

Ironbridge Power Station

Application for Planning for a Wood Pellet Fuel Store

Application Number 12/00032/MAW

Ironbridge Power Station Buildwas Road Buildwas Telford Shropshire TF8 7BL

Construction and operation of a fuel store for the storage of wood pellets

From:

Biofuelwatch

Ian Lander 3rd January, 2012

Dear Mr French,

Biofuelwatch object to Eon Ltd planning application for a Wood Pellet Fuel Store on the existing site of the coal-fired Ironbridge Power Station because the summary of the application makes it absolutely clear: *'The subject of this planning application will facilitate the conversion of Ironbridge power station to a wood pellet fuelled power plant'*. Furthermore, we assert that the application is not fit for purpose and that it should be returned to the developer in order that sufficient data is provided.

We object to the application on the following grounds:

1. The absence of an Air Quality Assessment
2. The absence of an EIA
3. Air Quality
4. Health & Safety
5. Transport
6. Ash disposal
7. Noise & odour
8. Sustainability issues of fuel source
9. Greenhouse gas emissions and climate change
10. Low Energy Efficiency

1. Absence of an Air Quality Assessment:

We are deeply concerned that E.On have not so far been required to submit a full Air Quality Assessment despite the fact that this application will, if approved, result in a significant change of the fuel they are burning. Shropshire County Council's Screening Opinion states: *"It is understood however that the proposed biomass fuel would compare favourably with coal in terms of its emission characteristics. For the purposes of this screening opinion it is not considered on the basis of available evidence that the use of biomass fuel linked to the current proposals would have the potential to give rise either directly or indirectly to significant new environmental effects associated with air emissions."* This assumption appears to be based on claims by E.On, contained in the planning documents that burning wood pellets reduces NOx emissions compared to coal and would certainly not increase them, that it reduces SO2 emissions and that it will have no significant effect on particulate/dust emissions.

E.On have provided no evidence to back up those claims and there is significant evidence to suggest that partial conversion to biomass may result in significantly higher emissions of NOx, particulates and other regulated air emissions. Without clear evidence what the air emission impacts of partial conversion from coal to biomass will be, together with air quality modelling based on credibly predicted emission rates, it is impossible to know whether this application would lead to any breaches in UK Air Quality Objectives. This is clearly a material planning matter, separate from the Environment Agency's permitting process. We believe that the lack of information available means that the application cannot be decided on air quality grounds and that Shropshire Council must either require E.On to submit a full air quality assessment with transparent, evidence-based emissions data for this application or, alternatively, that they must be required to submit a separate application with such air quality evidence before being permitted to partially convert the power station to wood pellets.

We draw your specific attention to several planning policy quotes which we contend demonstrates that AQ remains a material planning issue for the LPA regardless of the EA dealing with pollution control. This is particularly relevant in a case like Ironbridge where there is presently no evidence to rule out the possibility of a new AQMA having to be declared as a result of coal-to-biomass conversion - since no evidence has been submitted for NOx or particulates - nor for SO2. We have highlighted particularly relevant text:

PPS23 – Planning and Pollution Control

"8. Any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to an impact on health, is capable of being a material planning consideration, in so far as it arises or may arise from any land use."

"9...Development control decisions on individual planning applications, particularly those for potentially polluting processes, can have an immediate impact on the local environment, human health and well-being. In considering proposals for development, LPAs should take account of the risks of and from pollution and land contamination, and how these can be managed or reduced."

"10. The planning and pollution control systems are separate but complementary. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment from different sources to the lowest practicable level [i.e. with the actual stack emissions rates only]. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health. The planning system controls the development and use of land in the public interest. It plays an important role in determining the location of development which may give rise to pollution, either directly or from traffic generated, and in ensuring that other developments are, as far as possible, not affected by major existing, or potential sources of pollution. The planning system should focus on whether the development itself is an acceptable use of the land, and the impacts of those uses, rather than the control of processes or emissions themselves. [My reading of this is that in a case like that, imposing BAT measures may be the responsibility of the EA and monitoring certainly is, but that doesn't mean that the local authority isn't responsible for taking planning decisions in a way which ensure that National AQ Objectives are met - it doesn't stop this from being a material planning issue.] Planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. They should act to complement but not seek to duplicate it.

Please find relevant guidance in Annex G here:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/pps2annex1.pdf>, e.g.:

"1G.1 Any air quality consideration that relates to land use and its development is capable of being a material planning consideration. Wherever a proposed development is likely to have significant air quality impacts, close co-operation between LPAs and those with responsibilities for air quality and pollution control will be essential. The impact on ambient air quality is likely to be particularly important: – where the development is proposed inside, or adjacent to, an air quality management area (AQMA) designated under Part IV of the Environment Act 1995;

– where the development could in itself result in the designation of an AQMA; and
 – where to grant planning permission would conflict with, or render unworkable, elements of a LA's air quality action plan."

We assert that E.on must be required to produce an Air Quality Assessment

2. Absence of an Environmental Impact Assessment (EIA)

Under the heading; '2.2.2 Consents for Wood Pellet Firing' of the main supporting document for the application, we see this statement: *'E.ON held pre-application discussions with Shropshire Council and requested a screening opinion on whether the fuel store (the subject of this planning application) would constitute Environmental Impact Assessment (EIA) development, under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (SI 1999/293) (as amended). Shropshire Council has confirmed to E.ON that an EIA would not be required and this screening opinion is provided in Appendix D'*

We reiterate that this justification for an EIA not being required is provided under the heading: 'Consents for Wood Pellet Firing. Firing of wood pellets creates the conditions that require an EIA. We also reiterate this sentence from the summary of the application that makes it absolutely clear: 'The subject of this planning application will facilitate the conversion of Ironbridge power station to a wood pellet fuelled power plant'. And from the Introduction of the same document: *'The fuel store is part of a larger project involving the conversion of the power plant from coal to a wood pellet base fuel. The conversion will be undertaken in such a way that the plant will also retain the ability to co-fire coal along with the wood pellets. Depending on availability and demand, wood pellets could account for up to 100% of generation output'*. It is quite clear that this application is implicitly linked and plays an inseparable role in the combustion of wood instead of coal at Ironbridge. We contend that this is simply unacceptable for E.on to maintain that the fuel store is the sole subject of the planning application. This assertion is contradictory to the previous statements. If this application was only to be judged on the erection of a store; what was placed within in; how this is moved to site and moved within the site, why has the developer provided information on the sustainability of the fuel source and its carbon savings compared to the existing fuel, coal, which of course is burnt as well as stored?

2.2.2. also says: *'The power station is currently operated under an Environmental Permit issued by the Agency. A permit variation will need to be obtained from the Agency to allow the power station to convert to a base fuel of wood pellets with the ability to co-fire with coal. E.ON is currently developing the application for a permit variation, which will include an assessment of impacts on all emissions to air, land, water and noise. For information, a summary of operational impacts of the overall project that are not associated with the fuel store is provided in Appendix E'*. We contend that if an Environmental Permit needs to be issued by the EA to allow the power station to convert to a base fuel of wood pellets, then an EIA is equally required to allow the power station to convert to wood pellets. An Environmental Permit does not cover sustainability and climate change issues. These would be covered by an EIA. One of the original purposes of the EIA was to ensure that wider and transboundary implications of developments were scrutinised before permission was granted. In this case there are many serious transboundary effects of the conversion from burning coal to burning imported wood at such scale. Please see our grounds for objection, (8) & (9).

We assert that E.on must be required to produce an EIA

3. Air Quality

There is significant evidence to contradict E.On's claims that one can confidently assume that partial conversion from coal to biomass will not result in higher emissions of NOx and particulates.

The European Commission's Integrated Pollution Prevention and Control Reference Document on Best Available Techniques for Large Combustion Plants shows that existing coal power stations of more than 300 MW capacity which use pulverised fuel combustion (such as Ironbridge Power Station) can achieve NOx emission levels of 50-200 mg/Nm³ with a combination of primary NOx mitigation measures and without secondary NOx mitigation (Table 7). A biomass power station of the same type and size, on the other hand, can achieve the same levels only when using both primary and secondary NOx mitigation (i.e. Selective Catalytic Reduction or Selective Non-Catalytic Reduction as well as primary mitigation) (Table 8).

We understand that Ironbridge Power Station has installed low-NOx burners (a form of primary NOx mitigation) but has no secondary NOx mitigation, nor any published plans to install such systems. This means that according to the IPPC Reference Document, higher NOx emissions could be expected. The document unfortunately gives no particulate emissions figures for either biomass or coal combustion in a power station the size of that at Ironbridge and without flue-gas desulphurisation in addition to electrostatic precipitators or fabric filters (at Ironbridge, only electrostatic precipitators are used). A comparison of coal and biomass NOx and particulate emissions, based on data published by the US Environmental Protection Agency shows that those emissions from biomass combustion tend to be significantly higher compared to ones from similar coal combustion techniques (See <http://www.pfpi.net/air-pollution-2>, based on data from <http://cfpub.epa.gov/RBLC/>). None of the US examples are identical to the technology at Ironbridge, however the lack of secondary NOx mitigation as well as flue-gas desulphurisation suggests that biomass figures at that site will not compare favourably with the US figures. Both the US examples and the

information contained in the EC-IPPC document show that E.ON's assurances that partial conversion to biomass would not result in higher NOx and particulates figures must not be accepted without concrete evidence in the form of publicly available and verifiable emissions data.

Biomass combustion also results in high emissions of a large range of hazardous air pollutants, including benzene, for which there is a National Air Quality Objective and we therefore believe that full data should be required for this, too.

4. Health and Safety

The main supporting document states: 2.5.8 Health and Safety: *'A fire protection strategy is currently being developed for the handling of wood pellets, including the fuel store. This will utilise a combination of prevention techniques, such as hazardous area classification and the exclusion of ignition sources under the Dangerous Substances and Explosive Atmosphere Regulations (DSEAR), fire detection methods and isolation and control strategies. As a minimum, the plant will be DSEAR compliant, have suitable and sufficient escape routes to safe areas and will allow emergency services access. The fire strategy will be fully developed during the detailed design phase, in conjunction with Shropshire Council and the emergency services'*.

We content that this attention to H&S is inadequate. We draw your attention to our concerns over spontaneous dust explosion: We cite this from an industrial journal - "Dust Hazard Considerations: Biomass can be very dusty when dry. This dust can be an explosion hazard every bit as bad as Powder River Basin (PRB) coal, if not worse. If water spray is used for dust control, it will raise the temperature of the stored biomass and may lead to spontaneous combustion."

<http://cenvironment.blogspot.com/2011/06/options-for-biomass-fuels-utilization.html>

Eon do provide any information on dust suppression. They have not even mentioned the risk of spontaneous combustion.

We also draw your attention to:

<http://www.forthenergy.co.uk/pdf/biomass-project-update-leith/06%20S36%20Supplementary%20Information/03%20Fire%20Prevention%20Method%20Statement%20-%20Leith.pdf>

<http://www.ecologyaction.ca/content/54-groups-across-ns-call-better-forestry-and-oppose-large-scale-biomass-electricity>

<http://www.iesclean.com/dust-explosions>

5. Transport

In 2.3.3 Conformity with Policy on Specific Matters of the Main supporting Document, we are assured: 'The main policies relevant to the proposed project relating to transport are PPG 13 and the Core Strategy Document. PPG13 "Transport" seeks to "promote more sustainable transport choices for people and for moving freight" (Para 4). Paragraph 45 seeks to promote sustainable distribution, including where feasible, the movement of freight by rail and water, and to "promote opportunities for freight generating development to be served by rail or waterways...". This is supported by policy CS7 of the Core Strategy6, which seeks to "encourage greater freight movements by rail." There is clearly policy support for continued and increased use of the rail network for freight transport. The principal transport requirement for the change in base fuel is the delivery of wood pellets, which will be transported to the site by rail.'

We feel it is not more sustainable to increase transport miles (regardless of whether it is by sea or not) by importing the fuel from North America, rather than sourcing the fuel locally. We refer to PPS 22 *Para (24). For biomass projects, the need to transport crops to the energy production plant does have the potential to lead to increases in traffic. Local planning authorities should make sure that the effects of such increases are minimised by ensuring that generation plants are located in as close a proximity as possible to the sources of fuel that have been identified.*

The main supporting document explains how *'sustainability of the operation will be ensured through application of E.ON's biomass purchasing policy, provided in Appendix B.*

The wood pellet supply chain will comprise the following:

1. fuel growth, harvesting and collection;
2. transport to the processing plant for drying and pelleting;
3. transport from the pelleting plant to the port of disembarkation;
4. shipping to the UK; and
5. transportation to Ironbridge by rail.

This accepts and specifically refers to many stages of transportation, where E.on proclaims that *'sustainability of the operation will be ensured through application of E.ON's biomass purchasing policy'*. And yet, 2.5.7 only concerns itself with one of these five: *'Traffic and Transport However HGV movements are anticipated to decrease as a consequence of a reduction in the ash volumes generated and exported off-site. Wood pellets will be delivered by train in a similar manner as for coal'*. We suggest that it is not possible for E.on to anticipate a permanent reduction of ash removal by HGV, given that *'it is anticipated that ash arising from the new firing regime will be available for recycling for various uses, potentially as a secondary aggregate, but also potentially as a soil improver'*.

6. Ash Disposal

The main supporting document states: *'It is anticipated that ash arising from the new firing regime will be available for recycling for various uses, potentially as a secondary aggregate, but also potentially as a soil improver. However, until the process is operating, the market and potential demand for this type of ash is unknown. Consequently it is anticipated that the ash will go to the onsite landfill in the first instance and a variation to the permit is required. E.ON is currently developing this application for submission to the Agency'*.

We have serious concerns over ash disposal. E.on do not acknowledge the toxic nature of wood ash. Wood ash from virgin wood, as shown above, can already contain such high levels of heavy metals and other toxins that it should be treated as toxic waste.. E.ons suggestion that it could be used as a fertiliser or by the construction industry therefore seems highly alarming. No measures are proposed to safely dispose of toxic ash and to prevent it from getting into the environment and thus causing serious health risks to people as well as to wildlife.

7. Noise & odour

Para 2.5.4 Noise of the Main Supporting Document, states: *'However some activities, such as conveying fuel to the bunkerhouse from the fuel store, might take place overnight. Additional plant items might also be required in other parts of the site to enable wood pellet combustion... New dust extraction equipment will also be running continuously. Consequently it is anticipated that the operation of the power station with wood pellet combustion might result in a slight increase in noise during steady state operation of up to 3 dB(A) at local receptors'*.

We are aware that both odour and noise problems have been reported by local residents living close to much smaller biomass power stations both in the UK and US. We are very concerned to see that E.on claim that there will be no significant impacts on local residents of this type when experience elsewhere suggests otherwise.

8. Sustainability issues of fuel source

3.2 Site and Sustainability Analysis

3.2.1 Sustainable Fuels Supply

E.ON increasingly uses biomass such as wood pellets for energy generation, thereby offsetting the use of coal or other non-renewable resources. Biomass as a fuel provides business opportunities. However, biomass purchasing and trading also carries societal, environmental and reputational risks. E.ON addresses these risks through the Biomass Purchasing Amendment to the E.ON Responsible Procurement Policy, provided in Appendix B. The Amendment has been in force since November 2009 and includes:

- the types of biomass that may be used for energy and biogas generation, and under which conditions;*
- a ban on the use of human food as biomass for the above purposes;*

□□ that the use of animal feed and renewable crops grown as energy sources and agricultural residue for fuel is only permitted within the corresponding national or EU legal boundaries - and only insofar as it does not distort local or global price stability and security of supply; and

□□ that timber and other forestry products may only be used for energy and biogas generation insofar as they are certified to meet corresponding international standards such as FSC [Forest Stewardship Council] and PEFC [Programme for the Endorsement of Forest Certification].

The policy also specifies that:

“Virgin wood (incl. forest residues) used as biomass will be from sources managed in accordance with FSC, PEFC or equivalent global standards or produced in accordance with national laws and regulations stipulating sustainable forest management principles similar to the requirements of the accepted global standards mentioned above. If legal compliance with these requirements can not be substantiated, or if such requirements do not exist, a sustainability audit must be undertaken by an independent and accredited auditor.”

Please see our response that illustrate that Eons assurance are inadequate:

SE US: In the Southern US, including Florida, large-sale pine plantations continue to displace large areas of biodiverse native forests and they deplete groundwater and aggravate droughts which are already becoming more frequent and severe due to climate change. More demand for wood from Florida and elsewhere in the SE US will thus lead to more deforestation and biodiversity losses in the region. According to a recent peer-reviewed study, Canada lost 5.2% of its forest cover between 2000 and 2005, the United States 6%. According to the researchers, industrial logging in the SW US, along the West Coast and in the Midwest played a major role in US forest loss. Researchers found: “Rates of Global Forest Cover Loss in regions such as the southeast United States are among the highest globally.” (www.pnas.org/cgi/doi/10.1073/pnas.0912668107). At the same time, the growing demand for biomass from that region, much of it for export, is leading to large-scale market displacement, since the southern US supplies much of North America's demand for paper at present. Diverting wood to power stations, such as those proposed by Forth Energy, means that more US paper will have to come from monoculture tree plantations in the global South, causing more tropical forest and grassland destruction and thus more climate change, human rights abuses and land-grabbing.

Forest Certification:

Certification, as proposed by Forth Energy, cannot prevent serious negative direct impacts, let alone indirect ones. None of the schemes include any greenhouse gas criteria. All of them certify industrial tree plantations as 'sustainable', despite their well-documented serious impacts on biodiversity, ecosystem destruction, land-grabbing and poverty, disruption of the freshwater cycle, and the high use of polluting, fossil-fuel based agro-chemicals on tree plantations.

Neither FSC nor PEFC certification can guarantee that even the most basic social and environmental criteria are met. Here are examples of some certificates, all of which would be classed as guaranteeing 'sustainability' by Forth Energy:

+ In Sweden, one of the countries listed by Forth Energy, a leading nature conservation organization recently resigned from the FSC due to the fact that companies selling FSC-certified wood were violating Swedish law and the FSC's own standards and that those violations were being routinely ignored. FSC-certified forestry companies in Sweden have been shown consistently to be involved in destructive logging of old-growth, primary forest, high-biodiversity areas, destroying soils and water courses (tinyurl.com/685tceq);

+ A recent Germany documentary shows evidence of old-growth forests in Sweden being clearcut, with whole ecosystems, including soils and water regulation being destroyed under FSC certification (tinyurl.com/4sh2oz7).

+ FSC certification is supposed to offer protection for wildlife, yet in South Africa, up to 2,000 baboons have been killed on FSC-certified tree plantations (tinyurl.com/6htjrw2);

+ In Indonesia, the FSC has certified plantations by state-owned company Perum Perhutani. Perhutani is linked to the murder of 31 villagers between 1998 and 2008, with 69 others having been beaten or shot and injured, commonly for taking wood from trees planted on what used to be the villagers' own communal land (tinyurl.com/6lvdj4).

+ In Brazil, eucalyptus plantations by Veracel, which remain FSC-certified, have resulted in the company being fined by a Brazilian court for the destruction of rainforests and for planting invasive eucalyptus next to

national parks, in violation of Brazilian law, as well as for using toxic herbicides on land earmarked for rainforest regeneration (tinyurl.com/6gpdaak);

+ The Indonesian pulp and paper company APP has been certified by the PEFC. According to WWF: "APP is responsible for more natural forest clearance in Sumatra than any other company" (tinyurl.com/6jhkme2). Greenpeace has shown that APP's parent company "has large areas of intact rainforest under concessions waiting to be cleared for acacia plantations, including areas around Bukit Tigapuluh National Park which is a vitally important habitat for the highly endangered Sumatran tiger as well as being one of the only sites where equally threatened orang-utans are reintroduced to the wild." (tinyurl.com/63cuog9)

+ A Greenpeace investigation into PEFC certification in Finland found: "Habitats of threatened species are being destroyed as part of normal PEFC practice. A recent investigation by Greenpeace, for example, found hundreds of endangered mushrooms, including species strictly protected under Finnish legislation in an area about to be logged under PEFC certification (tinyurl.com/6el7oq2).

We would point out that so far biomass and biofuel power stations approved in the UK have been approved without any sourcing restrictions in the planning conditions. Companies are not bound by claims they make about 'planning intentions'. Last year, DECC approved MGT Power's application to build a 295 MW biomass power station at Teesside Port. MGT claimed that all or most of the wood would come from North America where there was no 'net deforestation' (even though significant recent losses of forest cover in North America have been well documented) (tinyurl.com/37upmz5 and tinyurl.com/36t3s36). Shortly after winning planning consent they signed a Memorandum of Understanding with Suzano Papel e Celulose for most of the wood to come from Brazilian eucalyptus plantations (tinyurl.com/3yukqn7).

9. Greenhouse gas emissions and climate change

'3.2.2 Reduction in Greenhouse Gas Emissions' says:

An analysis of the reduction in carbon dioxide emissions arising from the supply of wood pellets for use as fuel has been undertaken by Arup on behalf of E.ON, and is provided in Appendix C. This demonstrates that there will be a substantial reduction in the net emissions of carbon dioxide arising from the operation of Ironbridge power station as a result of the change of fuel. Changing the base fuel to wood pellets therefore represents a substantial contribution to short-term renewable electricity supply with a minimum of new works.

We dispute this as Arups analysis does not include all emissions associated with a full life cycle analysis. In the case of wood-bioenergy, the carbon debt stems not from land use change alone but also from the long time it takes new trees and forests to re-absorb the carbon emitted from logging and burning older trees.

Two recent studies look in detail at the 'carbon debt' incurred by increased logging in temperate forests in the US and Europe. One is the Biomass Sustainability and Carbon Policy Study by the Manomet Center for Conservation Sciences, commissioned by the Massachusetts Department of Energy Resources (tinyurl.com/2whmldj). The two main conclusion from the Manomet study were:

□□ If biomass is used in electricity-only power stations, the overall carbon emissions/climate impacts will still be worse than those of generating the same electricity of coal after a period of 40 years – the period is 90 years if biomass is compared to gas.

□□ The carbon impact of burning biomass for heat generation or CHP may be better, however even for CHP, when biomass is compared to natural gas, the climate impacts are still significantly worse after 40 years. (see: tinyurl.com/35lb35e).

It is important to note that many of the assumptions made in the Manomet study are highly optimistic ones (as acknowledged by the authors), some of them contradicted by scientific evidence and by the realities of bioenergy markets and the forestry industry. For example, the authors assume that no additional forests would be logged as a result of bioenergy (something which would make the carbon footprint even worse), yet in the UK, EU and elsewhere, opening up more natural forests to logging for this purpose is being actively encouraged. The authors further assume that there will be no carbon emissions from removing residues from forest flaws, yet it has been shown that large-scale 'residue removal' significantly reduced forest carbon stocks and also diminish future tree growth and thus carbon sequestration. A detailed review of the Manomet study can be found at www.catf.us/resources/whitepapers/files/201007-

[Review_of_the_Manomet_Biomass_Sustainability_and_Carbon_Policy_Study.pdf](#) .

Another scientific study which looks at the carbon debt from wood-bioenergy has been published by Joanneum Research in Austria (www.birdlife.org/eu/pdfs/Bioenergy_Joanneum_Research.pdf).

The main findings are:

- When trees are felled for bioenergy, there will be no 'climate benefits' compared to fossil fuels for a period of 200-300 years, i.e. bioenergy from whole trees will worsen climate change for two or three centuries.
- The removal of logging residues from forest soils will worsen the carbon balance of bioenergy by 10-40%;
- Where bioenergy results, whether directly or indirectly, in land conversion for tree plantations, the full greenhouse gas impact must be taken into account and if forests are converted to plantations, bioenergy will be worse for the climate than the fossil fuels replaced for at least 150 years.

The 'carbon savings' claimed by E.on/Arup are thus very much contrary to scientific findings.

10. Low Energy Efficiency

Biomass power generation is an inefficient process, with commonly 75% of the energy available in the biomass is wasted as heat. This figure does not account for the energy required for example to turn process wood into pellets.

Article 13(6) RED recommends,

'In the case of biomass, Member States shall promote conversion technologies that achieve a conversion efficiency of at least 85% for residential and commercial applications and at least 70% for industrial applications.'

In respect of CHP, Article 12(2) Cogeneration Directive requires,

'[Electricity] production can be regarded as high-efficiency cogeneration provided it fulfils the efficiency criteria in Annex III(a) and, for cogeneration units with an electrical capacity larger than 25 MW, the overall efficiency is above 70%.'

This has been implemented in the UK through the CHPQA Standard. However, that standard is not definitive, and is subject to the interpretation of the CHPQA Guidance Notes. CHPQA Guidance Note 44 states that CHP biomass power stations achieving efficiency levels of as low as 35% remain eligible for CHP subsidies because it would be too onerous to meet the requisite 70% efficiency standard. This effectively overrides the 70% efficiency requirement for CHP biomass. This issue is explored and explained more fully in detail in relation to the Consultation Question relating to CHP Biomass.

The introduction to the planning application said: 'Depending on availability and demand, wood pellets could account for up to 100% of generation output' – so this application of a fuel store will enable E.on to convert to a technology that can not possibly comply with Article 13(6) and would presumably means that the power plant could not be operated.