

From: Vincent, Richard (ERG-ALE)
Sent: 25 February 2013 12:22
To: -
Cc: Obe, Nicholas (AQIP)
Subject: RE: Industrial Emissions Directive: Clarifications - Request for information

Linda

The key points are as follows:

- The regulator must be sent by 1 January 2014 an LLD undertaking in respect of each plant for which LLD is intended, irrespective of whether it has been included in the draft TNP.
- If a plant for which an LLD undertaking is given was included in the draft TNP, the operator should notify the regulator and Defra accordingly. The presumption will be that the plant will be removed from the TNP.
- An LLD undertaking may be rescinded up to 31 December 2015.
- If the plant for which an LLD undertaking is rescinded is to be reinstated in the TNP, that needs to be made clear at the time, both to the regulator and to Defra.
- if an LLD undertaking is rescinded but the plant is not to be included in the TNP, the operator must make clear to the operator what other option is to be taken for that plant from 1 January 2016.

Richard

From: -
Sent: 25 February 2013 10:40
To: Vincent, Richard (ERG-ALE)
Subject: Industrial Emissions Directive: Clarifications - Request for information

Dear Richard

I received a copy of your letter dated 22 January 2013 addressed to - on behalf of Energy UK, and thank you for providing feedback in relation to the questions raised by Energy UK, following the LCP Stakeholder meeting held in September 2012.

I am required to brief senior managers on the various running options for UK LCPs and key decision milestones, and I need to fully understand the advice contained in this letter. In particular, I need to be clear on the consequences of rescinding the Limited Life Derogation (LLD) undertaking.

At the foot of the email I have set out my understanding of the routes available to UK operators. In terms of route 1, I am reasonably clear about the consequences.

Stage A – An operator writes to Defra and expresses interest in the Transitional National Plan by 8 May 2012 and consequence: the plant is included in the Transitional National Plan.

Stage B – The operator writes to the relevant UK regulator and makes a LLD undertaking by 1 January 2014 and consequence: the plant is now LLD bound.

Stage C – The operator rescinds the LLD undertaking by letter and consequence: operator reverts to the Transitional National Plan at the date of LLD rescinding with the latest date as at 31 December 2015. The operator can then choose to remain in the Transitional National Plan or exit the Plan.

ScottishPower registered for the TNP by 8 May 2012 and, if we choose to opt for the LLD derogation by 1 Jan 2014, we need not take further action and from 31 December 2015 we are bound by the LLD declaration. However, in relation to route 2, I am less clear. At **stage C**, if ScottishPower rescinds the LLD derogation, would the plant automatically revert to the Transitional National Plan or would ScottishPower have to give a positive statement in the rescinding letter sent to the UK regulator, confirming our intentions?

I would be pleased if you could response to my question so that I can support the ScottishPower Board in their IED decision making.

I look forward to hearing from you.

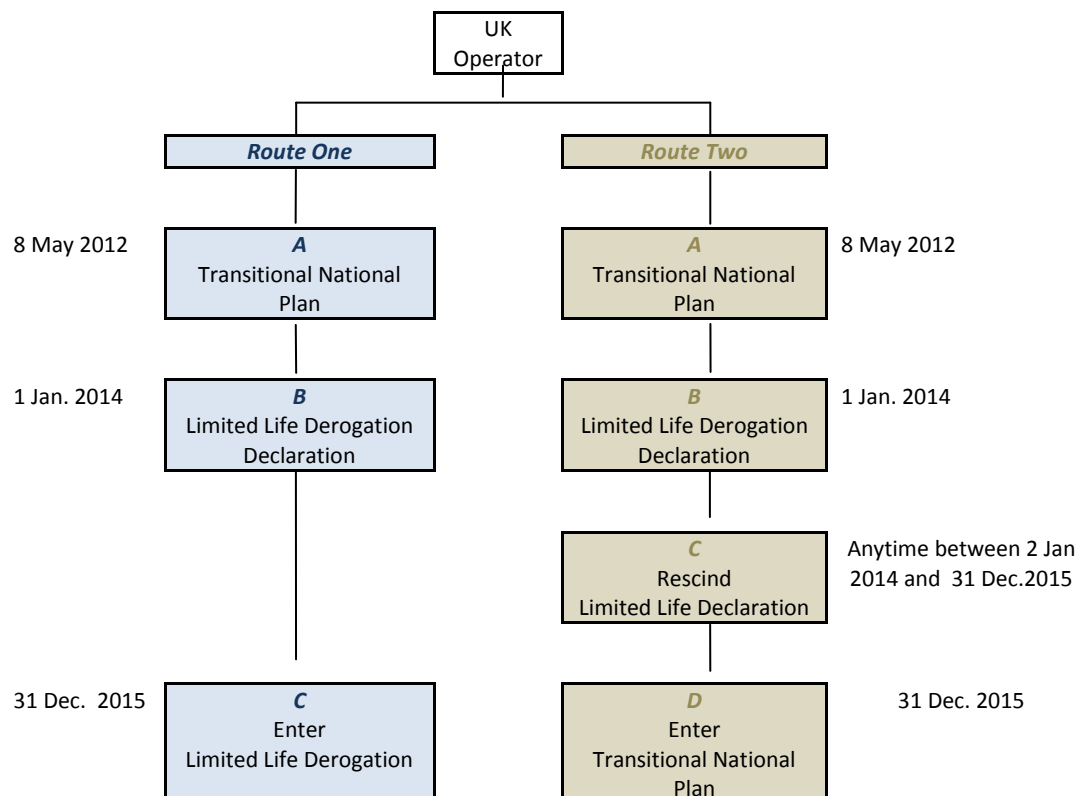
Regards

Environmental Liaison Manager

Environment Team, ScottishPower Generation, Cathcart House, Cathcart, Glasgow, G44 4BE

Mobile: -

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