

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

24<sup>th</sup> May 2023

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## SCAIL Combustion Screening tool update

Unfortunately for reasons out of our control the SCAIL Combustion screening tool is now delayed until the 30<sup>th</sup> June 2023.

We apologise for the inconvenience this may cause and we will ensure that once the SCAIL screening tool is ready you are given sufficient time to carry out the screening and produce any necessary air emissions modelling (in the case of a complex bespoke). We acknowledge that there may be some associated supply chain issues for example availability of air quality consultants, we will actively monitor this situation so we can respond accordingly if necessary.

## General reminder

To comply with the requirements of the Environmental Permitting Regulations (EPR), Schedule 25 **you can now apply** for 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 (must be permitted by 1<sup>st</sup> January 2024)
- Tranche A and B specified generators (permitting date requirement varies)

**We recommend that you make an application for standard rules and simple bespoke permits for existing standalone MCPs between 5 – 20 MWth as soon as possible to meet the regulatory requirement for a permit before the 1<sup>st</sup> January 2024.**

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](https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generator-regulations) ([www.gov.uk](https://www.gov.uk)) There is also a leaflet [here](#) which you may find useful.

## Standard rules (SR) permit for new and existing low risk stationary MCPs

The EA has published a revised SR2018 No7 which will now mean it can be used for existing low risk stationary MCPs 5-20MWth in addition to new MCPs 1-20MWth.

We have also published a new SR2022 No9 which is for new 1-20MWth and existing 5-20MWth low risk, stationary MCP which are natural gas boilers.

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 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. **Since launching at the end of March 2023 there have been a few bugs identified in the SR application form, these have now been fixed and version 5.1 of the form is now available using the above link, please delete any earlier versions you may have downloaded and use this new version for all future applications.**

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.

Operators who already have a SR2018 No7 permit should have received an email explaining how they will transition to the revised rule set at the end of March 2023. If you do not receive this communication, it could be because you have not updated your contact details with us since you applied for the permit. Contact [MCPDHelp@environment-agency.gov.uk](mailto:MCPDHelp@environment-agency.gov.uk) to let us know your new contact details. A copy of the letter can also be viewed [here](#).

Some of the frequently asked questions about MCP and SG SR permits can be found in our recent [consultation response](#).

## 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. **Stage 2 assessment will involve using a screening tool called 'SCAIL combustion'. It is still under development and unfortunately for reasons out of our control is now delayed until the 30<sup>th</sup> June 2023.**

**We apologise for the inconvenience this may cause and we will ensure that once the SCAIL screening tool is ready you are given sufficient time to carry**

**out the screening and produce any necessary air emissions modelling (in the case of a complex bespoke). We acknowledge that there may be some associated supply chain issues for example availability of air quality consultants, we will actively monitor this situation so we can respond accordingly if necessary.**

If you wish to apply for a permit before SCAIL is available, for example you have new plant requiring a permit you can apply for a complex bespoke anytime. There will be no regulatory position to cover new MCP's requiring a permit.

The application forms for a new bespoke permit application for MCPs and SG have been updated and can be found [here](#). Application forms to vary a bespoke permit can be found [here](#). We will no longer accept any applications using old versions of forms B2.5 or C2.5.

If you already have a complex bespoke permit for your new plant and you now want to add existing plant, you will need to make a variation application. Provided existing plant was included in the original 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.

If existing plant was not included in the original ADMR and you cannot screen out using the 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.

If you already have a 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.
- 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.

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

For existing MCP between 5-50MWth 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 in summer 2023 and carry out agency-initiated variations where necessary during 2024. There is a

separate more detailed briefing available about this process which was last updated in March 2022 [here](#).

## **Existing MCPs which have a 1.1 Part B and 5.1 Part B permit**

For existing MCP which currently hold a permit for Environmental Permitting Regulation Schedule 1, Part 2, Chapter 1, Section 1.1. Part B activity (unit greater than or equal to 20MWth) or a Schedule 1, Part 2, Chapter 5, Section 5.1 Part B (burning of waste biomass as described in Article 3 (18) (b) of the MCPD) permit with the Local Authority we will provide further briefings in the future about when and how your permit will transfer to the Environment Agency as the regulator.

When the transfer takes place, we will also review and possibly vary your permit to ensure it meets MCPD requirements.

Plant between 5-50 MWth input capacity are likely to be transferred to the EA during 2024 but before the compliance deadline of 1<sup>st</sup> January 2025.

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

For MCP(s) at Part A2 facilities regulated by LA's, 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 with a process of how and when this will happen.

## **Specified Generators**

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 should not be used for applications that include Specified Generators.

## **Developing an online application service**

The Environment Agency has an ongoing project which is developing an online portal which would support individuals/businesses/representatives to make permit

applications and provide an account to help you manage the permits you already hold.

If you would like to take part in user research and test an early beta prototype to make your application, then please email [Katie.Walker@environment-agency.gov.uk](mailto:Katie.Walker@environment-agency.gov.uk) for more information or to sign up.

## 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](#)

## 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