

## Permitting Decisions- Bespoke Permit

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We have decided to grant the permit for ULEC Energy Centres operated by UNIVERSITY OF LIVERPOOL ENERGY COMPANY LIMITED.

The permit number is EPR/ QP3004MW

The permit was granted on 03/09/2024.

The application is for

The Installation has aggregated thermal input of 65 MWth and will operate under schedule as a Section 1.1 Part A1(a) process - Burning any fuel in an appliance with a rated thermal input of 50 or more megawatts.

- Two 4.5 MWth natural gas fired combined heat and power (CHP) engines
- One 11 MWth natural gas fired combined heat and power (CHP) engine
- Three 15 MWth natural gas boilers;

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 to show how the main relevant factors have been taken into account.

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

Read the permitting decisions in conjunction with the environmental permit.

### 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.

We consulted the following organisations:

We sent copies of the Application to the following bodies, which includes those with whom we have “Working Together Agreements”:

- Local Authority – Environmental Health
- Local Authority – Planning
- Fire & Rescue
- Director of PH/UKHSA
- Health and Safety Executive
- National Grid

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

The regulated facility comprises of:

- Two 4.5 MWth natural gas fired combined heat and power (CHP) engines
- One 11 MWth natural gas fired combined heat and power (CHP) engine
- Three 15 MWth natural gas boilers;

The operator has provided the grid reference for the emission points from the site.

The permitted combustion plant includes existing MCP and Tranche A generators.

## **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 plans show the location of the part of the installation to which this permit applies on that site.

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.

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.

There is one local wildlife site (LWS) within the screening distance of 2 km (Everton Park and Nature Garden). There are six European sites within the screening distance of 10 km:

- Mersey Estuary SPA and Ramsar.
- Liverpool Bay SPA.
- Mersey Narrows and North Wirral Foreshore SPA and Ramsar.

- Dee Estuary SAC.
- Selton Coast SAC.
- Ribble and Alt Estuaries Ramsar and SPA.

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

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.

- The predicted the long-term NO<sub>2</sub> process contributions (PCs) are 'not insignificant' at some of the sensitive human health receptors, but the PECs do not exceed the relevant ES (Table 13 of the consultant's AQ assessment report).
- The short-term NO<sub>2</sub> PCs, as well as the PM, SO<sub>2</sub> and CO PCs are 'insignificant' at human health receptors (Tables 14 to 19 of the consultant's AQ assessment report).
- Therefore, emissions from the site are not likely to be a significant contributor to or cause an exceedance of an Environmental Standards.

## **Operating techniques**

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

### **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.

## **Operating techniques for emissions that do not screen out as insignificant**

Emissions of long-term NO<sub>2</sub> process contributions (PCs) cannot be screened out as insignificant. We have assessed whether the proposed techniques are Best Available Techniques (BAT).

The proposed techniques/ emission levels for emissions that do not screen out as insignificant are in line with the techniques and benchmark levels contained in the technical guidance and we consider them to represent appropriate techniques for the facility. The permit conditions enable compliance with relevant BAT reference documents (BREFs) and BAT Conclusions, and Emission Limit Values (ELVs) deliver compliance with BAT-Associated Emission Levels (AELs).

## **Operating techniques for emissions that screen out as insignificant**

Emissions of short-term NO<sub>2</sub> PCs, as well as the PM, SO<sub>2</sub> and CO PCs (Tables 14 to 19 of the consultant's AQ assessment report) have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

## **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.

## **Emission Limits**

Emission Limit Values (ELVs) and/or equivalent parameters or technical measures based on Best Available Techniques (BAT) have been added for the following substances:

The energy centre, which comprises three natural gas CHP engines and three natural gas boilers, has been permitted to operate up to 8,760 hours per annum at NO<sub>x</sub> ELV of 75 mg/m<sup>3</sup> (at 15% O<sub>2</sub>) for the CHP gas engines and NO<sub>x</sub> ELV of 100 mg/m<sup>3</sup> (at 3% O<sub>2</sub>) for the boilers. The ELVs for the gas engines of 75 mg/m<sup>3</sup> are lower than the MCPD limit of 95 mg/m<sup>3</sup> to prevent breaches of the environmental quality standards in accordance with the AQ assessment report submitted with the permit application.

We have included these limits based on recommendations of AQMAU following air quality modelling assessment and as specified by Medium Combustion Plant Directive and Specified Generator Regulations.

## **Monitoring**

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.

These monitoring requirements have been included in order not to exceed Environmental Standards.

We made these decisions in accordance with the requirements of the MCPD.

## **Reporting**

We have specified reporting in the permit.

Point source emissions to air reported once a year, parameters as required by condition 3.5.1 of the permit

We made these decisions in accordance with relevant technical guidance.

## **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.

We only review a summary of the management system during determination. The applicant submitted their full management system. We have therefore only reviewed the summary points.

A full review of the management system is undertaken during compliance checks.

## **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, UK Health Security Agency (UKHSA) and Liverpool City Council and the way in which we have considered these in the determination process.

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

Response received from UK Health Security Agency (UKHSA).

Brief summary of issues raised: The main emissions of potential concern are point source emissions to air including particulates, nitrogen dioxide, sulphur dioxide and carbon monoxide. However, UKHSA is satisfied that the control measures proposed by the applicant will ensure that there are no significant impacts on public health.

Reducing public exposures to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards has potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants and address inequalities (in exposure) and encourage their consideration during site design, operational management, and regulation.

Based on the information contained in the application supplied to us, UKHSA has no significant concerns regarding the risk to the health of the local population from the installation.

This consultation response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.

Summary of actions taken: No action required.

## **Representations from local MPs, councillors and parish/town community councils**

Response received from Liverpool City Council

Brief summary of issues raised: We have no objection to a permit being granted for this operation.

Summary of actions taken: No action required.