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Regulatory position statement 109

Regulation of combustion plant burning biogas derived from anaerobic digestion of sewage sludge on sewage treatment works

Background

There are wider discussions taking place with Defra about the regulatory framework for sewage sludge which are relevant to the permitting requirement of biogas engines. Until these discussions have reached a conclusion, we will continue with our position not to pursue a permit for the combustion of biogas derived from the anaerobic digestion of sewage sludge on sewage treatment works in combustion units less than 3MW.

Our approach

Combustion plant on sewage treatment works burning biogas generated from the anaerobic digestion of sewage sludge requires a permit under the Environmental Permitting (England and Wales) Regulations 2010 (as amended) (EPR). A significant number of water utility companies have yet to apply for an appropriate permit for combustion units less than 3MW thermal input.

This regulatory position statement replaces the previous version which applied pending publication of revised standard rules for engines below 3MW. Revised rules have now been published but we will continue with our position not to pursue a permit until the discussions above have been concluded.

Enforcement

In not pursuing an application for a permit, we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please see our [Enforcement and Sanctions](#) statement.

This statement is based on our understanding of the relevant legislation. It applies to England only. You can get advice on the approach being taken in Wales from Natural Resources Wales.

This regulatory position will be reviewed by September 2017.

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