

TNP Summary Guidance

Introduction

This document is a summary of the requirements and responsibilities placed on Operators of plants participating in the UK Transitional National Plan (TNP) and applies to plants regulated by the Environment Agency, National Resources Wales, the Scottish Environment Protection Agency and the Northern Ireland Environment Agency. Within this summary guidance, the ‘Environmental Regulator’ is the normal regulatory reporting contact for the plant, unless otherwise stated.

The UK TNP runs from 1st Jan 2016 to 30th June 2020 and provides for Large Combustion Plants, having a Net Thermal Input of $\geq 50\text{MW}_{\text{th}}$, to comply with the Industrial Emissions Directive (IED)¹ by means of annual mass emission allowances, subject to continuing to comply with their permit Emission Limit Values, i.e., concentration limits. Further information concerning the requirements placed on Operators of TNP participating plants is available in the full TNP Guidance document² which also describes the requirements of the UK TNP Regulations³ in more detail. The emissions allowances generally decrease each year between 2016 and 2019 and are then pro-rated for the first half of 2016.

The TNP optionally applies to any, or all, of the following IED pollutants, as previously nominated by the Operator: NO_x (nitrogen oxides); SO₂ (sulphur dioxide) and Dust. However, the TNP can only apply to NO_x in the case of gas turbines.

Emissions allowances must be held by the Operator to at least match the actual mass emissions of the plant. No emission allowance in respect of a participating plant may be carried forward from one calendar year to the next but transfers of allowances can be made between participating plants.

The Environment Agency is obliged to maintain a Register of allowances, entered no later than 31 December in the year prior to the reporting year, and actual plant emissions and must additionally record transfers of allowances, expressions of interest to transfer and notifications of plant closure (or reduction of the thermal input to below 50 MW). All of the required information is submitted to the Register electronically (via the Environment Agency). All forms referred to in this summary guidance are available from the TNP web page hosted on GOV.UK, noting that only pre-authorized company representatives can submit these forms.

The email address of the Register is TNP@environment-agency.gov.uk.

¹ DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions (integrated pollution prevention and control), Official Journal of the European Union, L 334/17 – 119.

² TNP Regulatory Guidance, Dec 2015.

³ STATUTORY INSTRUMENT 2015 No. 1973 ENVIRONMENTAL PROTECTION The Large Combustion Plants (Transitional National Plan) Regulations 2015.

Requirements on Operators

Submission of Mass Emission Reports

Each Operator of a participating plant must submit a quarterly report of the actual monthly mass emissions of each pollutant that is included in the TNP (do not include emissions of pollutants that are not included in the plant TNP). The reported emissions must be in tonnes, noting that no other unit of measurement will be accepted.

The quarterly report must be submitted by correctly completing Form IED RTA1 (an Excel spreadsheet) and sending it electronically via email to the TNP Register and the Environmental Regulator within 28 days of the end of the applicable quarter.

The final quarterly report is the annual report, noting that the annual total is automatically calculated within IED RTA1.

Note that total annual plant energy consumption must be reported for all plant, by fuel category, according to the IED Article 72. This is done by submitting form IED AR1 (Excel spreadsheet) to the Register, copied to the Environmental Regulator, for plant in England. Form IED AR1 is returned to the Environmental Regulator (NRW) for plant in Wales. In Scotland and Northern Ireland, Operators of Large Combustion Plant should follow the annual reporting conditions specified in their permits.

Transferring emissions allowances

Notification of transfer

To transfer part of an emission allowance between two participating plants, the Form IED TON1 must be correctly completed by both plants participating in the transfer and must include the divesting and acquiring signatories from each plant. This can be the same signatory if the plants are owned and operated by the same entity/company. The form IED TON1 must be emailed in pdf format to the Register, and copied to the Environmental Regulator, within 5 days of the date of which the transfer was made. The Environment Agency is obliged to record the transfer in the register within 10 working days.

The transfer of an emission allowance which results in a participating plant having an emission allowance of zero or less than zero is void. Failure to notify within 5 working days of the transfer also voids the transfer.

The transfer scheme allows the Operator of a participating plant the opportunity to acquire further emission allowances until **31st March** of the following year to at least balance their account. Compliance will be assessed by **30th April**. If the Operator does not possess enough emission allowances to at least match the actual emissions from the previous year, this will be a breach of a permit condition and the Regulator will consider taking enforcement action.

Expressions of interest to transfer

If an operator of a participating plant wishes to advertise on the Register a willingness to divest or acquire a quantity of emission allowances for that plant, then the operator must notify the Register, and copy to the Environmental Regulator, by correctly completing form IED TAA1 and emailing this, in pdf format, to the Register. To withdraw or to vary a previously recorded advertisement, the same process applies. The Environment Agency

must ensure that the new advertisement (or variation or withdrawal) is recorded on the Register within 10 working days of receipt.

Plant Closure or Plant Variation

If an Operator of a participating plant intends to close the plant, then the operator must notify the Environmental Regulator, and copy in the Register, by correctly completing then emailing Form IED NTC1. The Environment Agency is obliged to record the notification of closure in the Register within 10 working days of receipt.

The participating plant will be considered closed by the Regulator once it has definitively stopped operating. The Operator needs to give the relevant Regulator as much notice as possible that the plant is closing. The Regulator will consider enforcement action if a plant is de facto closed but the notice of closure is missing or delayed.

The same process applies to a plant variation in which the plant ceases to be a Large Combustion Plant. The form IED NTC1 must be correctly completed, ensuring that the thermal input(s) for the remaining unit(s) is/are correctly determined, expressed in the correct format and included in the relevant box on form IED NTC1.

In all cases, the Regulator is obliged to amend the emission allowance for the participating plant, for the year in which the closure/variation takes place, within 10 days of receipt of the notification of closure/variation and to make any required adjustments to the plant permit in due course. The emissions allowance is pro-rated in the first instance but the Operator may propose a seasonal adjustment to the Regulator based on historic performance. *For example, if the plant is scheduled to close on 31 March (the end of the first quarter), the annual emissions allowance would normally be reduced by 75% but, if the plant has historically generated 50% of annual emissions in the first quarter, the Operator can request a reduction in allowances of 50%.*

The Environment Agency is required to record in the Register any reduction in emissions allowance within 10 days of a plant closure/variation notification, for plant directly regulated by the Agency, or within 10 days of being informed of the emissions reduction by another Regulator.

Checking of Reports

For plant participating in the TNP, the emissions reports submitted each quarter will be self-verified. Any errors in reported emissions must be reported to the Environmental Regulator and the Register.

In order to be in a position to self-verify, operators must define and comply with an acceptable Quality Assurance approach for the gathering and reporting of emissions data, including flue gas flow rate, noting that further details are given in the full guidance².

The preference is for continuous monitoring and operators are required to:

- take all necessary measures throughout the year so that the data reported are of a high standard - this will be based largely on compliance reporting.
- ensure monitoring is to MCERTS standards in England and Wales, with appropriate equivalent measures being applied in Scotland and in Northern Ireland;

- take particular care to choose the most appropriate method for monitoring to ensure that the results from LCP with a thermal input within the 50 – 100MW range are of sufficient quality.

For plant with continuous monitoring, EN 14181 specifies three Quality Assurance Levels: QAL1 (use suitable instruments – generally requiring MCERTS certification); QAL2 (calibration of the instruments using an accredited Test Laboratory – resulting in QAL2 calibration factors); QAL3 (ongoing zero and span drift checks plotted on a control chart) and an Annual Surveillance Test – the AST – in which an independent Test Laboratory checks the ongoing validity of the QAL2 calibration. The Environmental Regulators now require that QAL2 factors are applied under all circumstances from 1 Jan 2016 unless otherwise agreed with the local Regulatory Officer.

For the purposes of transparency, key emissions monitoring information must therefore be reported to the Environmental Regulator by 31 March 2016 and by 31 January in subsequent years, on the templates provided in the full guidance² (or by submission of QAL2 and AST reports in Scotland). A return is required for each TNP pollutant, each peripheral measurement that is used to correct the emissions to reporting conditions, e.g., oxygen, and for flue gas flow rate (measured or calculated).

Additional Resources

Further information can be found:

- on the TNP webpage, hosted by GOV.UK
- by emailing TNPHelp@environment-agency.gov.uk