.2 sets a limit of 190mg/Nm<sup>3</sup> (15%O<sub>2</sub>) for a new MCP gas engine ≥ 1MWth firing natural gas. The MCP Directive requires compliance with 95mg/Nm<sup>3</sup> for such plants. This should be amended.

## Responding to this consultation

### Important dates

This consultation opens on 4<sup>th</sup> November 2019 and runs until 31<sup>st</sup> January 2020.

### How to respond

You can view the consultation documents and questions online at <http://naturalresources.wales/?lang=en>

If you would like to ask for a printed version of the document to be posted to you, please contact our Customer Contact centre via email, telephone or post:

Email [permittingconsultations@naturalresourceswales.gov.uk](mailto:permittingconsultations@naturalresourceswales.gov.uk)

Phone 0300 065 3000

Mail Natural Resources Wales, Ty Cambria, Newport Road, Cardiff, CF24 0TP

You can submit your response by email or letter. Please send your completed response form by 31<sup>st</sup> January 2020 to the address above.

### What will the responses be used for?

We will use the responses from this consultation to shape these standard rules. Natural Resources Wales staff dealing with this consultation will see all responses in full.

### How we will use your information

Throughout the consultation we will make all comments (apart from personal information) publicly available on our website in line with the General Data Protection Regulations (GDPR) 2018. This includes comments received online, by email, post and by fax, unless you have specifically requested that your response be kept confidential. Only names of organisations that respond and not individuals will be published.

If you respond online or provide an email address, you will receive an acknowledgement of your response. After the consultation has closed a summary of the responses will be published on our website in March 2020. You will be contacted to let you know when this is available. You will also be notified of any forthcoming river basin consultations unless you request otherwise.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

We would also like to contact you about other consultations.

If you consent to receiving further information in relation to consultations from us please tick the box to confirm. YES

If you have any further queries or concerns, please contact [dataprotection@naturalresourceswales.gov.uk](mailto:dataprotection@naturalresourceswales.gov.uk). For further information on the processing of your personal details please see our Privacy Notice page on our website.