

Environment Agency

Review of an Environmental Permit for an Installation subject to Chapter II of the Industrial Emissions Directive under the Environmental Permitting (England & Wales) Regulations 2016

Decision document recording our decision-making process following review of a permit

The Permit number is: EPR/NP3838LV
The Operator is: Sembcorp Utilities (UK) Limited
The Installation is: Wilton 10 Power Station
This Variation Notice number is: EPR/NP3838LV/V007

What this document is about

Article 21(3) of the Industrial Emissions Directive (IED) requires the Environment Agency to review conditions in permits that it has issued and to ensure that the permit delivers compliance with relevant standards, within four years of the publication of updated decisions on best available techniques (BAT) conclusions.

It explains how we have reviewed and considered the techniques used by the Operator in the operation and control of the plant and activities of the installation. This review has been undertaken with reference to the decision made by the European Commission establishing best available techniques (BAT) conclusions ('BAT Conclusions') for large combustion plant as detailed in document reference IEDC-7-1. It is our record of our decision-making process and shows how we have taken into account all relevant factors in reaching our position. It also provides a justification for the inclusion of any specific conditions in the permit that are in addition to those included in our generic permit template.

The installation burns a mixture of waste and non-waste material where the main purpose is generation of energy and is therefore a co-incineration plant that is subject to IED chapter IV as well as the LCP BAT conclusions. We have therefore reviewed the permit in line with the timescales of the waste incineration BAT conclusions.

This document therefore explains how we will ensure that the installation complies with the BAT conclusions by 3rd December 2023. It is our record of our decision-making process and shows how we have taken into account all relevant factors in reaching our position. It also provides a justification for the

inclusion of any specific conditions in the permit that are in addition to those included in our generic permit template.

As well as ensuring that the Installation complies with the BAT conclusions the consolidated variation notice takes into account and brings together in a single document all previous variations that relate to the original permit issued. It also modernises the entire permit to reflect the conditions contained in our current generic permit template.

The introduction of new template conditions makes the Permit consistent with our current general approach and philosophy and with other permits issued to installations in this sector. Although the wording of some conditions has changed, while others have been removed because of the new regulatory approach, it does not reduce the level of environmental protection achieved by the permit in any way. In this document we therefore address mainly our determination of substantive issues relating to the new BAT Conclusions.

Throughout this document we will use a number of expressions. These are as referred to in the glossary.

We try to explain our decision as accurately, comprehensively and plainly as possible. We would welcome any feedback as to how we might improve our decision documents in future. The use of technical terms and acronyms are inevitable in a document of this nature: we provide a glossary of acronyms near the front of the document, for ease of reference.

How this document is structured

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1 Glossary of acronyms used in this document

(Please note that this glossary is standard for our decision documents and therefore not all these acronyms are necessarily used in this document.)

APC	Air Pollution Control
BAT	Best Available Technique(s)
BAT-AEEL	BAT Associated Energy Efficiency Level
BAT-AEPL	BAT Associated environmental performance level
BAT-AEL	BAT Associated Emission Level
BATc	BAT conclusion
BREF	Best available techniques reference document
CEM	Continuous emissions monitor
CHP	Combined heat and power
CV	Calorific value
DAA	Directly associated activity – Additional activities necessary to be carried out to allow the principal activity to be carried out
ELV	Emission limit value derived under BAT or an emission limit value set out in IED
EMS	Environmental Management System
EPR	Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No. 1154)
EWC	European waste catalogue
FSA	Food Standards Agency
IC	Improvement Condition
IED	Industrial Emissions Directive (2010/75/EU)
LCP	Large combustion plant
NOx	Oxides of nitrogen (NO plus NO ₂ expressed as NO ₂)
PHE	Public Health England
SAC	Special Area of Conservation
SGN	Sector guidance note
TGN	Technical guidance note
TOC	Total Organic Carbon
WFD	Water Framework Directive (2000/60/EC)

2 Our decision

We have decided to issue the consolidated variation notice to the operator. This will allow it to continue to operate the Installation, subject to the conditions in the consolidated variation notice.

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the varied permit will ensure that a high level of protection is provided for the environment and human health.

The consolidated variation notice contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the Notice, we consider that those conditions are appropriate.

3 How we reached our decision

3.1 Requesting information to demonstrate compliance with BAT Conclusions for incineration Plant

We issued a Notice under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 14/10/2022 requiring the Operator to provide information to demonstrate how the operation of their installation currently meets, or will subsequently meet, the revised standards described in the incineration BAT Conclusions document. The Notice also required that where the revised standards are not currently met, the operator should provide information that:

- Describes the techniques that will be implemented before 3rd December 2023, which will then ensure that operations meet the revised standard, or
- Justifies why standards will not be met by 3rd December 2023, and confirmation of the date when the operation of those processes will cease within the installation or an explanation of why the revised BAT standard is not applicable to those processes, or
- Justifies why an alternative technique will achieve the same level of environmental protection equivalent to the revised standard described in the BAT Conclusions.

Where the Operator proposed that they were not intending to meet a BAT standard that also included a BAT Associated Emission Level (BAT AEL) described in the BAT Conclusions Document, the Regulation 61 Notice requested that the Operator make a formal request for derogation from compliance with that AEL (as provisioned by Article 15(4) of IED). In this circumstance, the Notice identified that any such request for derogation must

be supported and justified by sufficient technical and commercial information that would enable us to determine acceptability of the derogation request.

The Regulation 61 Notice response from the Operator was received on 17/03/2023 with further information received on 05/05/2023.

We have not received any information in relation to the Regulation 61 Notice response that appears to be confidential in relation to any party.

3.2 Review of our own information in respect to the capability of the installation to meet revised standards included in the BAT Conclusions document

Based on our records and previous regulatory activities with the facility we have no reason to consider that the operator will not be able to comply with the conditions that we include in the permit.

4 The legal framework

The consolidated variation notice will be issued under Regulation 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the IED;
- subject to aspects of other relevant legislation which also have to be addressed.

We consider that the consolidated variation notice will ensure that the operation of the Installation complies with all relevant legal requirements and that a high level of protection will be delivered for the environment and human health.

We explain how we have addressed specific statutory requirements more fully in the rest of this document.

5 The key issues

The key issues arising during this permit review are:

- Ensuring the Installation complies with the BAT conclusions.
- Setting emission limits (including BAT AELs) for emissions to air,
- The energy efficiency levels associated with the Best Available Techniques (BAT-AEELs)

5.1 Ensuring the Installation complies with the BAT conclusions

We have reviewed the operator's response to the regulation 61 notice and we are satisfied that the Installation will meet the requirements of the BAT conclusions by 3rd December 2023. Further detail on our assessment is in annex 1 of this decision document.

Based on our records and previous regulatory activities with the Installation we have no reason to consider that the operator will not be able to comply with the conditions that we have included in the permit.

5.2 Emissions to air and the emission limits applied to the plant

5.2.1 Summary

The consolidated permit includes new emission limits for emissions to air. These limits ensure that the installation will comply with the relevant BAT-AELs, as specified in the BAT conclusions, and the relevant limits from IED Annex VI.

A number of general principles were applied during the permit review, including those set out in the UK LCP BAT Conclusions Interpretation Document . These included:

- The upper value of the BAT-AELs ranges specified were used unless use of the tighter limit was justified.
- The principle of no backsliding where if existing limits in the permit were already tighter than the upper end of the BAT-AEL ranges, the existing permit limits were retained.

We have set the emissions limit values at the top end of the BAT-AEL range in line with section 4.35 of Defra's Industrial emissions Directive EPR Guidance on Part A installations which states: *Where the BAT AELs are expressed as a range, the ELV should be set on the basis of the top of the relevant BAT-AEL range – that is to say, at the highest associated emission level - unless the installation is demonstrably capable of compliance with a substantially lower*

ELV, based on the BAT proposed by the operator, or exceptional environmental considerations compel a tighter ELV.

We are satisfied that environmental considerations do not require tighter ELVs to be set, and the operator has not proposed any lower ELVs, and so we have set the ELVs at the top end of the BAT-AEL ranges.

We have set IC1 which requires the operator to assess options to reduce NO_x emissions below the top of the BAT AEL range.

5.2.2 ELV for air emissions

In line with our waste incineration BAT C interpretation document: The waste gas resulting from the incineration of Article 3(31)(b) waste or non-waste fuel is more than 10% so the ELVs are calculated according to the Annex VI mixing rule, substituting the Annex VI waste ELVs for those specified in the WI BATCs.

5.2.2.1 Mixing rule

The mixing rule requires the proportions of flue gas resulting from waste combustion and non waste combustion be known. The operator provided a spreadsheet where this was calculated based on the following fuel feed composition:

Waste wood:	40 %
Virgin wood:	60 %

5.2.2.2 ELVs set

a) Particulates, NO_x, HCl, SO₂, HF, mercury*

ELVs calculated using the mixing rule from IED annex VI with parameters as follows:
Cwaste - BAT-AEL from waste incineration BAT C
Cproc - LCP BAT-AELs from section 2 of the LCP BAT C

* There is no BAT-AEL for Hg in section 6 of the LCP BAT C.

Therefore the LCP BAT C states it should be set using the mixing rule based on the BAT-AEL from LCP section 2 and the incineration BAT-AELs from the incineration BAT C.

The fact that a total ELV is set in IED annex VI, rather than a Cproc, does not affect the calculation.

b) The following pollutants have specified BAT-AELs in section 6 of the LCP BAT C and can be applied directly

- TOC
- dioxins/furans
- TVOC (daily and yearly average)
- Cd, TI
- Other metals

The BAT-AELs for metals in section 6 are specified as the average of samples obtained during one year.

c) CO

The mixing rule cannot be used because there is no BAT-AEL set in section 2 of the LCP BAT C. The ELV from the current permit is still appropriate.

d) IED chapter IV

IED chapter IV sets ‘total emission limits values’ for metals and dioxins. Where BAT-AELs above are equivalent or lower the chapter IV limits do not need to be set. The exception to this is for cadmium & Thallium and ‘other metals’ (Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V) where the BAT-AEL specified in section 1b above is an annual average but chapter IV sets a periodic limit. Therefore the chapter IV limits of: Cd + Tl : 0.05 mg/m³ at 6% oxygen, 0.033 mg/m³ at 11% oxygen applies as well as the BAT-AEL.

Other metals: 0.5 mg/m³ at 6% oxygen, 0.33 mg/m³ at 11% oxygen applies as well as the BAT-AEL.

Pollutant	Limit at 6% O₂ (mg/m³) 40:60 waste/non waste	Basis (section above)	Reference period
Particulates	14	Mixing rule (1a)	Daily average
NOx	239		
HCl	12		
SO ₂	132		
HF	1.2		Periodic
Hg	0.009		
Cd + Tl	0.0045	LCP BAT C section 6 (1b)	Periodic – average of samples taken over a year
Other metals (Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V)	0.3		
Dioxins & Furans	0.03		Periodic
TVOC	10		Daily average
TVOC	5		Annual average

Pollutant	Limit at 6% O₂ (mg/m³) 40:60 waste/non waste	Basis (section above)	Reference period
CO	215	Limit in current permit (1c)	Daily average
Cd + Tl	0.05	IED chapter IV, annex VI (1d)	Periodic
Other metals (Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V)	0.5		

Abnormal operation backstop limits were set in table S3.1 (a) of the permit. These are based on the IED chapter IV requirements. Although they do not explicitly apply to co-incinerators our view is that it is BAT for them to apply.

5.3 Energy efficiency

The BAT conclusions specify an energy efficiency level associated with the best available techniques (BAT-AEEL). For CHP plants, such as this plant, the BAT AEL can be either net electrical efficiency or net total fuel utilisation.

The Applicant stated that total fuel utilisation is 92% which is towards the top of the range set out for existing plants in table 8 of the BAT C.

Annex 1

Decision checklist regarding relevant BAT Conclusions

This annex provides a record of decisions made in relation to each relevant BAT Conclusion applicable to the installation.

The overall status of compliance with the BAT conclusion is indicated in the table below as

NA - Not Applicable

CC - Currently Compliant

FC - Compliant in the future (by 3rd December 2023)

NC - Not Compliant

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
General BAT Conclusions					
1	EMS	Improve overall performance	Implement and adhere to an EMS that incorporates key features identified	There is an EMS in place that complies with all of the points listed in BAT 1. The company is certified to ISO 14001:2015	CC
2	Efficiency	Determine net electrical efficiency and/or net total fuel utilisation and/or net mechanical efficiency	Carry out a performance test at full load.	Energy efficiency has been calculated using long term data derived using Ricardo R1 guidance on 5-year boiler efficiency reassessment. In addition the company uses the CHPQA schemes monitor and measure efficiency and a scheme is in place for Wilton 10 biomass boiler. If a major modification took place a new performance test would be scheduled.	CC

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
3	Monitoring of process parameters	Monitor key process parameters for emissions to air and water specified in the corresponding table.	Monitoring of specified process parameters.	Process monitoring is carried out in line with BAT 3 requirements for the following relevant parameters Flue gas - Flow, oxygen content, temperature, pressure, water vapour content. Combustions chamber - temperature. There is no waste water from the Flue Gas	CC
4	Monitoring of emissions to air	Monitor emissions to air with at least the frequency in the corresponding table and in accordance with the EN standards.	Monitor emissions to air with at least the frequency in the corresponding table and in accordance with the EN standards.	All required parameters are being monitored currently as required by BAT 4. The Hg is being measured every three months as required .	CC
5	Monitoring of emissions to water from flue-gas treatment	Monitor emissions to water with at least the frequency in the corresponding table and in accordance with the EN standards.	Monitor emissions to water with at least the frequency in the corresponding table and in accordance with the EN standards.	There is not flue gas emissions to water in the process so BAT 5 not applicable	NA

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
6	Environmental performance	Improve general environmental performance	A variety of techniques	a. Fuel blending and mixing b. Maintenance of the combustion system, c. advanced control but specific to the process, d. Good design of combustion equipment	CC
7	Reduce emissions of ammonia to air	Reduction of ammonia emissions where SCR or SNCR is used.	BAT is to optimise the design and/or operation and to meet associated AELs.	AEL for Ammonia for mixing rule is 12 with a BAT AEL of 15	FC
8	Prevent or reduce emissions to air	Prevent or reduce emissions to air during normal operating conditions.	Ensure, by appropriate design, operation and maintenance, that the emission abatement systems are used at optimal capacity and availability.	Emission abatement systems are maintained regularly and there is CEMS on the backpass area of the biomass plant	CC
9	Environmental performance and reduce emissions to air	Inclusion of a number of elements in the quality assurance/quality control programmes for all the fuels used, as part of the EMS.	Techniques (i), (ii) and (iii).	i. full characterisation of the fuel on samples taken on delivery ii. Regular testing of the fuel quality takes place iii. Plant settings are adjusted on the basis of analysed moisture. Internal laboratory is accredited to ISO 17025 for methods above	CC

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
10	Reduce emissions to air and/or water	Prevent or reduce emissions to air during other than normal operating conditions (OTNOC).	A variety of techniques.	Current procedure for OTNOC needs to be reviewed to create a management plan but is currently in place along with operational procedures around start up and shut down and Bed recovery procedure	FC
11	Monitoring of emissions to air and/or to water	Monitoring of emissions to air and/or to water during OTNOC.	Appropriately monitor emissions to air and/or to water during OTNOC.		
12	Energy efficiency	Increase the energy efficiency for units operated ≥ 1500 h/yr	A variety of techniques	a) combustion optimisation, b) steam is maximised, c) Optimisation of the steam cycle, d) most energy efficient feed water pump is used, e) preheating of combustion air, g) Advanced control system, h) Feedwater preheating using recovered heat, i) heat recovery by cogen FGC with heat recovery, k) flue gas condenser, p) boiler is insulated minimising radiant heat loss	CC
13	Reduce water usage and the volume of contaminated waste water discharged	Reduce water usage and the volume of contaminated waste water discharged	Use of one or both of the techniques specified in the associated table.	b) Dry bottom ash handling	CC

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
14	Prevent contaminated of uncontaminated waste water and to reduce emissions to water	Prevent contaminated of uncontaminated waste water and to reduce emissions to water	Segregate waste water streams and to treat them separately, depending on the pollutant content.	Bottom ash handling is dry and there is no waste water from the flue gas	CC
15	Reduce emissions to water	Reduce emissions to water from flue-gas treatment	A variety of techniques	Wet flue gas treatment not used	NA
16	Reduce waste sent for disposal	To reduce the quantity of waste sent for disposal	A variety of techniques	All existing wastes are considered for recycling	CC
17	Reduce noise emissions	To reduce noise emissions	A variety of techniques	a. operational measures b. low noise equipment c. Noise attenuation	CC
Combustion of solid fuels (solid biomass and/or peat)					
AEELs	Energy efficiency	BAT-associated energy efficiency levels (BAT-AEELs)	BAT AEEL as Net total fuel utilisation from Table 8: Existing unit 73 % to 99 %	Net total fuel utilisation based on existing historic data from Foster Wheeler 92%	CC
24	Prevent or reduce emissions of NOx	Prevent or reduce emissions of NOx emissions to air while limiting CO and N ₂ O emissions to air from the combustion of solid biomass and/or peat.	A variety of techniques and associated AELs	A review of the mixing rule has shown that NOx will be at 239 mg/Nm ³ . No SNCR currently active. The CO limit will be 215 mg/Nm ³	Operator stated NC, but also stated that SNCR is installed but not currently used.

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
					Therefore our view is that the plant will be compliant by 3/12/23
25	Prevent or reduce emissions of SO _x , HCl and HF	Prevent or reduce emissions of SO _x , HCl and HF emissions to air from the combustion of solid biomass and/or peat.	A variety of techniques and associated AELs	A review of the mixing rule has shown that the SO _x will be at 132 mg/Nm ³ Compliant HCl will be at 12 mg/Nm ³ Compliant HF will be at 1.19 not compliant (BAT AEL <1) – operator then clarified to say they would be able to meet the limit based on historic monitoring	CC
26	Reduce dust and particulate-bound metal emissions	Reduce emissions of dust and particulate-bound metal emissions to air from the combustion of solid biomass and/or peat.	A variety of techniques and associated AELs	A review of the mixing rule has shown the dust as 14 mg/Nm ³	CC
27	Prevent or reduce emissions of mercury	Prevent or reduce emissions of mercury emissions to air from the combustion of solid biomass and/or peat.	A variety of techniques and associated AELs	Mercury currently periodically tested to prove low and stable with results around 0.00072 mg/nm ³ Calculated mixing rule BAT AEL 0.009 mg/Nm ³	CC
BAT Conclusions for co-incineration (BAT 60 - 71)					
60	Improvement of the general environmental performance	General rules for waste selection, acceptance, mixing, drying and pre-treatment. BAT	BAT is to use technique BAT 60 (a) and a	a. waste pre- acceptance and acceptance using internal UKAS laboratory, b. contractual in place for	CC

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
		60 (a) is to set formal waste acceptance procedures	combination of the techniques given in BAT 6 and/or the other techniques below.	the restriction of certain EWC codes c. waste mixing	
61	Adjustment of ELVs to reflect waste component of fuel	Emissions from combustion of waste are not to exceed those set by the WI BAT	BAT is to take appropriate measures to ensure that the emissions of polluting substances in the part of the flue-gases resulting from waste co-incineration are not higher than those resulting from the application of BAT conclusions for the incineration of waste.	Techniques in place include those for reduction of polluting emissions. Bag filters for particulates plus PAC and Lime for HCl and SO2 plus general operating techniques mentioned in BAT 8 & 9	CC
62	Maintain a good quality of gypsum, ashes and slags as well as other residues so that they can be recycled (<i>or used</i>)	Control of slags and ashes during waste co-incineration so that they do not differ from normal residues	BAT is to maintain a good quality of gypsum, ashes and slags as well as other residues, in line with the requirements set for their recycling when the plant is	Using techniques listed in BAT 60.	CC

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
			not co-incinerating waste, by using one or a combination of the techniques given in BAT 60		
63	Increase the energy efficiency of the co-incineration of waste	Deliver increases in energy efficiency through a combination of techniques shown for BAT 12. (BAT 19 is not applicable)	BAT is to use an appropriate combination of the techniques given in BAT 12	Energy efficiency has been calculated using long term data derived using Ricardo R1 guidance on 5-year boiler efficiency reassessment. In addition the company uses the CHPQA schemes monitor and measure efficiency and a scheme is in place for Wilton 10 biomass boiler. If a major modification took place a new performance test would be scheduled. Meets BAT for Net total fuel utilisation	CC
64	To prevent or reduce NOX emissions to air while limiting CO and N2O emissions	-			NA
65	To prevent or reduce NOX emissions to air while limiting CO and N2O emissions from the co-incineration of waste with biomass and/or peat	Control of NOx without adversely impacting CO and N ₂ O emissions	BAT is to use one or a combination of the techniques given in BAT 24.	Use currently a. combustion optimisation, b. Low-NOx burners,c.air staging, e. flue gas recirculation	CC

BAT No.	Topic	Brief Description	BAT	Operator response	Complies with BAT? (NA, CC, FC, NC)
66	To prevent or reduce SOX, HCl and HF emissions to air	-			NA
67	In order to prevent or reduce SOX, HCl and HF emissions to air from the co-incineration of waste with biomass and/or peat	Control of acid gases	BAT is to use one or a combination of the techniques given in BAT 25.	b. Duct sorbent injection, f. FGC, h. Fuel choice	CC
68	To reduce dust and particulate-bound metal emissions to air	-			NA
69	To reduce dust and particulate-bound metal emissions to air from the co-incineration of waste with biomass and/or peat	Control of particulates and metals emissions	BAT is to use one or a combination of the techniques given in BAT 26.	b. Bag filter, e. Fuel choice	CC
70	In order to reduce mercury emissions to air from the co-incineration of waste with biomass	Control of mercury emissions through a combination of techniques shown for BAT 27 (BAT 23 is non-applicable)	BAT is to use one or a combination of the techniques given in BAT 27.	e. Bag filter - emissions shown as low and stable	CC
71	To reduce emissions of volatile organic compounds and polychlorinated dibenzodioxins and -furans to air from the co-incineration of waste with biomass,	Control of VOCs, PCDD, PCDF emissions	BAT is to use a combination of the techniques given in BAT 6 and 26, and use of BAT 71 techniques	a. activated carbon, BAT 6 a. Fuel blending and mixing, b. Maintenance of the combustion system, c. Advanced control system but specific to the process d. Good design of the combustion equipment e. Fuel choice BAT 26 b. bag filter	CC

Summary checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality.
Operating techniques	
General operating techniques	We have reviewed the techniques used by the operator where they are relevant to the BAT Conclusions and compared these with the relevant guidance notes. The permit conditions ensure compliance with the relevant BREF, BAT Conclusions. The ELVs deliver compliance with the BAT-AELs.
Permit conditions	
Updating permit conditions during consolidation	We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide at least the same level of protection as those in the previous permit and in some cases will provide a higher level of protection to those in the previous permit.
Changes to the permit conditions due to an Environment Agency initiated variation	We have varied the permit as stated in the variation notice.
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme.
Emission limits	We have decided that emission limits should be set for the parameters listed in the permit. These are described in the relevant BAT Conclusions in section of this document. It is considered that the ELVs/equivalent parameters or technical measures described above will ensure that significant pollution of

Aspect considered	Decision
	the environment is prevented and a high level of protection for the environment is secured.
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These are described in the relevant BAT Conclusions in section of this document.</p>
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>