

## Permitting Decisions- Bespoke Permit

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We have decided to grant the permit for London Two operated by Zenium UK2 Limited.

The permit number is EPR/TP3839QU

The permit was granted on 24/4/2024.

The application is for 16 emergency standby diesel generators providing electricity to the associated data centre in the event of a failure of supply from the National Grid. The aggregated thermal input of the generators is approximately 86.6 MWth.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

### Purpose of this document

This decision document provides a record of the decision-making process. It:

- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account
- highlights [key issues](#) in the determination
- shows how we have considered the [consultation responses](#)

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit.

# Key issues of the decision

## Overview of the Installation

The site is an existing data centre which includes back-up generation capacity, a Schedule 1 S1.1 Part A(1) (a) activity under the Environmental Permitting Regulations (the burning of any fuel in an appliance with a rated thermal input of 50 or more megawatts (MW)). The installation also includes a Directly Associated Activity (DAA) for diesel bulk storage tanks, accompanying pipe work and fill points.

The site is located in the Prologis Distribution Park, Stockley Road, West Drayton. The National Grid Reference for the site is TQ 07859 79305. The surrounding area is predominantly commercial and residential in use.

The combustion plant only operates under limited routine maintenance or in an emergency scenario if the National Grid power supply fails. The combustion activity comprises 16 diesel-fuelled standby generators (SBGs) (seven AVK generators with individual thermal capacities of 5.03MWth and nine CAT generators with individual thermal capacities of 5.71MWth). The aggregated total combustion capacity on site is approximately 86.6 MWth. The SBGs are designed and configured so that in the event of a mains failure all the generators will fire up then subsequently ramp down to meet the load demand at the site. The operational capacity of the generators at the time of a blackout would be dependent on extent of blackout. Each generator has its own vertical stack; the AVK generator stacks are approximately 5.1 m above ground level and the CAT generator stacks are approximately 9.6 m.

Electrical power is provided to the data centre from the National Grid. In the event of a failure of this electrical supply, the operator will utilise the generators to maintain power to the datacentre. The generators will be used solely for the purpose of providing a back-up power supply, with no electricity being exported from the installation. The redundancy arrangement for both generator configurations is n+1. This is when the site is at full electrical load. This arrangement means that there is a generator spare should one fail to start.

The generators are subject to a maintenance testing schedule with each set of generators being tested quarterly for one hour. Testing of each set is scheduled to occur at separate times during the quarter to limit the generation of emissions to air. Further detail of the testing regime is given in the 'Operating Scenarios' section below.

The engines are run on diesel. Fuel is supplied from double skinned 'belly tanks' (meaning they are located directly beneath the generators). The installation will generally store enough diesel to provide 72 hours' worth of electricity to the site from the AVK generators and 48 hours from the CAT generators. The tanks are

kept approximately 90% full, with the total fuel storage capacity approximately 432,500 litres.

The generators and associated fuel tanks are located on an area of hard standing. The tanks are double skinned and alarmed in the event of leak / overflow. All fill points are located over drip trays to capture spills. The site drainage system includes a soakaway system, there are petrol interceptors present to reduce the risk from spills. Spill kits are also available on site.

The site is already operational, the drainage and containment infrastructure are therefore already in place and pre-date the permit application. We have set an improvement condition (IC4) which requires the operator to review the drainage and fuel containment measures currently in place at the site against the standards set out in the Oil Storage Regulations for Businesses. As part of this improvement condition, they must identify any required improvements and provide an implementation timescale to be agreed by the Environment Agency.

The main emissions from the installation are to air in the form of nitrogen oxides, sulphur dioxide, particulate matter and carbon monoxide.

### **Operating Scenarios**

The operational scenarios that have been considered for the installation are:

Testing and maintenance – The generators are subject to a maintenance testing schedule with each set of generators being tested quarterly. All AVK Generators will run consecutively for one hour each quarter (12:00 to 13:00 on one Wednesday a quarter) and the CAT Generators would be operated during the same time period for the following Wednesday, running consecutively over one hour (5 minutes per engine).

Emergency – Emergency operating scenario (72-hours of continuous run time) inclusive of the testing and maintenance run times

### **Air Quality**

In line with the Environment Agency's guidance (<https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>) and the relevant parts of the guidance applicable to the assessment of air dispersion modelling of emissions from generators (<https://www.gov.uk/guidance/specified-generators-dispersion-modelling-assessment>) the Applicant submitted detailed air dispersion modelling and impact assessment to assess the predicted impacts on human receptors and ecological sites.

The methodology for risk assessment of point source emissions to air, and the associated definitions, are set out in our guidance <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>.

The primary pollutants of concern to air quality from the combustion processes at the installation are nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), particulates (PM<sub>10</sub>) and sulphur dioxide (SO<sub>2</sub>) resulting from the combustion process on site. We don't consider SO<sub>2</sub> emissions to be a risk from the operation of the installation as we have included a condition in the permit restricting the fuel to ultra-low sulphur gas oil, resulting in negligible emissions of sulphur.

Hydrocarbon emissions were also assessed by the Applicant, but we consider that these will be negligible for modern and well-maintained efficient generators which allow for the complete combustion of the fuel with the appropriate combustion conditions in line with the equipment manufacturer's specification.

The Applicant submitted an air quality risk assessment with their application: document titled 'Dispersion Modelling Assessment London Two', dated May 2019. In response to a Schedule 5 Notice (dated 5 June 2023) an updated air quality risk assessment was submitted, document titled: 'Air Quality Assessment Update at Zenium London Two AQ1014', dated July 2023. This report supersedes the previous air quality assessment. Our assessment is based on the updated Air Quality Assessment dated July 2023.

The Air Quality Assessment included an air dispersion modelling study which assessed the potential impact on local air quality of emissions from the generators. Both the maintenance/testing and emergency scenarios were assessed within the modelling exercise. The ADMS 5 software dispersion model was used to predict atmospheric concentrations of the identified pollutants; we accept that the use of this model is appropriate for these circumstances.

The model used 5 years meteorological data (2013-2017) from the Heathrow Airport meteorological station and included the potential effects of buildings and terrain in the modelling domain on the dispersion of the emitted pollutants.

The data centre is situated within the Air Quality Management Area (AQMA) declared by the London Borough of Hillingdon for NO<sub>2</sub>.

We have audited the air dispersion modelling reports and carried out check modelling and sensitivity analysis. The audit has reviewed the selection of modelling inputs, modelling methodology and assumptions, selection and distribution of receptors, the outputs of the modelling exercise and conclusions of the assessment.

### **Testing (scenario 1)**

The applicant modelled the testing operation of the generators according to the schedules outlined in the 'Operating Scenarios' section above. The Applicant's assessment is summarised below:

- The process contributions (PC) of particulates (PM<sub>10</sub>) are less than 1% of the long-term air quality standard (AQS) at all modelled sensitive receptors and are therefore insignificant.
- Predicted 90.41%ile 24-hour mean PM<sub>10</sub> concentrations were not considered for Scenario 1. This is because the site will be operating for a maximum 13 non-consecutive hours of the year and as such, it is extremely unlikely that the 24-hour AQS for PM<sub>10</sub> (50µg/m<sup>3</sup>) will be exceeded on 35 days.
- Predicted 8-hour rolling mean CO concentrations were not considered for Scenario 1. This is because the site will be operating for a maximum 13-hours of the year and the generators will never be operating for consecutive hours during this scenario. As such, it is extremely unlikely that the 8-hour rolling mean AQS for CO will be exceeded as this based on a rolling average.
- The long-term PC/PEC of NO<sub>2</sub> are not significant at all the human receptors.
- The Applicant didn't model for short term NO<sub>2</sub> as the site will be operating for a maximum of 13 non-consecutive hours of the year and as such, it is extremely unlikely that the 99.79%ile 1-hour AQS for NO<sub>2</sub> (200µg/m<sup>3</sup>) will be exceeded more than 18 times a year.

However, our checks indicated that NO<sub>2</sub> peaks exceed the short-term environmental standard at a number of receptors locations in proximity of the installation. Therefore, we requested that the applicant undertake further assessment to assess the magnitude of the potential exceedances against acute exposure risk criteria. The US EPA Acute Exposure Guidelines (AEGL) were used for this part of the assessment.

Two additional modelling exercises were carried out. The second was based on actual monitoring data. Predicted NO<sub>2</sub> concentrations were above the relevant AEGL-1 at 10 of the 30 sensitive receptor locations over the modelled 5 year period for the 10 minute, 30 minute and 1 hour periods. The AEGL-1 was not exceeded at any location over the 4 and 8-hour period. Although there are still exceedances, the peaks have reduced significantly when compared to the previous model due to changes in the testing operating envelope and more realistic modelling input parameters based on actual monitoring data. Prior to these changes the AEGL-1 was exceeded at 16 of the 30 sensitive receptor locations and the peaks were much higher in some locations. We have set improvement condition (IC3) to require the Operator to reduce NO<sub>x</sub> emissions further by reviewing the testing regime and assessing other opportunities to reduce emissions. The additional measures specified under IC3 are also expected to achieve a reduction of NO emissions which are currently showing an exceedance of the environmental standard at 5 sensitive receptors.

## **Emergency (scenario 2)**

An assumed 72-hour case scenario has been modelled which we consider a conservative scenario, given the information provided by the Applicant on the reliability of the connection of the installation to the electric grid.

For this scenario we found that there is the potential for exceedance at sensitive human health receptor locations of the NO<sub>2</sub> short-term environmental standards, NO<sub>2</sub> AEGL-1, and NO environmental standards.

The short-term NO<sub>x</sub> process contributions for the emergency operations of the site are above the insignificance threshold set in our guidance, however the structural preventative measures taken to avoid the occurrence of this emergency scenario make the source/pathway/receptor mechanism very unlikely. For the installation, we consider that the reasonably likely source/pathway/receptor mechanism would consist of periodic testing operations of the diesel generators.

The Applicant has confirmed that the generators have not run for more than 30-minutes as a result of a power outage in at least 5 years. Provided power outages continue to be unlikely the risk of an air quality exceedance from emergency operation is low. Also, in the event of an outage, all of the generators would operate and then they would “load shed” until the appropriate number of generators were operating to support the IT load of the building. So it is unlikely all generators would remain operational for a prolonged period of time.

### *Air quality improvement conditions*

We have specified that the operator shall have a written action Air Quality Management Plan (AQMP) to manage the risks for prolonged emergency running of the plant and limit the duration of an outage event to less than 50 hours, as far as possible. This needs to be proportionate to the level of risk at the receptors. The operator is expected to work with the Local Authority to develop this plan to ensure local factors are fully considered. This AQMP is included in the permit through improvement condition 1 (IC1).

We have set improvement condition 2 (IC2) requiring the operator to detail proposals and subsequently undertake a monitoring programme to verify the predicted short-term nitrogen oxides (NO<sub>x</sub>) and dust concentrations at the boundary of the site or off-site locations of sensitive receptors as appropriate.

Improvement condition 3 (IC3) requires the operator to submit a report detailing the results and conclusions of the emissions monitoring undertaken as part of IC2. This will contribute to the validation of conclusions reached in the air quality assessment and inform the air quality management plan. IC3 also requires the operator to review the options for reducing the predicted emission impacts. The reduction measures are expected to achieve a reduction of impacts during both the maintenance/testing and emergency operations. In setting IC2 and IC3 we have considered the level of the NO<sub>x</sub> peaks predicted by the Applicant’s modelling.

We have set improvement condition (IC5) requiring the Applicant to submit a monitoring plan. This includes a proposal to install sampling ports to allow monitoring in line with the requirements of Table S3.1 of the permit. As the engines are all existing MCP and sized >5MWth the relevant compliance date for monitoring requirements is 01/01/2025.

### **Monitoring requirements**

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. In particular:

We have specified monitoring of emissions of carbon monoxide from emission points A1 to A16, with a minimum frequency of once every 1,500 hours of operation or every five years (whichever comes first). This monitoring has been included in the permit in order to comply with the requirements of Medium Combustion Plant Directive (MCPD), which specifies the minimum requirements for monitoring of carbon monoxide emissions, regardless of the reduced operating hours of the plant.

We have also specified monitoring of emissions of nitrogen oxides (NOx) from emission points A1 to A16, with the same frequency specified for the monitoring of carbon monoxide emissions. In setting out this requirement, we have applied our regulatory discretion, as we consider that this limited monitoring, to happen in concurrence with the carbon monoxide monitoring, is proportionate to the risk associated with the emissions of NOx from the installation.

Taking into account the limited hours of operation of the engines operating at the installation, and the fact that we are not setting emission limits for NOx and carbon monoxide, we consider this monitoring can be carried out in line with web guide 'Monitoring stack emissions: low risk MCPs and specified generators' Published 16 February 2021 (formerly known as TGN M5).

We have set an improvement condition (IC5) requesting the operator to submit a monitoring plan for approval by the Environment Agency detailing the operator's proposal for the implementation of the flue gas monitoring requirements specified in the permit. For existing MCP with net rated thermal input of greater than 5MW, we have set a requirement for the first monitoring to happen at any time, but no later than the relevant compliance date (permit condition 3.5.2) unless otherwise agreed under Improvement Condition 4.

### **Noise**

The site will only run the engines regularly as part of the testing regime described earlier. This occurs during daytime hours during weekdays for quarterly testing.

Prolonged operation will only occur in an emergency situation where the National Grid supply is lost. The Applicant has provided details of historical outages at this installation, confirming that the generators have not run for more than 30-minutes

as a result of a power outage in at least 5 years. Therefore, the potential for prolonged noise is also considered to be very low.

An assessment of the potential impact of noise has been undertaken in the Environmental Risk Assessment (ERA). The document outlines that in addition to the limited hours of operation which will control potential for noise, acoustic silencers and a 6.5 metre high acoustic barrier providing sound dampening where generators are in close proximity to the site boundary. The ERA concludes that the risk of noise is low. We agree with this conclusion and that the proposed measures are sufficient to control any noise arising from the installation.

Although no noise management plan has been requested to date, condition 3.4 enables the Environment Agency to request one if considered necessary in the future.

### **Permit Conditions**

The permit will include a maximum 500 hours per annum 'emergency/standby operational limit' for any or all the plant producing on-site power under the limits of the combustion activity. Therefore, emission limit values (to air) are not required within the permit. Emergency hours operation includes those unplanned hours required to come off grid to make emergency repair of electrical infrastructure. The limit on the emergency use of 500 hours is for the installation as a whole, meaning that as soon as one generator starts operating the hours count towards the 500 hours.

In addition, the permit allows each individual generator unit to be tested for maintenance. The BAT expectation is that individual generator testing is below 50 hours/annum. In this instance the operator proposes to limit testing to each set of generators being tested quarterly for one hour, this is in line with BAT and below the level at which ELVs would be needed. We expect the number of and duration of planned testing and generator operations to be minimised as much as possible. The planned testing operations of the generators shall be limited to the maximum testing hours outlined in the application documents and included by reference in the Operating Techniques Table S1.2 of the permit.

The permit does not allow voluntary / elective power generation such as for demand side response (i.e. on-site use), grid short term operating reserve (STOR) (i.e. off-site export of electricity) or Frequency Control by Demand Management (FCDM) for grid support or elective onsite use of electric power, when this can be supplied from the grid. This is primarily to differentiate data centres from 'diesel arrays' that voluntarily operate within the balancing market and importantly provide a clear way to demonstrate minimisation of emissions to air as 'emergency plant'.

Operational and management procedures should reflect the outcomes of the air quality modelling by minimising the duration of testing, phasing generators into subgroups, avoiding whole site tests and planning off-grid maintenance days and most importantly times/days to avoid adding to "at risk" high ambient pollutant background levels.



The permit application has assessed and provided evidence of the actual reliability of the local electricity grid distribution allowing the Environment Agency to judge that the realistic likelihood of the plant needing to operate for prolonged periods in an emergency mode is low. The Applicant confirmed that the generators have not run for more than 30-minutes as a result of a power outage in at least 5 years.

Reporting of standby generator maintenance run hours is required annually and any electrical outages (planned or grid failures regardless of duration) require both annual reporting and immediate notification of the Environment Agency. It is anticipated that the timescale of operation is likely to be short. They will only operate in this mode when the National Grid is off-line. The Applicant has put multiple measures in place to minimise the risk of National Grid supply failure including dual redundant power supplies.

### **Best Available Techniques**

As outlined in the Environment Agency's 'Data Centre FAQ' document, we accept that oil fired diesel generators are presently a commonly used technology for standby generators. Currently diesel generators are the preferred option for the supply of backup power for data centres and are a proven technology for providing reliable resilience of functionality which can be started from cold very quickly.

The default generator specification as a minimum for new plant to minimise the impacts of emissions to air of NO<sub>x</sub> is 2g TA-Luft (or equivalent standard) or an equivalent NO<sub>x</sub> emission concentration of 2000mg/m<sup>3</sup> at 5% reference oxygen and normal conditions. The Operator has confirmed that the AVK generators meet the 2g TA-Luft standard, but the CAT generators have emissions higher than this. These CAT generators were installed in two phases, the first four in 2017 and the following five in 2018. We acknowledge the engines are being permitted retrospectively and that it would not be practicable to require the Applicant at this stage to upgrade existing plant to BAT standards. However, these generators will be considered as part of the requirement to reduce short term nitrogen dioxide levels (improvement condition IC3).

The flues / exhaust stacks from the generators are at a height of 5.14 metres for the AVK generators and 9.6 metres for the CAT generators. They are existing generators so no stack height assessment done as part of the permit determination.

The installation has incorporated redundancy to help ensure that power provision is not interrupted even in the event of a mains failure. the redundancy arrangement for both generator configurations is n+1. This is when the site is at full electrical load. This arrangement means that there is a generator spare should one fail to start.

The main source of power at the installation is electricity, supplied via the National Grid. As with all buildings supplied with power via the national electricity grid, there is a risk that mains failure events (black outs) or fluctuations in quality

of mains power outside of acceptable limits (brown outs), will occur during the operational lifetime of the building. In the event of grid failure, power is initially provided by the site's Uninterruptible Power Supply (UPS) System (arrangement of batteries) until the sites generators start up and take the site electrical load. These start from 'cold' to take on the load from the UPS (typically within 15 – 30 seconds). The backup generators provide ongoing power until a stable mains electrical supply is restored.

The generators and batteries will be used solely for the purpose for generating power for the facility. No electricity will be exported from the installation.

We are satisfied that the installation meets BAT relevant to the permitted operation.

### **Site Drainage and groundwater**

In our review we noted that part of the wider Data Centre site is located upon a Principal Aquifer within the Lynch Hill Gravel Member formation. However, this aquifer does not underlie areas of the site used for combustion activities or associated fuel storage (the area covered by the installation boundary).

The following measures are proposed to prevent soil and groundwater contamination:

- There are petrol interceptors present to reduce the risk from spills entering the site drainage system.
- The site is covered in hardstanding, therefore reducing the likelihood of any potential route to ground for spilt fuel.
- Generator belly tanks are double skinned and alarmed in the event of leak / overspill.
- Fill points are located over drip trays to capture any spills.
- Fuel tanks are located behind walls to protect them from being struck by vehicles moving within the site.

Condition 3.1.2 of the environmental permit requires periodic monitoring at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

The data centre is already operational, the drainage and containment infrastructure are therefore already in place and pre-date the permit application. We have set an improvement condition (IC4) which requires the operator to review the drainage and fuel containment measures currently in place at the site against the standards set out in the Oil Storage Regulations. As part of this improvement condition, they must identify any required improvements and provide an implementation timescale to be agreed by the Environment Agency.

## **Decision considerations**

### **Confidential information**

A claim for commercial or industrial confidentiality has not been made.

The decision was taken in accordance with our guidance on confidentiality.

### **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.

### **Consultation**

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Local Authority - Environmental Health – Hillingdon London Borough Council
- Local Authority – Planning – Hillingdon London Borough Council
- Director of Public Health
- UK Health Security Agency

The comments and our responses are summarised in the [consultation responses](#) section.

### **Operator**

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

### **The regulated facility**

We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN2

'Defining the scope of the installation' and Appendix 1 of RGN2 'Interpretation of Schedule 1'.

The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

## **The site**

The operator has provided a plan which we consider to be satisfactory.

These show the extent of the site of the facility.

The plan is included in the permit.

## **Site condition report**

The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

The application is within relevant screening distance from the following statutorily protected conservation sites:

- South West London Waterbodies Special Protection Area (SPA) and Ramsar (approximate distance from the site: 5.8 km)

The Applicant also included a number of SSSIs within their risk assessment, however none of these sites are within 2km of the installation. We have therefore screened out potential impacts due to distance and they have not been considered further.

There are 13 Local Wildlife Sites (LWSs) within 2km of the installation.

The Applicant's modelling predicts possible exceedances of the short-term ES for NO<sub>x</sub> (24-hour mean) at two LWSs during Scenario 2 (emergency operation). However, the modelling is based on a worst-case and we consider that scenario 2 is unlikely to occur. The Applicant confirms that the generators have not run for

more than 30-minutes as a result of a power outage in at least 5 years. The structural preventative measures taken to avoid the occurrence of this emergency scenario make the source/pathway/receptor mechanism very unlikely to occur. For the installation, we consider that the reasonably likely source/pathway/receptor mechanism would consist of periodic testing operations of the engines (Scenario 1). For Scenario 1 the modelling showed that process contributions at all LWSs are predicted to be below 100% of the ES.

We have set improvement condition (IC3) to require the Operator to reduce NO<sub>x</sub> emissions further by reviewing the testing regime and assessing other opportunities to reduce emissions. The additional measures specified under IC3 are expected to achieve a reduction of impacts during both the testing and emergency operations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have not consulted Natural England. A Stage 1 Habitats Regulations Assessment (HRA) was sent to Natural England for information only. The decision was taken in accordance with our guidance.

## **Environmental risk**

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

## **General operating techniques**

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

## **National Air Pollution Control Programme**

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will

aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

## **Raw materials**

We have specified limits and controls on the use of raw materials and fuels.

## **Improvement programme**

Based on the information on the application, we consider that we need to include an improvement programme.

- We have included an improvement condition (IC1) requiring the operator to develop an air quality management plan in conjunction with the Local Authority.
- We have included an improvement condition (IC2) requiring the operator to detail proposals and subsequently undertake a monitoring programme to verify the predicted short-term nitrogen oxides (NOx) and dust concentrations at the boundary of the site or off-site locations of sensitive receptors as appropriate.
- We have included an improvement condition (IC3) requiring the operator to submit a report detailing the results and conclusions from the monitoring undertaken for IC2. IC3 also requires the operator to review of the options for reducing the predicted emission impacts.
- We have included improvement condition (IC4) to review the drainage and fuel storage containment at the site.
- We have included improvement condition (IC5) requiring the Applicant to submit a monitoring plan. This includes a proposal to install sampling ports to allow monitoring in line with the requirements of Table S3.1 of the permit.

## **Emission Limits**

We have decided that emission limits are not required in the permit. The engines are limited to <500 hours per year, therefore MCP ELVs do not apply.

## **Monitoring**

The generators are classed as existing medium combustion plants (MCP) however we have included the monitoring requirements within the permit, these are applicable from the relevant compliance date (01/01/2025).

## **Reporting**

We have specified reporting in the permit to ensure that the installation is being operated in line with that specified in the operating techniques and to ensure that we are notified immediately in the instance that the site ever operates in emergency scenario mode.

## **Management System**

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

## **Previous performance**

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

## **Financial competence**

There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

## **Growth duty**

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.

Paragraph 1.3 of the guidance says:

“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.”

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.

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.

## **Consultation Responses**

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

### **Responses from organisations listed in the consultation section:**

Response received from Hillingdon Council, Environmental Health.

Brief summary of issues raised: No issues raised.

Summary of actions taken: No action required.

No responses were received from the other organisations listed in the consultation section.