

Regulatory position statement 192

Interim position on standard rules for anaerobic digestion - point source emissions to air

We intend to amend our standard rules for anaerobic digestion (AD) by specifying additional emission points and sources that operators can use. This RPS will cover the period until we release the amended standard rules set.

Background

We have the following standard rule sets that cover AD facilities:

- SR2010 No 15 on-farm AD facility (for existing operators, valid only until July 2015)
- SR2010 No16 'merchant' AD facility (for existing operators, valid only until July 2015)
- SR2012 No 9 on-farm AD part A installation over 100t/day
- SR2012 No 10 on-farm AD waste operation under 100t/day
- SR2012 No 11 'merchant' AD part A installation over 100t/day
- SR2012 No 12 'merchant' AD waste operation under 100t/day

The three 'merchant' AD standard rules all require that "Wastes shall be stored or treated within enclosed containers, reactor vessels or enclosed well-ventilated buildings fitted with a biofilter and/or scrubbing system". Although not specifically required, on-farm AD plants may also use biofilters and/or scrubbing systems. This is likely to increase as more on-farm AD plant operators recognise the advantages of using low grade waste heat to dry digestate fibre to produce a solid fertiliser that is easier to transport and easier to use. These drying units are likely to have built-in exhaust air biofilters and/or scrubbing systems.

Depending on the design, the exhaust air from biofilters and scrubbing systems is either released as diffuse emissions or from stacks or vents (point source emissions). Using stacks or vents can give better control over the release and dispersion of the exhaust air.

However, although all of the AD standard rules sets allow point source emissions to air, this is only from those points and sources listed; these are stacks on engines, stacks on boilers burning biogas, auxiliary flares and pressure relief valves. They omit to include any emissions to air from stacks or vents from biofilters or scrubbing systems.

This has come to light as part of the recent Tranche 12 consultation on changes to standard rules. We intend to correct this omission in revised AD standard rules, but the earliest that we can publish the revised standard rules is likely to be Autumn 2015.

Similarly, we are seeing an increase in the upgrading of biogas to biomethane. The plant and equipment used for this is likely to have emissions to air released through a stack or vent. We will also include these as additional emission points and sources in the AD standard rules.

We have decided to adopt a position to allow the use of these additional emission points and sources in the interim.

Our approach

Until such time as the AD standard rules are amended, we will accept point source emissions to air from stacks and vents:

- from biofilters and/or scrubbing systems and
- from biogas upgrading plant

provided that, in the case of biofilters and scrubbing systems, they are regularly checked and maintained to ensure that they remain effective (how this should be done should be set out in the management system).

This will apply both to existing AD standard permits and to any new permits issued.

The existing standard rule requirements including those in relation to the management system (rule 1.1), control of emissions (rule 3.2) and odour (rule 3.3) will in any case apply during this interim period.

Enforcement

In applying this position we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please see our [Enforcement and Sanctions](#) statement.

This statement is based on our understanding of the relevant legislation. It applies to England only. You can get advice on the approach being taken in Wales from Natural Resources Wales.

This regulatory position will remain effective only until the current AD standard rules are amended. It may be reviewed before that time if we become aware of any environmental issues or misuse.

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