



Subject:

RE: EPR/DP3134LK/V009 - CPL PRODUCTS LIMITED - IED clarification

Date:

16 May 2024 17:07:52

Hello Simon

Thank you for your patience with regards our response.

Having re-visited the information, the materials under EWC 20 01 and 20 02 were a hangover from the early development of the pyrolysis plant and the previous variation (which is still under consideration) and were never an input for the biochar demonstration unit and should have been removed – this is a drafting error. The inclusion of 19 12 12 was part of the project for the biochar demonstration plant but after discussion with DESNZ we have agreed that it is not necessary and the plant should be restricted to clean wood waste and clean biomass and this code should be removed.

As such, following discussion with DESNZ, we feel the following waste codes are more appropriate for operation of the pyrolysis plant:

- EWC 02 01 07: representing "wastes from forestry". This would fall under the definition of biomass in Article 3(31)(b)(i) as "vegetable waste from agriculture or forestry".
- EWC 03 01 05: representing "sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04". This would also fall under the definition of biomass in Article 3(31)(b)(v) as "wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coating".
- EWC 15 01 03: representing "wooden packaging", which would fall under the definition of biomass in Article 3(31)(b)(v) as "wood waste".

We believe these materials correlate directly with the described exceptions in Chapter IV which means the IED does not apply for this plant.

Please let me know if you need further clarification.

Many thanks

Emma

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Hi Simon

Understood will come back to you as soon as possible

Subject: RE: EPR/DP3134LK/V009 - CPL PRODUCTS LIMITED - IED clarification

Hi Andy,

Please do have that conversation. Would it be reasonable to hear back from you by the end of next week?

Just to clarify, we are not saying that those waste types won't be acceptable but Chapter IV will need to be considered if that's what you want to take.

As mentioned, if the application is returned, it would be very beneficial to engage with the enhanced [pre-application process](#) so that we can support you to ensure the smooth Duty Making and, ultimately, determination of the application.

We are aware of the background of the application and would again prioritise any resubmission.

Best regards,

Simon

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Hi Simon

Thanks for your response

As this is a government sponsored project and removing the waste codes will be a significant change to the operation I would appreciate a little time to seek their input as to how we proceed. The production of biochar from materials that otherwise would be landfilled or incinerated will be a significant player in reducing greenhouse gas emissions and sequestering carbon and I hope we can work together to achieve an acceptable framework for this demonstration unit for future development of the process.

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Afternoon Emma,

Following internal discussions, please see below for our position.

You have requested the inclusion of EWC 19 12 12, 20 01 08 and 20 02 01 to the proposed Pyrolysis activity.

These waste codes do not meet the criteria of the exclusions listed under point (b) of point 31 of Article 3 of Chapter IV of the IED. The proposed waste codes are sourced from the waste treatment industry or municipal wastes. In order to meet the exclusions, wastes are likely to need to fall under chapter 2 'wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing' of the European waste catalogue.

Please advise if the waste codes in the application are correct. If the waste codes proposed are not correct, and should be coded as appropriate chapter 2 wastes, please advise.

If the proposed waste codes are correct, then you would need to consider the requirements of Chapter IV of the IED. Given the need for modelling in order to meet the requirements, and the time that it would take to complete this work, we would return the application in order to allow you to complete this. We would return the application fee in full, and not retain 20% of the fee as detailed in our guidance but we would strongly suggest engaging with our advanced pre-application process to help ensure that your re-submission contains the correct information in order to enable it to be Duly Made.

Best regards,

Simon

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Morning Simon

Please could you confirm that you received the correspondence below? After emailing and calling I have not received a response from yourself, and I'm aware of the due date, if you could please confirm that would be great.

Many thanks

Emma

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Morning Simon

In response to your request for clarification please see the following.

The proposed process will process a limited number of sustainable biomasses into a bio-stable

char, using pyrolysis. The composition of waste to be processed within the pyrolysis plant comprises those listed within the main permit application report, focusing on food waste AD.

Chapter IV of the IED states:

“This Chapter shall not apply to the following plants:

- (a) plants treating only the following wastes:*
- (i) waste listed in point (b) of point 31 of Article 3 [...]*”

Given the composition of wastes to be processed, the process falls within the wastes listed in point (b) of point 31 of Article 3, as highlighted above. This states:

“(31) ‘biomass’ means any of the following:

- (a) products consisting of any vegetable matter from agriculture or forestry which can be used as a fuel for the purpose of recovering its energy content;*
- (b) the following waste:*
 - (i) vegetable waste from agriculture and forestry;*
 - (ii) vegetable waste from the food processing industry, if the heat generated is recovered;*
 - (iii) fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered;*
 - (iv) cork waste;*
 - (v) wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coating and which includes, in particular, such wood waste originating from construction and demolition waste;[...]*”

Therefore, we believe Chapter IV does not apply to the proposed plant covered by the permit application.

We trust that this information provides clarity regarding your request, however, please let me know if you need anything further.

Many thanks

Emma