

## MCPD and Hire Boilers – discussion for guidance note

The requirement to register a combustion plant and the requirement to have a permit for it to operate are different things and need not be permanently linked. In the case of hire boilers, it would be reasonable to require the hire companies to register all their boilers at the appropriate time by supplying the available information in the tables below (from Annex 1), and this should be free of charge. It would then fall to the person wishing to use a registered boiler to apply to vary their permit for their site to include the temporary plant for the relevant period (as in a hire car being registered with DVLA but temporarily operated by a licensed driver). If a permit did not exist for that location and/or that operator, a new permit would be required to operate the temporary boiler; in emergency situations this could cause some logistical difficulties and retrospective applications may need to be considered.

If a hire company supplies an "existing" boiler to a site and this occurs before the relevant date according to its Rated Thermal Input, there is no requirement for this boiler to be permitted before the due time.

If a site requires a hire boiler and the unit offered is a "new" combustion plant, there are different possibilities to consider:

1. the site that requires the replacement temporary plant is very unlikely to have a permit for the boiler that has failed (existing plant), so why does the temporary replacement need a permit. If the temporary replacement was "existing" it would not need a permit yet, and the boiler it is replacing does not need a permit yet, so is it reasonable to require the "new" temporary replacement to have one now?
2. If the rules do require the temporary boiler to have a permit because it is "new", the additional and premature cost to the boiler owner and the boiler user might be excessive, and it is possible that the hire company will lose the business to a competitor who has an older "existing" boiler in stock that does not require a permit, so we could be using a potentially more polluting existing unit instead of a newer less polluting unit on grounds of compliance cost penalty.
3. If "new" hire boilers are going to require a permit before the date that the unit they are temporarily replacing needs to be permitted, and there is a cost to the hire company or their customer for this, the hire companies will probably retain older "existing" units for longer in order to remain competitive, and new 'cleaner' boilers may not be ordered and may be prevented from coming into use.

The responsibility of the hire company is to deliver to site a boiler that, when properly installed and used, is likely to meet the requirements of several pieces of legislation, including emissions under EPR. The responsibility of the customer is to make provision for any site specific requirements for the hired boiler (such as the chimney height) and ensure the registered boiler is permitted correctly before being operated. A parallel piece of H&S legislation (PSSR) has exactly that requirement in that the temporary boiler is just one component of a pressure system and it is the customer's responsibility to ensure that the unit he hires is safely incorporated into and connected to the system he currently operates, and is inspected by a Competent Person (Engineering Surveyor) before use.

If the site requires the hire boiler for a limited period, the 500 hour derogation will apply if the hire boiler is only to be used at that location for less than 500 hours and then removed. Most short term hires would fall into this category, allowing at least 3 weeks of continuous operation before triggering the limit, and therefore removing the need to measure or comply with emissions limits. Note: the boiler must still be registered and the deployment advised.

Hire boiler companies who are members of CEA are well aware of the fundamental requirements of MCPD, and when they buy new boilers for the hire fleets the boiler makers they use will be similarly informed, so we can be fairly certain that any new hire boiler will be designed and built to meet the ELVs in the Schedules. They may not, however, be designed to meet the ELVs that Local Authorities or Regulators might need to impose. Hire companies will clearly have to ensure that all new boilers and eventually all existing boilers will have the capability to meet the required ELVs. Customers will need to discuss deployments with Regulators in advance to ensure that any proposed lowering of ELV limits can be accommodated by the hired boiler.

Proposed arrangements for hired boilers under MCPD

Type and size of boiler to be hired	Action by hire company	Action by customer (who will be the 'operator')
<p><b>New</b> gas or oil fired boiler, 1-5MW, first fired after 20/12/18 <sup>5</sup></p>	<p>Register the boiler <sup>4</sup> (using its unique serial number) before the date of first commercial firing.</p>	<p>If boiler is fired on site before 1/1/30, no action required.</p> <p>After 1/1/30, apply in advance to vary existing permit for the new unit on site, OR apply in advance for a new permit <sup>1</sup>.</p> <p>If after 1/1/30, measure and record emissions on commissioning the boiler <sup>2</sup>.</p>
<p><b>New</b> gas or oil fired boiler, 5-50MW, first fired after 20/12/18</p>	<p>Inform EA of every deployment of this boiler and the details of the customer who hires it.</p> <p>Tell EA when boiler is scrapped.</p>	<p>If boiler is fired on site before 1/1/25, no action required.</p> <p>After 1/1/25, apply in advance to vary existing permit for the new unit on site, OR apply in advance for a new permit <sup>1</sup>.</p> <p>If after 1/1/25, measure and record emissions on commissioning the boiler <sup>3</sup>.</p>
<p><b>Existing</b> 1-5MW gas or oil fired boiler, first fired before 20/12/18</p>	<p>Register the boiler <sup>4</sup> (using its unique serial number) on or before 1/1/29.</p> <p>Inform EA of every deployment of this boiler and the details of the customer who hires it.</p> <p>Tell EA when boiler is scrapped.</p>	<p>If boiler is fired on site before 1/1/30, no action required.</p> <p>After 1/1/30, apply in advance to vary existing permit for the new unit on site, OR apply in advance for a new permit <sup>1</sup>.</p> <p>If after 1/1/30, measure and record emissions on commissioning the boiler <sup>2</sup>.</p>
<p><b>Existing</b> 5- 50MW gas or oil fired boiler, first fired before 20/12/18</p>	<p>Register the boiler <sup>4</sup> (using its unique serial number) on or before 1/1/24.</p> <p>Inform EA of every deployment of this boiler and the details of the customer who hires it.</p> <p>Tell EA when boiler is scrapped.</p>	<p>If boiler is fired on site before 1/1/25, no action required.</p> <p>After 1/1/25, apply in advance to vary existing permit for the new unit on site, OR apply in advance for a new permit <sup>1</sup>.</p> <p>If after 1/1/25, measure and record emissions on commissioning the boiler <sup>3</sup>.</p>

Note 1: the requirement for a site who do not have an EPR permit to apply for one before hiring a boiler could be onerous and logistically difficult, especially in an emergency.

Note 2: In the rare event that the same boiler is still on site after 3 years, measure and record the emissions every 3 years.

Note 3: In the event that the same boiler is still on site after 1 year, measure and record the emissions every year.

Note 4: The registered MCP in the hire fleet is the boiler and all its fittings and mountings. Ancillary equipment, including the burner, may change for different deployments according to the customer's requirements, but this does not change the registration of the MCP.

Note 5: Two or more "new" hired boilers on a site together rated at >5MW will be aggregated, so will require annual measurement of emissions to be recorded.

Information to be provided by the hire company to the EA for registration:

1. Rated thermal input (MW) of the boiler. This is the maximum RTI that the boiler can accept whilst being able to meet the ELVs for that size of plant and the fuels it can combust.
2. Unique serial number of the boiler.
3. Type of fuels that can be combusted (gas, oil or dual fuel). Dual fuel means the ability to fire EITHER gas or oil, not both together. Most customers will only select one or the other fuel, but the boiler generally has to be capable of both.
4. Name and registered office of the hire company who own the boiler.
5. Date of first commercial firing of the boiler (i.e. is it "existing" or "new"). New boilers will be registered before first deployment; existing boilers will be registered on or before the due date according to RTI (1/1/24 or 1/1/29).

Information to be provided by the hire company to the EA on deployment:

6. Registered number of the boiler.
7. Name and address of the customer who will be the operator, and the address where the plant will be delivered.
8. Date of delivery to the customer's site.

Information to be provided by the operator to the EA in advance of receiving the boiler (in order that their permit may be varied or a new permit issued):

9. Name and registered office of the operator, and the address where the plant is located.
10. Planned date of the start of the operation of the boiler.
11. Type of fuel to be combusted.
12. Sector of activity of the facility in which it is applied (NACE code).
13. Expected number of operating hours of the boiler and average load in use.
14. Where the option of exemption under Article 6(3) or Article 6(8) is used, a declaration signed by the operator that the boiler will not be operated more than the number of hours referred to in those paragraphs.

Information to be provided by the operator to the EA on request relating to the operation of the boiler, and retained for 6 years:

15. Emissions recorded on commissioning the boiler, and again annually or every three years as appropriate for the size of the boiler.
16. A record of operating hours of the boiler, not including start up and shut down.
17. A record of the type and quantities of fuels used.
18. A record of the events of non-compliance with the permit conditions and the measures taken to correct the non-compliance.
19. The date of the operator ceasing to operate the boiler.