

# Permit with introductory note

## The Environmental Permitting (England & Wales) Regulations 2016

---

Ashford Power Ltd  
Ashford Power  
Kingsnorth Industrial Estate  
Rochester  
ME3 9TX

### **Permit number**

EPR/EP3703LV

# Permit number EPR/EP3703LV

## Introductory note

### This introductory note does not form a part of the permit

This permit will allow the operator to operate:

- One or more existing medium combustion plant (MCP) between 1 and <50MWth but aggregated to <50MWth, which were put in operation on or after 20/12/2018 at a specified location; and
- One Tranche B Specified Generator aggregated to <50MWth at a specified location.

The details of the units and associated limits and monitoring requirements are specified in Tables S1.1 and S3.1.

The engines were commissioned in 2017 and were Tranche A generators. However, since a new contract to supply electricity was entered into after 31/10/2017 and the contract remained in force after 31/12/2018, the generators became Tranche B generators and required a permit. The plant are also existing medium combustion plant (MCP) as they were commissioned before 20/12/2018, but we have permitted them prior to the specified permitting date of 01/01/2029. We have specified that compliance with the MCP monitoring requirements does not apply until 01/01/2030 in accordance with the requirements of the MCP Directive.

The facility is located at the Ashford Power facility located on the Kingsnorth Industrial Estate, Rochester, Kent, ME3 9TX.

The MCP and specified generator consists of 14 x 3.489 MWth engines that are fuelled on natural gas, with an aggregated rated thermal input capacity of 48.85 MWth, used for the purpose of generating and exporting electricity. Exhaust gases are discharged to the air via 14 dedicated stacks each with a height of 6m.

The engines are permitted to operate for up to 4,000 hours per year with the following restrictions:

- A maximum of 24 hours per day for up to 6 days per year;
- A maximum of 18 hours per day for up to 18 days per year; and
- A maximum of 16 hours per day for the remaining days in a year.

There are two designated Special Protection Area (SPA) and Ramsar sites within the 5km screening distance of the site, the Medway Estuary and Marshes and the Thames Estuary and Marshes sites.

There is one site of Special Scientific Interest (SSSI) within 2km of the site, the Medway Estuary and Marshes SSSI.

There are no Special Areas of Conservation within 5km of the site. The facility is not within an Air Quality Management Area (AQMA). The Damhead Creek Power Station 1 and 2 have been modelled for inclusion in a cumulative impact assessment.

The status log of the permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/EP3703LV/A001	Duly made 19/08/21	Bespoke application for MCP(s) and/or Specified Generators.
Additional information received	09/05/22	Schedule 5 response: provision of revised modelling files and assessment
Permit determined EPR/EP3703LV	09/06/22	Permit issued to Ashford Power Ltd.

End of introductory note

# Permit

## The Environmental Permitting (England and Wales) Regulations 2016

### Permit number

**EPR/EP3703LV**

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

**Ashford Power Ltd** (“the operator”),

whose registered office is

**1 King William Street**

**London**

**EC4N 7AF**

company registration number 09116903

to operate one or more Medium Combustion Plant and/or Specified Generators at

**Ashford Power**

**Kingsnorth Industrial Estate**

**Rochester**

**ME3 9TX**

to the extent authorised by and subject to the conditions of this permit.

<b>Name</b>	<b>Date</b>
<b>Peter Maksymiw</b>	<b>09/06/2022</b>

Authorised on behalf of the Environment Agency

# Conditions

## 1 Management

### 1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, so far as is reasonably practicable, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
  - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

## 2 Operations

### 2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1, table S1.1 (the “activities”).

### 2.2 The site

- 2.2.1 No MCP shall be operated beyond the site of the grid reference specified for it in schedule 1, table S1.1 of the permit.

### 2.3 Operating techniques

- 2.3.1 The activities shall be operated using the techniques and in the manner described in schedule 1, tables S1.2A and S1.2B.

## 3 Emissions and monitoring

### 3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to air except from the sources and emission points listed in schedule 3, tables S3.1.
- 3.1.2 The limits given in schedule 3 shall not be exceeded.

### 3.2 Monitoring

- 3.2.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit, or at a greater frequency if notified to the operator in writing by the Environment Agency:
- (a) point source emissions specified in table S3.1.
- 3.2.2 Monitoring shall not take place during periods of start up or shut down.

- 3.2.3 The first monitoring measurements shall be carried out within four months of the issue date of the permit or the date when the MCP is first put into operation, whichever is later.
- 3.2.4 The operator shall maintain records of all monitoring including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, test and surveys and any assessment or evaluation made on the basis of such data.
- 3.2.5 Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme specified in condition 3.2.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by the Environment Agency.

## **4 Information**

### **4.1 Records**

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
  - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.
- 4.1.2 The operator shall maintain convenient access, in either electronic or hard copy, to the records, plans and management system required to be maintained by this permit.
- 4.1.3 The operator shall maintain a record of the type and quantity of fuel used and the total annual hours of operation for each MCP and/or generator.
- 4.1.4 The operator shall maintain a record of any events of non-compliance and the measures taken to ensure compliance is restored in the shortest possible time.

### **4.2 Reporting**

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:
- (a) in respect of the parameters and emission points specified in schedule 4, table S4.1;
  - (b) for the reporting periods specified in schedule 4, table S4.1 and using the forms specified in schedule 4, table S4.2; and
  - (c) giving the information from such results as required by the forms specified in those tables.

### **4.3 Notifications**

- 4.3.1 In the event:
- (a) of a breach of any of the permit conditions the operator must immediately—
    - (i) inform the Environment Agency, and

- (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
  - (b) of a breach of any of the permit conditions which causes a significant degradation of local air quality, the operator must immediately suspend the operation of the activities or the relevant part of them until compliance with the conditions has been restored.
- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.
- 4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:
- Where the operator is a registered company:
- (a) any change in the operator's trading name, registered name or registered office address; and
  - (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- Where the operator is a corporate body other than a registered company:
- (c) any change in the operator's name or address; and
  - (d) any steps taken with a view to the dissolution of the operator.
- In any other case:
- (e) the death of any of the named operators (where the operator consists of more than one named individual);
  - (f) any change in the operator's name(s) or address(es); and
  - (g) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

## 4.4 Interpretation

- 4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "immediately", in which case it may be provided by telephone.

# Schedule 1 – Operations

Table S1.1 activities				
National Grid Reference and or activity reference/ emission point	Activity listed in the EP Regulations	Description of MCP and/or specified generator	Fuel	Operating hours limit per year
A1 NGR: TQ8069472789	Schedule 25A – MCP as detailed in Schedule 7 and Schedule 25B – Specified generator	14 x 3.489 MWth engines (48.85 MWth aggregated)	Natural gas	4,000  <ul style="list-style-type: none"> <li>• Maximum 24 hours per day x6 days per year</li> <li>• Maximum 18 hours per day x18 days per year</li> <li>• Maximum 16 hours per day for remaining days in year</li> </ul>
A2 NGR: TQ8069872792				
A3 NGR: TQ8070372796				
A4 NGR: TQ8070872800				
A5 NGR: TQ8071372803				
A6 NGR: TQ8071772807				
A7 NGR: TQ8072272811				
A8 NGR: TQ8072772815				
A9 NGR: TQ8071372786				
A10 NGR: TQ8071872790				
A11 NGR: TQ8072272794				
A12 NGR: TQ8072772798				
A13 NGR: TQ8073272801				
A14 NGR: TQ8073772805				

Table S1.2A Operating techniques for Medium Combustion Plant as detailed in Schedule 7
(a) Each MCP must be operated in accordance with the manufacturer’s instructions and records must be made and retained to demonstrate this. (b) The operator must keep periods of start-up and shut-down of each MCP as short as possible. (c) There must be no persistent emission of ‘dark smoke’ as defined in section 3(1) of the Clean Air Act 1993.

**Table S1.2B Operating techniques for Specified Generators**

- (a) Each generator must be operated in accordance with the manufacturer's instructions and records must be made and retained to demonstrate this.
- (b) The operator must keep periods of start-up and shut down of the generators as short as possible
- (c) There must be no persistent emission of 'dark smoke' as defined in section 3(1) of the Clean Air Act 1993.
- (d) The stack must be vertical and unimpeded by cowls or caps.
- (e) The operating regime of the generator(s) must be in line with document reference Technical Note: 416.08071.00003 dated 26/04/2022 submitted as part of permit application EPR/EP3703LV/A001.



## **Schedule 2 – Waste types, raw materials and fuels**

This schedule is not used

## Schedule 3 – Emissions and monitoring

Emission point ref. & location	Source/ technology	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method Note 1
A1 A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14	Existing medium combustion plant which are engines and gas turbines fuelled on natural gas and a specified generator	Oxides of Nitrogen (NO and NO <sub>2</sub> expressed as NO <sub>2</sub> )	190 mg/Nm <sup>3</sup>	Periodic	Every 3 years	MCERTS BS EN 14791
		Carbon monoxide	No limit set	Periodic	Every 3 years	MCERTS BS EN 15058
<p>Note 1: Monitoring requirements are defined at a temperature of 273.15 K, a pressure of 101.3 kPa and after correction for the water vapour content of the waste gases at a standardised O<sub>2</sub> content of 6% for solid fuels, 15% for engines and gas turbines and 3% all other MCPs</p>						

## Schedule 4 – Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

<b>Table S4.1 Reporting of monitoring data</b>			
<b>Parameter</b>	<b>Emission or monitoring point/reference</b>	<b>Reporting period</b>	<b>Period begins</b>
Emissions to air Parameters as required by condition 3.2.1.	A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14	Every 3 years	1 January

<b>Table S4.2 Reporting forms</b>		
<b>Media/parameter</b>	<b>Reporting format</b>	<b>Date of form</b>
Air	Emissions to Air Reporting Form or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021

# Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

## Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

<b>(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution</b>	
<b>To be notified within 24 hours of detection</b>	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

<b>(b) Notification requirements for the breach of a limit</b>	
<b>To be notified within 24 hours of detection unless otherwise specified below</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	

<b>(b) Notification requirements for the breach of a limit</b>	
<b>To be notified within 24 hours of detection unless otherwise specified below</b>	
Measures taken, or intended to be taken, to stop the emission	

<b>Time periods for notification following detection of a breach of a limit</b>	
<b>Parameter</b>	<b>Notification period</b>

<b>(c) Notification requirements for the breach of permit conditions not related to limits</b>	
<b>To be notified within 24 hours of detection</b>	
Condition breached	
Date, time and duration of breach	
Details of the permit breach i.e. what happened including impacts observed.	
Measures taken, or intended to be taken, to restore permit compliance.	

<b>(d) Notification requirements for the detection of any significant adverse environmental effect</b>	
<b>To be notified within 24 hours of detection</b>	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

## Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	

Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

\* authorised to sign on behalf of the operator

## Schedule 6 – Interpretation

“accident” means an accident that may result in pollution.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“compliance date” means 01/01/2025 for existing MCPs and a tranche A specified generator with net rated thermal input of greater than 5MW or 01/01/2030 for existing MCPs and a tranche A specified generator with a net rated thermal input of less than or equal to 5MW.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“existing MCP” means an MCP first put into operation before 20/12/2018.

“first put into operation” means that the plant must have been fired with its design fuel up to its full load. This can be, but does not have to be, during commissioning.

“MCERTS” means the Environment Agency’s Monitoring Certification Scheme.

“medium combustion plant” or “MCP” means a combustion plant with a rated thermal input equal to or greater than 1 MW but less than 50 MW.

“Medium Combustion Plant Directive” or “MCPD” means Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants, as read in accordance with Schedule 1A to the Environmental Permitting (England and Wales) Regulations 2016.

“new MCP” means an MCP first put into operation on or after 20/12/2018.

“operating hours” means the time, expressed in hours, during which a combustion plant is operating and discharging emissions into the air, excluding start-up and shut-down periods.

“quarter” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

“specified generator” has the meaning given in paragraph 2(1) of Schedule 25B of The EP Regulations.

“tranche A generator” has the meaning given in paragraph 3(3) of schedule 25B of The EP Regulations.

“tranche B generator” is any generator that is not a Tranche A generator.

“year” means calendar year ending 31 December.

## Schedule 7 – Annex 1 of MCPD

1. Rated thermal input (MW) of the medium combustion plant.	14 x 3.489 MWth (48.85 MWth aggregated)
2. Type of the medium combustion plant (diesel engine, gas turbine, dual fuel engine, other engine or other medium combustion plant).	14 x gas engines
3. Type and share of fuels used according to the fuel categories laid down in Annex II.	Natural gas
4. Date of the start of the operation of the medium combustion plant or, where the exact date of the start of the operation is unknown, proof of the fact that the operation started before 20 December 2018.	25/10/2017
5. Sector of activity of the medium combustion plant or the facility in which it is applied (NACE code).	D.35.1.1
6. Expected number of annual operating hours of the medium combustion plant and average load in use.	4,000 hours at 100% load
7. Where the option of exemption under Article 6(3) or Article 6(8) is used, a declaration signed by the operator that the medium combustion plant will not be operated more than the number of hours referred to in those paragraphs.	N/A
8. Name and registered office of the operator and, in the case of stationary medium combustion plants, the address where the plant is located.	Ashford Power Ltd  <u>Registered office:</u> 1 King William Street London EC4N 7AF  <u>MCP address:</u> Ashford Power Kingsnorth Industrial Estate Rochester ME3 9TX

END OF PERMIT