

## Regulatory position statement

### Regulation of combustion plant burning biogas derived from anaerobic digestion of sewage sludge on sewage treatment works

#### Purpose

Combustion plant on sewage treatment works burning biogas generated from the anaerobic digestion of sewage sludge, requires a permit under the Environmental Permitting Regulations (EPR). A significant number of water utility companies have yet to apply for an appropriate permit.

For combustion units less than 3MW thermal input, we are prepared to accept a delay from water utility companies in submitting their applications for a permit, pending publication of revised standard rules towards the end of 2011.

This regulatory position statement does not apply where applications can be made under our current published standard rules (SR). Such applications should be made as soon as possible.

#### Background

The majority of water utility companies operate combustion plant which burn biogas derived from the anaerobic digestion of sewage sludge in units less than 3MW thermal input. We regulate such activities as a waste operation and have developed standard rules to streamline the application process – [SR2009No.4 - combustion of biogas in engines at sewage treatment works](#). If the rules can be met, we can reduce our technical assessment and associated application fee. Permits can be obtained more quickly and are cheaper than a bespoke permit.

We intend to revise SR2009No.4 and have now consulted on this to allow more operators who recover the heat from the burning of biogas to benefit from this approach.

#### Our approach

##### Combustion units less than 3MW thermal input

We intend to publish revisions to SR2009No.4 by December 2011. We are prepared to accept a delay in applying for SR permits, but applications must be made within one month from the date of publication of the revisions.

Draft rules will be shared with water utility companies by end of September 2011. If water utility companies are still unable to make use of the rules, they must then apply for a bespoke waste permit. The timetable for this should be agreed with their local officer.

## Enforcement

In not pursuing an application for a permit, 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 can be found on the '[How we regulate you](#)' page in the Business & Industry section of our web site.

This regulatory position will be reviewed by May 2012.

**MWRP RPS 109 Version:2**

**Issued: January 2012**

customer service line  
03708 506 506

incident hotline  
0800 80 70 60

floodline  
0845 988 1188

[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)