

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-0235 - EIA for Duthie Park Boiler  
**Date:** 10 March 2017 13:25:11  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[EIR-17-0235 - 2526 - biomass unit con screening tool.xls](#)  
[EIR-17-0235 - 2559 PLOT Annual Mean NOx.xlsx](#)  
[EIR-17-0235 - ADMS Screen Data Requirements.xlsx](#)  
[EIR-17-0235 - rhi emissions certificate Redacted.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 10 February 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**For some time now I have wondered why the Winter Garden boiler flue stack appears to be lower than what I would expect to comply with industry design standards and good or best practice.**

**Furthermore, at times it would appear that for long duration periods the boiler is potentially not working at the efficiency level it should resulting in potential increased pollution. I also note the proximity of private dwellings adjacent to the facilities and boiler stack and have observed emission plume enveloping some of these residential dwellings.**

**As you know ACC has a Duty of Care to the public inside and outside of its owned facilities and is required to assure and monitor that risks are ALARP/ALARA. Furthermore, that environmental emissions comply with EU, U.K. and Scottish Government and Local Council Authorities legislative limits, policies and other performance standards as well as industry good or best practice for such facilities. I'm sure ACC sustainability policy also reveals some specific and relevant requirements.**

**My enquiry will be focused on the determination of termination of the boiler chimney (serving the extensive glass house(s) and facilities containing plants etc for public access and viewing) compliance with The Clean Air Act, Air Quality Scotland Regulations, 3rd Edition Clean Air Memorandum, Clean Air for Scotland and amendments, LAQM, CAFS, BMFCA, to name but a few Acts, Standards, Codes of Practice, Industry good and best practice.**

**I would appreciate it if you could guide to me or send the Environmental Impact Assessment Study (and any other associated and relevant reviews, studies, databases etc past and present) performed as part of the development and approval to build and operate.**

An Environmental Impact Assessment as per the Environmental Impact Assessment (Scotland) Regulations 1999 was not required. However, the Environmental Health Service carried out a screening assessment to establish any potential issues and whether further air quality dispersion modelling would be necessary. The screening assessment considered main pollutants from such an installation, nitrogen dioxide (NO<sub>2</sub>) and particulate emissions (PM<sub>10</sub>).

This process used a web based 'planning tool' spreadsheet to estimate maximum ground level concentrations from a biomass installation and is based on national air quality technical guidance (latest version is LAQM TG(16), April 2016). These spreadsheets required the input of fuel type and emission information which were taken either directly from operator information or technical guidance emission factors for the fuel type. The assessment process is designed to

indicate the potential for exceedance of national and EU annual mean air quality objectives. The estimated maximum ground level concentration from the source is then added to the background level, taken from 1km grid national background maps, to estimate the maximum total ground level concentration.

From this assessment this Service were satisfied that the predicted emissions from the installation at Duthie Park would not exceeded these objective levels. In addition to the screening assessment, this service also contacted a national local authority air quality helpline service for further advice. This helpline supports local authorities in their review and assessment of air quality and provides advice on specific areas of concern. The helpline consultant undertook the same screening process to provide predicted maximum annual mean ground level concentrations of NO<sub>2</sub> and PM<sub>10</sub> from the source. These were provided to our service to enable the addition of the background concentrations.

The outputs from the screening process are attached. These are of a technical nature and therefore should only be interpreted by air quality practitioners who understand the technical aspects of air quality assessments, the screening tool and the relevant guidance and legislation. It should also be noted that, should levels exceed the objective, it would indicate a potential for exceedance and a need for more specific dispersion modelling. The results are summarised below:

#### PM<sub>10</sub>

Background level:	13.515ugm <sup>-3</sup>
Maximum source contribution:	3.1ugm <sup>-3</sup>
Total:	16.615ugm <sup>-3</sup>
Scottish objective:	18ugm <sup>-3</sup>
EU objective:	40ugm <sup>-3</sup>

#### NO<sub>2</sub>

Background level:	18.23ugm <sup>-3</sup>
Maximum source contribution:	6.6ugm <sup>-3</sup>
Total:	24.89ugm <sup>-3</sup>
Scottish objective:	40ugm <sup>-3</sup>
EU objective:	40ugm <sup>-3</sup>

Whilst there were no exceedances of the objectives, for confirmation the helpline service also agreed to undertake the more detailed dispersion modelling mentioned above using the ADMS Screen model based on the information provided (temp of 85°C, the min temp reported from a test report, and efflux velocity of 0.307Nm<sup>3</sup>/s). On this basis, the maximum annual mean process contribution predicted for NO<sub>2</sub> was 6.21ug/3 (30m output grid resolution). The maximum ground level PM<sub>10</sub> concentration predicted was 2.90ugm<sup>-3</sup>. These values were again added to the background concentrations as follows:

#### PM<sub>10</sub>

Background level:	13.515ugm <sup>-3</sup>
Maximum source contribution:	2.9ugm <sup>-3</sup>
Total:	16.415ugm <sup>-3</sup>

NO2

Background level: 18.23ugm-3

Maximum source contribution: 6.21ugm-3

Total: 24.44ugm-3

With both the initial screening assessment and the detailed dispersion modelling, no exceedances of the air quality objectives were evident.

The excel file attached provides graphical output of annual mean NOx concentrations at the stack location. The pivot table can be toggled to make the surface contour plot update to show other pollutants. Again, the information is of a technical nature and should only be interpreted by those who understand air quality assessment and dispersion modelling.

The above summarises the actions taken by this service to predict the potential for exceedance of national or EU air quality objectives from the designed biomass installation at the specific location within Duthie Park.

**Furthermore, the annual emission monitoring report since boiler commissioning.**

There is no requirement for an annual emission monitoring report. There is a requirement for the boiler to have valid emissions certificate for Renewable Heat Incentive. Copy attached.

**I would expect that the EIA includes the Health and Safety assessments and references within and outside the Duthie Park Boundary, if not I wish to request these.**

Please see our response above.

Third party names and personal details have been redacted (blacked out) from the attached reports. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with 11(3)(a)(i) – Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). Third parties named within the attached document would not expect ACC to release this information about them into the public domain under the EIRs (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

We hope this helps with your request.

Yours sincerely,

Grant Webster

Information Compliance Officer

## **INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

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We wish to advise you that the information which was released with this response is too large to be uploaded to our disclosure log. If you are interested in viewing the attachment, please contact us at [foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk), quoting the appropriate reference number, and we will provide you with a copy.