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| AQTAG 14 Guidance on identifying ‘relevance’ for assessment under the Habitats Regulations for Environmental Permitting Regulations (EPR) installations with combustion processes |  |
| Author: AQMAU | Status: Final |
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1. **Purpose of Guidance**
	1. The purpose of this guidance is to help the Agency's National Permitting Service and Natural England (NE) to identify releases from combustion processes for installations permitted under the Environmental Permitting Regulations which are ‘relevant’ to the tests of the Habitats Regulations.
2. **Summary of Work**
	1. The following conservation designation screening distances for air quality impacts from combustion sources have been developed by the Air Quality Modelling and Assessment Unit (AQMAU). These are a revision to the previous AQTAG14 screening distances. They have been derived to provide a set of distance screening criteria to assess impacts of air quality emissions from environmental permit applications which will be protective of European, national and locally designated conservation areas.
	2. The work was originally undertaken in response to a request from the Environment and Business (E&B) directorate of the Environment Agency in 2017, as detailed in the accompanying ‘Proposal to consider screening distances for habitats to be input into H1’ scoping document produced by AQMAU.
	3. The work request was updated in 2019 to incorporate screening distances for installations which fall under Medium Combustion Plant Directive (MCPD).
3. **Related Documents**
* Guidance: LIT 15674 (13 May 2021) – [“Habitats Regulations Assessment (HRA): assess permissions, plans or projects”](https://defra.sharepoint.com/%3Aw%3A/r/sites/def-contentcloud/_layouts/15/Doc.aspx?sourcedoc=%7B0272afa3-be9a-4fc4-b908-70046f1394ce%7D&action=default&mobileredirect=true) (replaces OI 182\_01 and 183\_01).
* Work Instruction: 141\_07 (14/05/2012) [Applying the Habitats Regulations to water quality permissions to discharge: reviewed and new applications](https://defra.sharepoint.com/%3Aw%3A/r/sites/def-contentcloud/_layouts/15/Doc.aspx?sourcedoc=%7B12256407-bcd0-4a09-a3a1-9f0f23413059%7D&action=default&mobileredirect=true&cid=2a7eea68-5aa9-43cb-b3ca-2192d51c4234). This replaces 95\_01 (31 March 2004)
* Environment Agency Operational Instruction 66\_12[: Simple assessment of the impact of aerial emissions from new or expanding IPPC regulated industry for impacts on nature conservation](http://ams.ea.gov/ams_root/2012/51_100/66_12.doc) (issued 08/05/2012).
* Environment Agency Operational Instruction 67\_12: [Detailed assessment of aerial emissions from new or expanding IPPC regulated industry for impacts on nature conservation](http://ams.ea.gov/ams_root/2012/51_100/67_12.doc) (issued 08/05/2012).
* Environment Agency Operation Instruction 254\_06: [Assessment of new control of Major Accident Hazards (COMAH) permissions under the Habitats Directives](http://ams.ea.gov/ams_root/06/6_09_habitats_directive/254_06.doc) (issued 16/10/2012).
1. **Background**
	1. There is a four stage process for carrying out assessments under the Habitat Regulations:
		* Stage 1 Identification of relevant permissions;
		* Stage 2 Assessment of likely significant effect for ‘relevant’ permissions
		* Stage 3 Appropriate assessment for ‘significant’ permissions
		* Stage 4 Determination of the application.
2. **Supplementary Stage 1 Guidance**
	1. In order to identify applications for installations with combustion processes that are relevant under the Habitats Regulations having used the relevant Stage 1 distance screening criteria (15km for power stations over 100 MWth and 10km for other EPR installations), the following supplementary guidance should be used.
	2. The distance screening criteria outlined in Table 1 must be used to identify applications that are relevant for assessment of air pollution impacts at European sites and Sites of Special Scientific Interest for all installations with combustion processes.
	3. The distance screening criteria outlined in Table 2 must be used to identify applications that are relevant for assessment of air pollution impacts at local sites for all installations with combustion processes.
	4. Standard rules or other regulatory position statements take precedence over this supplementary guidance. There may also be local considerations that would take precedence over this supplementary guidance. NPS should consult with local Area teams to ensure any relevant local knowledge is incorporated in the assessment.
	5. Combustion processes from installations within the size and distance from European site criteria shown in Tables 1 and 2 should be taken forward to Stage 2 to assess their likely significant effect.

**Table 1. European sites and Sites of Special Scientific Interest screening distance criteria for installations with combustion processes.**

| **Combined rated thermal input (MWth)1** | **Distance to site (European site or Site of Special Scientific Interest)** |
| --- | --- |
| **Fuels with no SO2 ELVs2** | **Lower sulphurous fuel2** | **Higher sulphurous fuel2** |
| **Natural gas (NG) and gas oil combustion appliances3** | **Gas other than NG combustion appliances4** | **Solid and liquid heavy fuel oil combustion appliances5** |
| <1 | 500 m | 750 m | 1.5 km |
| 1 - 2 | 750 m | 1 km | 2 km |
| 2 – 5 | 1 km | 1.5 km | 4 km |
| 5 – 10 | 1.5 km | 4 km | 8 km |
| 10 – 20 | 2.5 km | 5 km | 10 km |
| 20 - 50 | 5 km | 10 km | 13 km |
| 50 - 100 | 7 km | 12 km | 15 km |
| 100 - 500 | 10 km | 15 km | 15 km |
| 500 – 1,000 | 15 km | 15 km | 15 km |

**Table 2. Local nature site screening distance criteria for installations with combustion processes.**

| **Combined rated thermal input (MWth)1** | **Distance to site local nature site (Local Nature Reserve, Local Wildlife Site, or Ancient Woodland)** |
| --- | --- |
| **Non-sulphurous fuel2** | **Sulphurous fuel2** |
| **Natural Gas (NG) and gas oil combustion appliances3** | **Gas other than NG and gas oil4, and Solid and liquid heavy fuel oil engine combustion appliances5** |
| <1 | 100 m | 200 m |
| 1 - 2 | 100 m | 300 m |
| 2 – 5 | 100 m | 400 m |
| 5 – 10 | 100 m | 500 m |
| 10 – 20 | 100 m | 600 m |

**Notes:**

1 Combined rated thermal input should be used to ensure worst-case impacts are assessed.

2 Sulphur content of the fuel influences process contributions to acid deposition, and whether SO2

 critical levels apply.

3 Gas oil includes ultra-low sulphur diesel and low sulphur diesel.

4 Includes biogas and landfill gas.

5 Includes incinerators.

* 1. Notes on revised screening distances:
		+ The proposed distances have been derived to provide the most meaningful screening criteria, i.e. to provide a conservative screen whilst not unnecessarily screening in too many conservation designations as requiring detailed assessment.
		+ They are based on conservative screening distances where impacts would screen out, established through a suit of AQMAU modelling runs.
		+ The proposed screening distances for European and SSSI designations are different to those defined for local nature designations due to the differing significance thresholds, i.e. 1 % and 100 %, respectively, for long-term impacts.
		+ The final distances have been rounded to provide distances that remain protective based on AQMAU’s analysis of our modelling results, and the conservatism of the assumptions made in the modelling runs.
1. **Document the outcome of the assessment**
	1. When required, paragraph for inclusion in Decision Document where there are no other relevant emissions for consideration under the Habitats Regulations.

 “This installation / regulated facility is not considered ‘relevant’ for assessment under the Agency’s procedures which cover the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) and/or the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act (CRoW) 2000). This was determined by referring to the Agency’s guidance ‘AQTAG 14: Guidance on identifying ‘relevance’ for assessment under the Habitats Regulations for installations with combustion processes.’ There are no other emissions from the installation, thus no detailed assessment of the effect of the releases from the installation on SACs, SPAs and Ramsar sites is required.”

* 1. When required, paragraph for inclusion in Decision Document where the combustion process is not relevant for consideration under the Habitats Regulations, but other emissions are relevant.

“The combustion process at the installation / regulated facility is not considered ‘relevant’ for assessment under the Agency’s procedures which cover the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) and/or the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act (CRoW) 2000). This was determined by referring to the Agency’s guidance ‘AQTAG014: Guidance on identifying ‘relevance’ for assessment under the Habitats Regulations for installations with combustion processes.’ Thus no detailed assessment of the effect of the releases from the installation's combustion processes on SACs, SPAs and Ramsar sites is required.”

* 1. Where paragraph 7.2 is used in the Decision Document the results of the assessments for other relevant emissions from the process must be fully documented.

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