

Information Request ref: S13A/001/I01/14

North East Lincolnshire Council
The Environmental Permitting (England and Wales) Regulations 2010 (as amended)

Schedule 5, paragraph 4(1)

Further Information Notice

To Energy Pyrolysis Ltd
145 – 157 St. John Street
London
EC1V 4PW

North East Lincolnshire Council (“the Council”), in the exercise of the powers conferred upon it by paragraph 4(1) of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2010 (as amended) (“the 2010 Regulations”) hereby requires you-

- (a) to furnish the Council at the address set out below the information specified in the Schedule attached to this Notice (“the Schedule”), being information which the Council requires for the purpose of determining your environmental permit application;
- (b) to furnish that information in writing or by email in Microsoft Word, Microsoft Excel or Adobe Acrobat (Version 9) format;
- (c) to furnish that information by the date specified in the Schedule.

Please mark all submissions with the reference S13A/001 and send them for the Attention of Vicky Thompson to

Environment
Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire Council
DN31 1HU

email: vicky.thompson@nelincs.gov.uk (please include in the subject line “Commercial Team – Pollution”)

Signed on behalf of the Council

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John Waite
Deputy Manager – Waste Enforcement
An authorised officer of the Council.

Date 14th Oct 2014

Schedule

Information to be supplied to the council	Reason for requiring the information
<ol style="list-style-type: none"> 1. Proposals for continuous emissions monitoring and periodic extractive emissions monitoring, including sampling point locations, parameters to be measured and sampling frequencies. 2. Proposals of how monitoring results will be displayed, recorded and reported. 3. Clarification on trigger and alert systems to be employed and procedure and actions to be taken in the event monitoring results should show elevated / exceeded Emission Limit Values. 	<p>Appendix 6 of the application provides emission screening results but does not provide clear information on parameters to be continuously or periodically monitored.</p>
<ol style="list-style-type: none"> 4. Proposals for method to be used to ensure the gas resulting from the incineration of waste is raised, after the last injection of combustion air, in a controlled and homogeneous fashion and even under the most unfavourable conditions, to a temperature of at least 850 °C for at least two seconds. 5. Description of how the temperature will be measured including location of sampling point in the combustion chamber 6. Proposals for verifying the residence time, concentration of oxygen and pressure of the combustion gas. 	<p>Appendix 3 (Non-technical summary) of the application informs that the combustion process continues by incinerating the gases produced by the pyrolysis process, thus the combustion process is fuelled by a gas derived from a waste and WID applies. It is not clear within the application how the combustion process will meet the requirements to raise the combustion gases to a temperature of at least 850°C for at least two seconds. See Article 50 of IED.</p>
<ol style="list-style-type: none"> 7. Provide a description of the techniques to be used to minimise the amount and harmfulness of any residues from the heat treatment and combustion processes including the quality (total organic carbon content and/or loss on ignition) and quantity of residues produced, handling and storage of these residues, proposals for minimising/recycling and disposal, and information on the chemical constituents of the residues. 	<p>Appendix 8 (waste minimisation techniques) of the application outlines some information on pyrolysis oil and carbon black produced, further information required on the quantity, quality produced and how handled and stored.</p>

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8. Description of what happens to the effluent from waste gas cleaning.	It is not clear how the effluent from waste gas cleaning is handled.
9. Description of the induction training for persons operating the plant, making it clear how the plant will be staffed to ensure that a competent person will be on site, or available to manage the plant, at all times the plant is in operation.	Appendix 11 does not make it clear that the persons operating the plant will have the necessary competence in the procedures required to ensure compliance with the permit requirements and dealing with normal and abnormal operating conditions, and with emergency procedures.

The information shall be supplied in writing (which includes electronic submission in a format that can be opened using Adobe Acrobat version 9, Microsoft Office 2008) before 14th November 2014.

End of Schedule

Guidance for operators receiving a Further Information Notice

(This guidance does not form part of the Further Information Notice, but it is for the guidance of those served with the notice. More guidance can be found in the General Guidance Manual at: <http://www.defra.gov.uk/industrial-emissions/las-regulations/guidance/>.)

Dealing with a Further Information Notice

The Council has accepted your application for an environmental permit as duly-made, but considers it requires further information in order to determine the application.

The legal person named in this Notice is required to supply the information detailed in the Notice or attached Schedule within the timescale specified.

Confidentiality

An applicant may request certain information to remain confidential, ie not be placed on the public register. The applicant must request the exclusion from the public register of confidential information at the time of supply of the information requested by this notice or any other notice. The applicant should provide clear justification for each item wishing to be kept from the register. The onus is on the applicant to provide a clear justification for each item to be kept from the register.

The test of whether information is confidential for the purposes of being withheld from the public register is complex and is explained, together with the procedures, in chapter 8 of the General Guidance Manual.

National security

Information may be excluded from the public register on the grounds of national security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the applicant may apply to the Secretary of State/Welsh Ministers, specifying the information and indicating the apparent nature of risk to national security. The applicant must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.

Failure to comply, and appeals

If an applicant fails to provide the information specified in a Further Information Notice by the deadline given, the local authority may serve a further notice on the applicant stating that the application is deemed to be withdrawn. The applicant is not entitled to the return of his/her application fee in such cases.

The applicant has 15 working days from the date the notice of deemed withdrawal is served within which to appeal under regulation 31(1)(c) against the deemed withdrawal.