

PART C: PROJECT AGREEMENT & SCHEDULES

19. SCHEDULE 19:

**ACCEPTANCE CRITERIA
AND TESTING**

Schedule 19 Acceptance Tests for the MBT Facility

1. Introduction

The Construction Contract between the Contractor and the Construction Sub-Contractor (Edmund Nuttall Limited) requires the Construction Sub-Contractor to conduct and pass acceptance tests (including Reliability Testing (as that term defined in the Construction Contract but not this Contract)) in order to satisfy specific process requirements in relation to the Facility. In addition, this Contract requires the Contractor to conduct and pass Initial Acceptance Tests and Full Service Acceptance Tests.

This Schedule 19 (Acceptance Tests for the MBT Facility) sets out the criteria which the Contractor shall meet in order to satisfy the Initial Acceptance Tests and the Full Service Acceptance Tests pursuant to Clause 37 (Completion of the MBT Facility). Clause 37 (Completion of the MBT Facility) sets out the process whereby the Contractor shall ensure certification of the relevant tests by the Technical Adviser and the consequences of satisfaction of such tests.

Clause 2 (Initial Acceptance Tests) sets out the Initial Acceptance Tests as required in Clause 37 (Completion of the MBT Facility). For the avoidance of doubt, these tests are in [REDACTED]

Clause 3 (Full Service Acceptance Tests) sets out the Full Service Acceptance Tests as required in Clause 37 (Completion of the MBT Facility). For the avoidance of doubt, those tests are [REDACTED]


It is acknowledged by the Parties that the Full Service Acceptance Tests are process tests and will require the ongoing involvement of the Technical Adviser to establish that the Full Service Acceptance Criteria, as defined in 3.4 have been met.

2. Initial Acceptance Test

- 2.1. Prior to undertaking the Initial Acceptance Tests the Contractor shall provide to the Authority and the Technical Adviser such notice as is required under Clause 37.2 (Initial Acceptance Tests).
- 2.2. The procedures set out in Clause 37.2 (Initial Acceptance Tests) shall then apply.

- 2.3. The Contractor shall demonstrate by way of documentary evidence reasonably requested by the Technical Adviser and by facilitating the Technical Adviser's inspection that the Initial Acceptance Tests have been satisfactorily passed. The Technical Advisor shall confirm acceptance in accordance with Clause 37.2.4.1. The Initial Acceptance Tests are as follows:
- 2.3.1. The MBT Facility has the necessary MBT Satisfactory Planning Permission;
 - 2.3.2. The MBT Facility has the necessary Satisfactory PPC Permit or a Satisfactory PPC Permit has been deemed to be achieved under Part V (PPC Permit for the MBT Facility) of Schedule 11 (Planning Permission and PPC Permit);
 - 2.3.3. The MBT Facility is capable of receiving Contract Waste in compliance with the conditions set out in the Satisfactory PPC Permit;
 - 2.3.4. The MBT Facility is capable of processing Contract Waste to enable it to proceed with the Full Service Acceptance Tests;
 - 2.3.5. The tests and processes set out in paragraphs 1.1 and 1.2 of Schedule 13 to the Construction Contract prior to Take Over have been satisfactorily completed and passed;
 - 2.3.6. The Contractor's Representative is ready and willing to issue the Take Over Certificate (as defined in the Construction Contract) subject to the Technical Adviser's issuing of the Initial Acceptance Certificate.

3. Full Service Acceptance Test

- 3.1. Upon satisfaction of the Initial Acceptance Tests and the issue of the Initial Acceptance Certificate the Commissioning Period shall commence. During the Commissioning Period the Contractor shall carry out such tests and procedures as are necessary in order to demonstrate to the satisfaction of the Technical Adviser that the Full Service Acceptance Criteria have been met.
 - 3.2. The satisfaction of the Full Service Acceptance Tests will be carried out pursuant to the provisions of Clause 37.4 (Full Service Acceptance Certificate).
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[REDACTED] The Final Service Acceptance Tests shall not commence without an agreed test protocol.

3.3. Satisfaction of the Full Service Acceptance Tests must be demonstrated by meeting [REDACTED] (the "Test Period"). During this "Test Period":

3.3.1. a minimum tonnage [REDACTED] is required to be processed at the MBT Facility (the "Test Throughput");

3.3.2. the Test Throughput of MBT Acceptable Waste will be [REDACTED]

3.3.3. during the Test Period, the Contractor shall ensure that the mass balance is recorded [REDACTED] by signing the record sheet at the end of each shift

3.3.4. the Test Throughput will be the [REDACTED]

3.3.5. the Tests will take place during permitted hours of operation.

3.3.6. a minimum [REDACTED] will be taken from the Composting Hall to analyse for the reduction in Biodegradability.

3.4. The Full Service Acceptance Criteria for the MBT Facility are that the MBT Facility:

3.4.1. processes the minimum Test Throughput as stated in 3.3.1;

3.4.2. achieves a reduction in the Biodegradability of the material passed to the Composting Hall derived from

MBT Acceptable Waste [REDACTED] (as determined in accordance with Part 2 of Schedule 25);

- 3.4.3. staff are adequately trained and satisfactory operating and maintenance manuals exist at the Facility;
- 3.4.4. the Facility operates in a safe manner and in compliance with Legislation, its PPC Permit, and Planning Permission.

over the Test Period and that this has been demonstrated to the satisfaction of the Technical Adviser.