

# Medium Combustion Plant (MCP) and Specified Generator (SG) Regulations

## Contents

- [Overview](#)
- [MCP/Specified Generators: who needs to apply and by when?](#)
- [MCP/Specified Generators: when permits must be issued](#)
- [MCP/Specified Generators: how to apply for a permit](#)
- [MCP/Specified Generators: guidance](#)
- [MCP/Specified Generators: charges](#)
- [MCP/Specified Generators: how to comply](#)
- [Contact Information](#)

## Overview

The Environmental Permitting (England and Wales) (Amendment) Regulations 2018 were published (2018 No.110) in January 2018 to transpose the requirements of the Medium Combustion Plant Directive (MCPD) EU/2015/2193 of 25 November 2015 and to control emissions from the operation of Specified Generators.

Medium Combustion Plants and Specified Generators are a major source of air pollutants that may cause harm to human health and the environment. The Medium Combustion Plant Directive (MCPD) sets out rules to control emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>) and dust into the air. The Specified Generator regulations also control emission to air, primarily NO<sub>x</sub>, from generators that would not be captured by the MCPD. Together they seek to protect the environment by securing reductions of these pollutants.

Within the regulations the requirements for Medium Combustion Plants (MCPs) are set out in Schedule 25A and for Specified Generators (SGs) in Schedule 25B. The schedules include significant dates for submitting a permit application.

The Environment Agency administers the scheme for the UK and regulates the scheme in England. Other UK regulators include: Scottish Environment Protection Agency (SEPA), Northern Ireland Environment Agency (NIEA) and Natural Resources Wales (NRW)

Sections of this document cover the permit application process, including guidance, charges, and how to comply with the regulations.

## MCP/Specified Generators: who needs to apply and by when?

Operators of an MCP and Specified Generators that are in scope will require an environmental permit under schedule 25A and 25B of the Environmental Permitting Regulations. A permit is determined by the capacity, emissions and operating hours of the plant.

MCP applies to combustion plant with a rated thermal input (th) equal to or greater than 1 MW (Mega Watt) and less than 50 MW regardless of the fuel type.

Specified generators are any combustion plant which are used to generate electricity and are on a site aggregated to less than 50 MWth. Specified generators are also divided into Tranche A and B depending on the electricity supply contract they may have. Full details of what is in scope is in the MCP and SG guidance.

The Environment Agency is working to determine bespoke applications within 12 weeks of receiving a duly made application. For standard rules applications the time is slightly shorter as there is no need for consultation with statutory consultees.

Operators are asked to bear these schedules in mind when planning the making of their applications. We have received a number of queries regarding the regulatory timescales and our position should permits not be issued in time. It is our aim to work with operators and to ensure as far as possible permits are issued on time. Should we receive a large number of applications towards Christmas we will endeavor to complete our permitting activities as soon as we can. We do not intend to take regulatory action against any operator who has applied in sufficient time for us to determine their application.

### MCP/Specified Generators: when permits must be issued

Significant permitting dates for Medium Combustion Plant and Specified Generators (Tranche A and B) are included in the table below. It should be noted that MCPs which are also SG must comply with both requirements. The earlier permitting dates and tighter Emission Limit Values (ELVs) will always apply.

#### **Timescale for implementation of in scope MCPD and Specified Generator controls**

<b>20/12/2018</b>	<b>New MCPs must be permitted, emissions tested within four months of permit issue and comply with Emission Limit Values (ELVs)</b>
<b>01/01/2019</b>	<b>Tranche B generators must be permitted and comply with standard permit conditions</b>
<b>01/10/2019</b>	<b>Tranche A 5-50MW generators with emissions above 500mg/m<sup>3</sup> (15% O<sub>2</sub>) which operate for more than 50h per annum must be permitted.</b>
<b>01/01/2024</b>	<b>Existing MCPs above 5MW must apply for a permit and test emissions within four months of permit issue</b>
<b>01/01/2025</b>	<b>All existing plant above 5MW must comply with MCPD ELVs</b> <b>Remaining Tranche A 5-50MW generators must be permitted.</b>

01/01/2029	Existing MCPs 5MW and below must apply for a permit and test emissions within four months of permit issue
01/01/2030	Existing MCPs 5MW and below must comply with ELVs  Tranche A 1-5MW and sub 1 MW generators must be permitted.

An explanation of what we mean by Tranche A and Tranche B can be found in the MCP/SG technical guidance.

### Plant that are permitted under Part B of the EPR

Existing 1.1B (combustion) plants will not be subject to MCP until 2025, whereas 5.1B (incineration) plants will not be subject to MCP until either 2025 or 2030 depending on their capacity, and will remain under Local Authority (LA) regulation until this time.

Further guidance on the influence of the MCP Regulations on Part B plants is available in the documents below.

### How to obtain pre-application advice

The Environment Agency has established [MCPDHELP@environment-agency.gov.uk](mailto:MCPDHELP@environment-agency.gov.uk) which can be used to raise queries on the regulations and our approach to permitting of these sites. Alternatively, operators may choose to contact their local Environment Agency office.

### MCP/Specified Generators: how to apply for a permit

Operators of an MCP including Specified Generators should apply as follows:-

- Existing Local Authority (LA) permit – if your combustion plant is part of a LA permit (EPR Part A2 or B) you will need to apply for a new permit: See MCPD/SG guidance and Part B guidance positioned below this document.
- For MCPs and Specified Generator that do not have a permit we have two methods of applying for a permit - a bespoke application using Form B2.5 in conjunction with Forms A and F or a Standard Rules Permit application using an electronic form.
- Or you could vary your existing permit if adding a new MCP. If varying an existing permit see Form C2 available [here](#).

New and amended existing Standard Rules Permits (SRP) for low risk MCPs and Tranche B Specified Generators have been developed in consultation with industry representatives. The rules are based on a generic risk assessment which included air quality modelling. Copies are available [here](#).

#### Applying for a Standard Rules permit

Operators meeting the conditions for a standard rules permit should complete the standard rules electronic application form (*MCPApp\_releaseV01\_1.xism*) which is available on the MCPD Web Page on Citizen Space on Gov.uk under **Related Documents**.

If this electronic form is not suitable please contact: [MCPDHELP@environment-agency.gov.uk](mailto:MCPDHELP@environment-agency.gov.uk).

All completed MCP and Specified Generator SRP applications should be sent to [mcpd-application@environment-agency.gov.uk](mailto:mcpd-application@environment-agency.gov.uk)

It should be noted the SRPs for Tranche B Specified Generators are for sites that only have Tranche Bs. If the site has mixed A & Bs on site then a bespoke application is required.

The suite of SRPs available are:

SR2018 No 1: Specified Generator, Tranche B low risk, base load operation between 0 – 5 MWth

SR2018 No 2: Specified Generator, Tranche B low risk, base load operation 0 – 2 MWth with high background NOx

SR2018 No 3: Specified Generator, Tranche B low risk, base load operation 0 – 2 MWth in Air Quality Management Areas or high ambient NOx

SR2018 No 4: Specified Generator, Tranche B low risk, 0 – 20 MWth of gas or abated diesel engines operated less than 500 hours a year

SR2018 No 5: Specified Generator, Tranche B low risk, 0 – 20 MWth of gas or abated diesel engines operated less than 1,500 hours a year

SR2018 No 6: Specified Generator, Tranche B low risk, base load operation 0 – 1.3 MWth with high background NOx

SR2018 No 7: New, low risk, stationary Medium Combustion Plant 1 < 20MWth (in operation after 20/12/2018)

SR2018 No 8: mobile plant Specified Generator, Tranche B low risk, base load operation <1 – 2 MWth

SR2018 No 9: Specified Generator, Tranche B low risk, base load operation between 0 – 0.9 MWth

The above nine SRPs are available via:

<https://www.gov.uk/government/collections/standard-rules-environmental-permitting>

[Standard rules SR2009 No 4 – Combustion of biogas in new Medium Combustion Plant engines at a sewage treatment works](#)

Standard rules for anaerobic digestion and use of biogas ([SR2012 No 9](#), [SR2012 No 10](#), [SR2012 No 11](#) and [SR2012 No 12](#))

#### Bespoke permit applications

If an operator is unable to meet the standard rules conditions they will need to apply for a bespoke permit. They should complete the bespoke application form (*EPR application form Part 2.5B in Word final Sept 18 (bespoke)*) which is available on the MCPD Web Page on Citizen Space on Gov.uk under **Related Documents** and also complete and return Form A & Form F available [here](#).

We have developed a tool (SG Screening tool) that allows an operator to differentiate between a simple and a complex bespoke permit. This tool will also allow for sites with mixed Tranche A & B generators providing the Tranche As can meet the Tranche B requirements.

For complex bespoke applications for a Specified Generator applicants should use the guidance “Guidance on dispersion modelling for oxides of nitrogen assessment from specified generators” available below. This will guide you as you carry out dispersion modelling in support of your bespoke application and it will enable site specific permit conditions to be set to protect the environment.

## MCP/Specified Generators: guidance

In addition to environmental permitting guidance on Gov.UK (available [here](#)) the following guidance is available below this document to support the making of an application:

- MCPD Interim guidance final
- Generator guidance interim final
- M5 Monitoring requirements for the MCPD & Specified Generators draft
- Specified Generator modelling guidance-interim final
- Final draft EPR technical note 1-1(18)
- Final draft EPR technical note 5-1(18)
- Specified Generator TB Screening Tool-v1.0
- EPR application form Part 2.5B in Word\_final Sept 18 (bespoke)
- MCPApp\_releaseVO1\_1 (Electronic SRP application form)

## MCP/Specified Generators: charges

For charges relating to bespoke permitting activities for medium combustion plants please refer to Table 1.10 of the [Environmental permitting charging scheme](#). Subsistence charges are based on a time and materials system.

The Environment Agency ran a six week public consultation on its proposals for MCP/SG standard rules and recently published its [response](#). Within the response the charges assigned to each of the standard rules were confirmed and are displayed below:

### SR2018 No 7 standard rules for new, low risk, stationary Medium Combustion Plant 1 < 20MW

Number of MCPs	Application charge £	Subsistence charge £	Transfer charge £	Surrender charge £
1	446	194	169	125
up to 3	520	256	169	125
up to 5	620	342	169	125
up to 8	720	394	169	125
up to 10	779	520	169	125

up to 15	813	620	169	125
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**Specified generators standard rules SR2018 No 1, SR2018 No 2, SR2018 No 3, and SR2018 No 4, SR2018 No 5, SR2018 No 6 and SR2018 No9**

- an application charge of £221
- a transfer charge of £169
- a surrender charge of £125
- an annual subsistence charge of £246

**SR2018 No 8 mobile plant specified generator**

- an application charge of £221
- a transfer charge of £169
- a surrender charge of £125
- an annual subsistence charge of £273
- no charge for deployment

Charges for the revised standard rules for combustion of biogas at sewage treatment works (SR2009 No 4) and combustion of biogas from anaerobic digestion facilities (SR2012 No 9, SR2012 No10, SR2012 No 11 and SR2012 No 12) remain unchanged.

A significant change for Environmental permitting is that the Environment Agency has introduced extra (supplementary) charges that some customers will need to pay on top of the fixed application and annual subsistence charges.

These supplementary charges will only apply if the Environment Agency needs to do extra or unusual regulatory work. Assessing the impact of emissions to air on a habitat's<sup>1</sup> site is an example of this supplementary charge. See Table 1.19.2 for details.

To enable operators to differentiate between the two levels of charges for permit applications for medium combustion plant (see Table 1.10) the Environment Agency has introduced its Specified Generator screening tool. A medium combustion plant location which does not require dispersion modelling to assess the impact of its emissions to air is by definition of lower risk than a site which does. Therefore we have decided that it is proportionate for the Habitats assessment charge to be supplemented only to bespoke applications which require detailed modelling.

[MCP/SG: how to comply](#)

Operators must:

- Hold a permit for an operational plant by the relevant deadline
- Comply with their permit conditions
- Monitor emissions to demonstrate compliance with the ELVs in their permit and at the prescribed frequency

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<sup>1</sup> "habitats assessment" means an assessment of the risks to a European Site within the meaning of the Conservation of Habitats and Species Regulations 2017;

- Keep records of the operation of their plant for at least six years to demonstrate compliance
- Pay an annual subsistence charge

It is likely that subsistence charge bills will not be issued until the start of the next financial year – April 2019. Subsistence charges will then be backdated to the effective date of the permit, for example 20<sup>th</sup> December 2018 or 1<sup>st</sup> January 2019.

Operators should be aware that if any permit conditions are breached that it may impact on their future subsistence charges.

## Contact information

For information on how your site will be regulated by the Environment Agency and any general enquiries contact MCPDHELP at the email address below:

[MCPDhelp@environment-agency.gov.uk](mailto:MCPDhelp@environment-agency.gov.uk)