

# Briefing Note: Medium Combustion Plant (MCP) and Specified Generators (SG) update – England only.

10 April 2024

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To comply with the requirements of the Environmental Permitting Regulations (EPR), Schedule 25A & 25B you need a permit from the Environment Agency (EA) for the following:

- New standalone MCPs between 1-50MWth (before it is commissioned)
- Existing standalone MCPs between 5-50MWth
- Tranche A and B specified generators (permitting date requirement varies)

If you need a permit and have not already submitted an application, you should do this as soon as possible to avoid enforcement action in line with the [Environment Agency's enforcement and sanctions policy](#).

We will not issue local positions with respect to failure to obtain a permit by the regulatory deadlines.

Please note: The following parts of this briefing note are technical in nature and may require background knowledge of MCP&SG regulations. If you are new to the requirements, then we recommend that you read our guidance pages starting here: [Medium combustion plant and specified generator regulations - GOV.UK \(www.gov.uk\)](#) There is also a leaflet [here](#) which you may find useful.

## Online apply for and manage environmental permissions service

In previous newsletters we've mentioned our "Apply for and manage environmental permissions service". The service will support individuals, businesses and their representatives in the digital application process and provides an account to help manage their permits and permissions in one place.

We'd like to invite you to take part in the Private Beta testing of this new digital service, giving you a preview of the service before its official public launch. Private Beta testing allows us to open the service to selected users to collect feedback on how it works and its features.

**If you are an individual, businesses or representatives who will be applying for a new Medium Combustion Plant and Specified Generator (MCP & SG) permit and would like to apply using the new service now, please email [applypermissions@environment-agency.gov.uk](mailto:applypermissions@environment-agency.gov.uk).**

You can complete an application with or without the use of a consultant. If you use a consultant, they will also need to take part in the Private Beta test.

## Standard rules (SR) permit for new and existing low risk stationary MCPs and Tranche B Specified Generators

Standard rules permits are available for certain low risk MCP and SG operations, these are the cheapest option available in terms of application charges and on-going subsistence.

You can view the available standard rules [here](#).

To apply for a SR permit you must be able to meet the rules set out in the permit, if you cannot you need to apply for a bespoke permit.

The latest version (v5.9) of the MCP and SG standard rules application form is located [here](#). The application form contains a handy rule set helper which will confirm if you can meet the criteria for an MCP or SG SR permit.

If you already have a SR2018 No7 permit and you now want to add some existing MCPs at the same site then you should use the same application form as you would if applying for a new SR permit [here](#). The application form will ask you for the details of your current permit. In the application form tell us about the plant you want to add to that permit and pay a charge relevant to the number of plant being added under this application. Following determination of the permit you will be issued with a new appendix A which will list all the permitted plant at this site.

## Bespoke permits for existing standalone MCP 5-50MWth

If you cannot meet the conditions in a standard rules permit, you must apply for a bespoke permit. There are 2 types:

- simple bespoke (low risk) – does not require detailed air dispersion modelling
- complex bespoke (high risk) – does require detailed air dispersion modelling

We have updated our [guidance](#) so that you can assess which type of bespoke permit you must apply for and the information you will need to provide.

We have updated the air emissions risk assessment process breaking it down into stages.

Stage 1 provides a minimum screening distance to a protected habitat, if you are operating MCP outside of these distances then you can apply for a simple bespoke permit. Please note these screening distances were amended in March 2023 and are now linked to the thermal input and fuel types used.

If you are within the stage 1 screening distances, then you should move to a stage 2 assessment. This involves using the [simple calculation of atmospheric impact limits \(SCAIL\) Combustion tool](#) to do an air emissions risk assessment. The output of the screening and subsequent assessment will determine if you:

- 'Screen out' and need to apply for a low-risk simple bespoke permit
- 'Screen in' and need to apply for a high-risk complex bespoke permit.

Follow the [guidance](#) on how to use SCAIL combustion tool and assess the outputs. You will need specialist knowledge to use it. You should find an air quality consultant to do it for you.

If you do not use the SCAIL combustion tool and guidance to carry out a stage 2 air emissions risk assessment, you will need to apply for a complex bespoke permit.

Complex bespoke permits will require you to send us a detailed air dispersion modelling report. You must also include information about any actions you are taking to reduce air impacts to prevent harm to a habitat. Detailed modelling requires specialist knowledge. You should find an air quality consultant to do it for you.

The application forms for a new bespoke permit application for MCPs and SG can be found [here](#). The current form is version 3, dated March 2023. Any previous versions will not be accepted. Please note, we have recently uploaded a new version of the combustion plant list spreadsheet, always use the latest one from our website and delete any previous versions you may have saved locally.

### *Variations to bespoke permits*

Application forms to vary a bespoke permit can be found [here](#).

The type of variation (minor or normal) depends on the change that is being made.

The application charge is based on whether the original permit being varied is complex bespoke (1.10.2) or simple bespoke (1.10.3). This extract is from [the charging scheme](#):

**Table 1.10 Combustion and power**

Ref	Activity	Permit application	Minor variation	Normal variation	Substantial variation	Transfer application	Surrender application
1.10.1	Section 1.1 - combustion plant - rated thermal input of 50MWth or more.	£19,103	£5,731	£9,552	£17,193	£2,459	£11,462
1.10.2	Medium combustion plant site – requires dispersion modelling.	£6,550	£1,965	£3,275	£5,895	£2,459	£3,930
1.10.3	Medium combustion plant site – does not require dispersion modelling.	£2,028	£608	£1,014	£1,825	£2,459	£1,217

Here are some examples:

#### *Adding more MCPs to a complex bespoke permit*

If your original permit was a complex bespoke and the existing MCP was included in the air dispersion modelling report (ADMR) which was submitted during determination of that permit you may use this ADMR again when you apply to vary the permit providing there have been no changes, such as to fuel types with additional pollutant emission limits or increase in operating hours. The charge would be for a minor variation to a complex bespoke permit ref 1.10.2 - £1,965.

Likewise, if the plant to be added screens out as low risk using the stage 1 air emissions risk assessment guidance this would also be considered a minor variation charge ref 1.10.2 £1,965 and no additional modelling would be required to be submitted.

If existing plant was not included in the original ADMR and you cannot screen out using stage 1 air emissions risk assessment guidance, then you will need to submit another ADMR which does include both new and existing combustion plant. You may want to future proof this report to include all combustion plant on site – for example MCPs 1-5 MWth. The charge would be a normal variation to a complex bespoke permit ref 1.10.2 - £3,275

### *Adding more MCPs to a simple bespoke permit*

If your original permit was a simple bespoke which didn't require you to have submitted ADMR and you now want to add existing plant which also meets the criteria for a simple bespoke permit you should pay the normal variation charge ref 1.10.3 - £1,014.

### *Complex bespoke specified generator permit is now also an MCP*

If you already have a complex bespoke permit for a specified generator and that plant will now need permitting as an existing MCP you will need to make an application to vary your permit. The type of application you need to make, the charge and the supporting information will vary depending on the circumstances:

- If your permitted plant burns natural gas or gas oil it will retain the same emission limit values in the permit, this means that we will not need to reassess any air quality emissions assessments/modelling - you should make a minor variation application ref 1.10.2 - £1,965.
- If the emission limit values will change when we add the MCPD requirements because you are burning a fuel which has dust and SO<sub>2</sub> emissions, you may need to provide a revised air quality modelling report (if not previously provided to assess these risks) particularly where habitats are present within the minimum screening distances given in the [guidance](#). In these cases, you will need to make a normal variation application ref 1.10.2 £3,275.

## Aggregation

We would like to draw your attention to the guidance on [aggregation](#)

In summary:

- you only need to aggregate NEW MCP where they share a common stack.
- You should not aggregate existing MCPs even if they share a common stack.

## Back- up generators

Backup generators (operated for less than 50 hours per year for testing) which are also Medium Combustion Plant **DO** require permitting at the relevant date.

## Bespoke Specified Generator permit applications

We have published a revised specified generator tool [here](#). You can now use this tool as part of an air emissions risk assessment for a bespoke application if you operate one of the following:

- Tranche B or Tranche A specified generator site, or a mix of Tranche A and B specified generator site where all Tranche A generators comply with the Tranche B requirements
- single or group of new or existing engines that can achieve the medium combustion plant directive and, or specified generator emission limit values
- specified generator or generators that have vertical stacks without cowls or caps

- specified generator or generators that are fuelled by natural gas, that is, there are insignificant emissions of sulphur dioxide and particulates or, are fuelled by ultra-low sulphur diesel with secondary abatement, used for balancing (no more than 500 hours), and aggregated to no more than 20MWth

SCAIL Combustion tool should not be used for applications that include Specified Generators.

If you cannot use the specified generator tool, then you can screen the emissions using our [air emissions guidance](#) where there are no habitats or carry out detailed air dispersion modelling.

## Calculating rated thermal input capacity

We have worked with the Combustion Engineers Association (CEA) to provide guidance on [calculating the rated thermal input capacity](#) of Medium Combustion Plant (MCP) which is a boiler, this compliments existing AMPS guidance for power generating systems.

## EA review of MCPs which are listed as part of an Industrial Emissions Directive (IED) permit

For existing MCP between 1-50MWth which are listed as part of an Industrial Emissions Directive (IED) permit we will carry out a review of these permits to ensure they are MCPD compliant as a minimum.

Reviews of permits in the industrial food, drink and milk and biowaste sectors are already underway as part of a wider review programme. Where a review is not already planned, we will send out Regulation 61 notices requiring the necessary Medium Combustion Plant Directive (MCPD) Annex 1 information. This will be starting this quarter, and we expect to send out a separate briefing note with details before the end of April 2024.

## Existing MCPs that are part of a Part A2 facility regulated by the Local Authority (LA)

For MCP(s) at Part A2 facilities regulated by LAs, we are still working on preparations to ensure compliance with MCPD of in scope combustion plant at these facilities and determine who the regulator will be. We will update you with more information in a future briefing note.

## EA review of MCPs which are part of a waste permitted facility (including closed Landfill).

For existing MCP between 5-50MWth which are listed as part of a waste permit (non IED) and the air emissions risks has already been assessed we will carry out a review of these permits to ensure they are MCPD and SG compliant as a minimum.

You will receive a Regulation 61 notices requiring the necessary Medium Combustion Plant Directive (MCPD) Annex 1 information. If you think your waste permit (non IED) needs a review because you have 5-50MWth MCP's or SG's and you haven't received a Regulation 61 notice, then please contact us to let us know.

If an MCP and/or SG is absent from the permit, then the operator will need to make an application at the appropriate time. MCP and/or SG which is associated to the waste activities taking place will likely require a variation to the existing permit. MCP and/or SG which is not associated to the waste activity will require a standalone separate permit.

## New contact points for standard rules permit holders

The way that you correspond with us regarding your standard rules permit is changing.

The MCPDHelp mailbox introduced to help with the implementation of the Medium Combustion Plant Directive during 2018, is no longer fully monitored and is now completely closed.

These briefings will be sent from the following **no-reply** mailbox [MCPSEG\\_Updates@environment-agency.gov.uk](mailto:MCPSEG_Updates@environment-agency.gov.uk) please ensure this is added to your contacts to ensure correspondence won't end up in the spam folder.

For submitting monitoring returns and correspondence to us regarding compliance and billing of standard rules permits only you should now use the replacement mailbox [MCPReturns@environment-agency.gov.uk](mailto:MCPReturns@environment-agency.gov.uk).

This does not affect any compliance data submitted through the MCPDHelp mailbox to date.

### *Providing correct contact details*

It is important you ensure we hold up to date contact details of the people in your business responsible for compliance with this Standard Rules Permit in order that we can continue to undertake compliance activities in an effective and efficient manner.

Your Environmental Management System, required by Condition 1.1.1 of your Standard Rules Permit is an appropriate place for you manage change in personal responsible for compliance and corresponding with the regulator.

Please provide any updates to contact details using [MCPReturns@environment-agency.gov.uk](mailto:MCPReturns@environment-agency.gov.uk)

Bespoke permit holders should contact their local compliance officer to manage any changes to contact details and submit their returns.

## Pre-application advice

Did you know we offer a [pre-application advice service](#)? You can use the service to make sure your permit application is correct. To access the service for MCP and SG applications use the 'installations activities' link towards the bottom of the page.

We have also produced some flow charts to help you:

- [Overview of MCPD and SG requirements](#)
- [Stationary MCP air emissions risk assessment for protected habitats \(updated June 23\)](#)

## Guidance

There are several guidance pages available on our website which give a more detailed understanding of the regulations when you need a permit and how to apply and comply.

This [document](#) provides the hyperlinks to all MCP & SG related guidance and application forms on our website to make it easier to navigate.

## If you have any other questions

Please read the guidance [here](#)

If you have any questions about specific permit applications, you can access pre-application support [here](#), selecting the 'installations activities' form.

You can join our mailing list [here](#)

All other enquiries can be made to [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk) or call us on 03708 506 506