



Offshore Petroleum Regulator
for Environment & Decommissioning

**Offshore Petroleum Regulator for Environment
& Decommissioning**

For the Attention of:
PPC permit holders

Department for Business, Energy &
Industrial Strategy
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28 June 2021

Dear Operator,

**THE OFFSHORE COMBUSTION INSTALLATIONS (POLLUTION PREVENTION AND CONTROL)
REGULATIONS 2013 (as amended), Regulation 14**

Notice of intention to vary PPC permit conditions.

I write with reference to the Department's previous communication of 10 July 2020, in which we confirmed the Secretary of State would be conducting a review of permit conditions to implement the Large Combustion Plant Best Available Techniques Reference (LCP BREF) and the Best Available Technique (BAT) conclusions.

The communication set out the BAT associated emission levels (BAT AELs) which must be implemented by 18 August 2021, four years after the publication of the LCP BREF. Therefore, from this date, the LCP BAT conclusions must be implemented, for all applicable plant offshore. The letter also asked you to provide some information (pursuant to Condition 9 of your permit) to request a derogation from the relevant BAT AEL levels, should you think such a derogation is required.

The Secretary of State has since reviewed all permits granted under the Regulations and the conditions attached to them, also taking account of information provided by operators in response to the communication. Following this review, the Secretary of State considers that variations to the conditions in your permit are required to implement the LCP BREF and the BAT conclusions. These conditions will apply to all permit holders who operate Large Combustion Plant and are set out in the attached schedule.

If you have requested a derogation from the relevant BAT AELs, and if the Secretary of State is minded to grant a derogation, then an annex to the permit will also be made in accordance with regulation 10(3), setting out the result of the assessment under paragraph 10(3)(a) and the justification for being satisfied under paragraph 10(3)(b).

As required by regulation 14(3)(a), the Secretary of State hereby gives you notice of the variations to the conditions, which will become effective from 18 August 2021.

Should you have any comments on the proposed variations to your permit conditions, please submit these to the Department by email (BST@beis.gov.uk) on or before 13 July 2021.



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We will contact you further in relation to the process for including the variations to the conditions of your permit.

Yours faithfully

Jonathan Ward
Director, Environmental Operations
BEIS OPRED

Schedule

The Secretary of State proposes to vary the Condition(s) in your permit as follows (new text is shown in red):

Permit validity

The permit **is** valid from <DATE>.

Prevention of pollution

- a) The permit holder **must** ensure that appropriate measures are taken to minimise discharges, emissions and waste, in particular through the appropriate use of technology including the application of the best available techniques, in so far as it is practicable to do so; and **must** ensure that necessary measures are taken to prevent incidents affecting the environment or, where they occur, to limit their consequences in relation to the environment.
- b) The permit holder **must** ensure that any liquid or solid wastes arising from the operation of the combustion equipment authorised under the permit **must**, so far as practicable, be recovered for onshore recycling or disposal, or disposed of offshore in accordance with the conditions of any relevant authorisations, consents or permits that may be required under other legislation.
- c) In the event that the permit holder becomes aware of any incident (**including breach of any permit conditions and or emissions limits**) or accident which may significantly affect the environment, the permit holder **must** immediately inform the Department and any other public body with responsibilities concerning such incidents or accidents and **must** ensure that measures are taken to limit the environmental consequences and prevent further possible incidents or accidents.
- d) When operations **finally** cease, the permit holder **must** ensure that all necessary measures are taken to avoid any risk of pollution arising as a consequence of any decommissioning operation or the removal of the offshore combustion equipment.

Maintenance of records

The permit holder **must** maintain records of fuel use, fuel composition, running hours and running loads for the combustion equipment authorised under the permit, to facilitate calculation of the total emissions of the polluting substances from the combustion equipment. Copies of these records must be made available to the Department upon request and retained for a period of ten calendar years following submission of the relevant permit returns (see below).

Inspections

Should the Department consider it necessary or expedient for an inspector appointed by the Secretary of State to investigate whether the conditions of the permit are being complied with, the permit holder **must** afford the inspector with such facilities and assistance as the inspector considers necessary to exercise the powers conferred by the regulations, and **must** provide the inspector with documented evidence of the arrangements in place to demonstrate how compliance with the conditions of the permit is being achieved. The permit holder **must** additionally ensure that copies (electronic or paper) of the permit and any other relevant documents are available for inspection by the inspector at:

- a) the premises of the permit holder;
- b) the premises of any agent acting on behalf of the permit holder;
- c) the facilities undertaking the operations covered by the permit.

Check Monitoring

Should the Department consider it necessary or expedient to undertake an independent monitoring programme to assess the impact of the operations covered by the permit, the permit holder **must** afford the Department with such facilities and assistance as the Department considers necessary to undertake the work.

Monitoring - General

- a. Where directed by the Department the permit holder **must** undertake **an emissions stack** monitoring survey to determine the levels of polluting substances in the emissions from the combustion equipment authorised under the permit; to determine the suitability of the emission projections that form the basis of the total permitted annual emissions and the suitability of the emission factors used to calculate the total annual emissions of polluting substances.
- b. The monitoring programme **must** be agreed with the Department prior to undertaking each monitoring survey.
- c. Copies of monitoring survey reports **must** be submitted to the Department within three months of completion of the survey, and the frequency and scope of future monitoring surveys **will** be determined by the Department following an assessment of the results of each monitoring survey.

Monitoring for Large Combustion Plant

- a. Monitoring of Open Cycle Gas Turbines (large combustion plant) with a total rated thermal input of 50MW or more must be carried out in accordance with the provisions of the Large Combustion Plant Best Available Techniques Conclusions, (Commission Implementing Decision (EU) 2017/1442, as notified under c(2017)5225).
- b. Monitoring of large combustion plant to which Chapter III of the Industrial Emissions Directive (2010/75/EU) applies, must be carried out in accordance with Annex V of the Industrial Emissions Directive (2010/75/EU)
- c. The permit holder must submit an annual monitoring plan for the Large Combustion Plant to the Department.
- d. The permit holder, unless otherwise agreed with the Department, must undertake annual emissions stack monitoring of Nitrogen Oxides and Carbon Monoxide in accordance with the annual monitoring plan submitted pursuant to condition c immediately preceding this paragraph.
- e. The permit holder, must notify the Department within 14 days of becoming aware that the emission limit value(s) as set out in Schedule 1 Table 2, in relation to any Open Cycle Gas Turbine (large combustion plant) with a total rated thermal input of 50MW or more, exceeds the Best Available Technique Associated Emission Levels (BAT-AEL) for Nitrogen Oxides whilst operating at greater than 70% of baseload power¹.
- f. Where the Department have granted a time limited derogation from the BAT-AEL emission limit values for Nitrogen Oxides, the derogated emission limit value in Schedule I, Table 2 and the date of expiry of the derogated emission limit value are set out in the derogation annex to this permit.
- g. The permit holder must, by 17 August 2023, review and submit a report of the measures taken to reduce/mitigate Nitrogen Oxide emissions and further opportunities to identify and increase energy efficiency.

¹ LCP BAT-AELs are based on greater than 70% of base load power available on the day.

- h. The permit holder must maintain records of monitoring of Large Combustion Plant including records of taking and analysis of emissions samples, instrument measurements (periodic and continual), calibrations examinations, tests and surveys and any assessment or evaluation made on the basis of such data. Copies of these records must be made available to the Department upon request and retained for a period of ten calendar years.
- i. Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring of Large Combustion Plant must have either Monitoring Certification Scheme (MCERTS) certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed with the Department.

Energy audit

- a) Where directed by the Department, the permit holder **must** undertake or commission an energy audit or assessment to quantify the total energy use on the combustion installation and the energy consumption by specific equipment or processes, to identify opportunities for energy efficiencies and/or the reduction of emissions of pollutant substances.
- b) Where directed by the Department, the energy audit or assessment **must** include a cost benefit analysis for the replacement of existing combustion equipment with more efficient combustion equipment and/or the replacement of equipment or the use of abatement technology to reduce the emissions of pollutant substances.
- c) Where directed by the Department, the permit holder **must** provide a report detailing any progress in relation to the proposed replacement of existing combustion equipment and/or the use of abatement technology.
- d) Copies of energy audit or assessment reports, cost benefit analysis reports and progress reports **must** be submitted to the Department within agreed deadlines, and the frequency and scope of any future energy audits or assessments, cost benefit analyses or progress reports **will** be determined by the Department following a review of the relevant submitted reports.

Permit returns

The permit holder **must**, within three calendar months of the end of each calendar year, submit a return of the emissions from the combustion equipment authorised under the permit. The return should be submitted using the appropriate Environmental Emissions Monitoring System (EEMS) reporting form.

Permit review

The permit may be subject to formal review, and the Department will contact the permit holder prior to a proposed review to confirm the arrangements. The permit holder **must** provide the Department with any information that the Department considers necessary to undertake a proposed review.

Permit variation

In the event of the permit holder becoming aware that any of the information on which the issue of the permit was based may change, or has changed, they **must** notify the Department immediately and may be required to submit an application for a permit variation. In the event that the permit holder wishes any of the particulars detailed in the permit to be altered, the permit holder **must** notify the Department immediately and request a variation to the permit.