

## **Problems with WID**

The Waste Incineration Directive, is a regulatory piece of legislation, which provides a framework for process operators to maintain compliant in their emissions. However, the directive places a lot of trust in process operators' honesty. **It is very easy for even heavily polluting plants to be regarded as 'compliant'** (I believe this may form part of Peel Energy's statement about process operators being 99.99% compliant).

Peel Energy will typically have a Continuous Emissions Monitoring System (CEMS) that will continuously monitor pollutants such as Carbon Monoxide, Carbon Dioxide, Oxides of Nitrogen, Sulphur dioxide, and Total Volatile Organic Compounds. One or two more pollutants may be continuously monitored depending on which CEMS system Peel Energy install.

**This means pollutants such as Dioxins & Furans, PCBs, PAHs, Heavy Metals, Mercury, PM10's & PM2.5s will not be continuously monitored.** After the first year of operation (where Peel Energy will have to have some of these reported quarterly), **Peel Energy will only have to report some of these on a 6 monthly basis.** This does not mean they will have them tested once every six months. If a process operator is required to report a Dioxins & Furans test in June for instance, they will have the test carried out in April. **An emission limit fail, will just result in the process operator requesting a repeat test from the emissions monitoring company until they pass and only the passing result will get reported with no mention of the previous failing results.** The emissions monitoring company are not legally obliged to inform the EA of an emission limit fail, and would not do so. This is because they are a private company and due to the revenue generated, it would not be in that company's interest to report a fail, as they would lose the contract to another testing company. Not only that, they could possibly lose a lot more work as word spread amongst process operators about the actions of that company.

**The process operator would then have the testing repeated until they get an emission limit pass.** This could well be 3 or 4 times. Some operators, even though they start monitoring months early cannot achieve an emission limit pass, and have to report their 'best' fail. Some process operators will just ask for an extension from the EA, due to 'operational reasons'. Many honest process operators reports fails, and get in touch with the EA as soon as they get their results, to work with the EA and try and solve the problems. Will Peel Energy report emission limit fails, knowing the furore about the emissions the plant has caused?

**The process operators will dictate the days of testing to the emissions testing company at their discretion.** This could be months in advance, in order to leave time for any repeat testing. Just before testing commences, the plant could be shut down to clean and maintain the abatement system (this in itself is a huge pollutant release). Bag filters will be changed, extra activated carbon and lime added to the gas stream etc. **This means that when testing commences, the plant is running at its most efficient for months. This does not give representative results.**

Plants have often been run at half capacity in order to achieve an emission limit pass. There are huge failures in the regulation of these plants. An incinerator burning 10 tonnes an hour could be run at 5 tonnes for the duration of the testing, and then ramped up again straight after the testing is complete. Typically these changes could happen without the awareness of the testing company. Even though in an emission report, the loading during testing is reported, this is normally communicated orally, with no official documentation being required.

Another issue to concerning WID is that a **CEMS system is allowed to be 'off line' for up to 4 hours at a time** without having to inform the EA. During this time, there will be no emission data available. Operators are allowed up to 60 hours a year. This typically takes place during CEMS calibration and maintenance. Operators have utilised this 'off line' time to mask emission limit failures.

An incinerator company can hire multiple testing companies; should company 'A' consistently detect pollutants at levels unfavourable to the incinerator company, they are under no obligation to report these findings and can instruct testing company 'B', 'C' etc. Furthermore, each testing company is allowed to perform repeat testing over a

period of time during which elevated levels (sometimes 100's of times the ELV, for 24 hours per day and up to 6 months at a time) continue to be emitted.

Tight regulation requires a great deal of honesty from an operator. Unfortunately abatement systems cost lots of money, and are not considered important to a for profit business. An operator knowing the loopholes, would have no qualms in not maintaining the abatement system.