



The Land Team  
Environment Agency

**Your ref:** EPR/WP3234DY/A00  
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**Our ref:** CB/13/00726/DCO  
**Date:** 7 November 2017

Dear Sirs,

**Response from Bedford Borough and Central Bedfordshire Councils to the Environmental Permit Draft Decision for Covanta Energy Limited**

Bedford Borough and Central Bedfordshire Councils believe that a permit should **not** be granted by the Environment Agency to Covanta to operate this Incineration Plant at Rookery Pit South Bedfordshire.

Firstly there are a number of factors of concern in this facility and the Environment Agency has a duty to take these concerns seriously before a full permit is granted.

The decision by the IPC to allow planning for the Incinerator was made in a very different climate to the one we as Councils and our residents are now living in.

The Covanta Incinerator first received planning permission in 2011, since this time there have been numerous new and updated Government and EU policies regarding the Environment that will have significant impact on this decision of issuing a permit. Have these been all taken into account and can you provide evidence of this?

These policies include, naming a few: England Biodiversity Strategy, Waste Policy Review, Natural Environment White Paper, National Climate Change Adaptation Programme along with the revised EU air quality standards, together with the green book; valuation of energy use and greenhouse gas emissions.

We also do not believe that the Environment Agency can properly make an informed decision based on such outdated environmental impact information.

There has been a period of 6 years since the planning decision and the application of the Environmental Permit and many of the supporting documents used are dated back to 2010. The Councils request that the Environment Agency must require the applicant to submit new more recent Environmental Impact Reports and other required assessments.

We believe the Environment Agency should obtain up-to-date meteorological data from inside the Vale for a period long enough to take into account the frequency of temperatures inversion events. Without this up-to-date data on dispersion (or not) of the emissions we cannot see how the Environment Agency can make a proper informed decision on the permit.

The question needs to be raised over Covanta as a competent operator of such a plant, the recent example as above regarding the Poolbeg Incinerator in Dublin on June 7th 2017, along with other issues such as the time period which has elapsed since planning approval of the plant, the local area impacts, Greenhouse Gases impact, Carbon Budget and recent Government Policies.

**Please find detailed concerns under each headed area:**

#### Dispersion Modelling

The issue of temperature inversions remains a concern. The EA accepts that the dispersion model used by Covanta does not explicitly predict complex conditions relating to vertical profiling such as inversion, complex terrain stagnation or fumigation. The EA also accept that these conditions could lead to increases in the long-term and short-term Process Contributions but argue that the variability is within any modelling uncertainties. This does not give the Councils confidence in the dispersion model used, if there is so much variability and uncertainty in it.

#### Health Impacts of Particulate Matter

The Council is concerned that insufficient attention has been given to the potential impact on fine and very fine particulate matter (PM2.5 and below). The EA recognise that there is currently no emission limit prescribed nor any continuous emissions monitor for particulate matter specifically in the PM10 or PM 2.5 fraction. There is a great deal of public concern with respect to this issue and the fact that the EA are content to grant the Environmental Permit with this issue left unresolved. If a permit is granted, there should be a condition that requires the operator to install the latest air quality monitoring equipment and to make the results publically available. Any breaches of this air quality should be rigorously enforced by the EA to protect the residents of Bedfordshire.

### Potential impacts of waste incinerators on human health

Findings of a series of studies into the potential impacts of waste incinerators on human health are soon to be published. This report by Public Health England should be available soon and the Councils and local residents along with the Environment Agency should be entitled to review the findings of the report and comment accordingly before the Environment Agency agree to the granting of a permit to the Incinerator at Rookery Pit South Bedfordshire.

### Diesel Emissions from the HGV's

In relation to the 594 HGV movements a day to the site, the recent decision by Network Rail not to put a bridge over the crossing at Green Lane exposes the Kimberly College on Green Lane to considerably more impact as HGV's will queue at the proposed double barriers before access to the site causing significant queuing and pollution to the college.

There are a number of recent initiatives the Government has published to reduce greenhouse emissions and pollution from associated transport, however it appears from the Environmental permit that Covanta have made no effort to factor in the additional effects of the HGV emissions and risk of the HGV's queuing near a local college.

### Concern about the operational performance of the applicant

There is ongoing concern over the operation of incinerators generally and those in the Covanta group in particular. Eleven people were hospitalised after lime was released inside the flue gas treatment area at the Poolbeg Incinerator in Dublin on June 7<sup>th</sup> 2017. This is a recent event at what is supposed to be a modern plant which uses similar technology to that proposed at Rookery Pit South. It is not clear that the EA have taken into account this most recent episode of poor management when considering the competency of the applicant.

### Treatment and Storage of Incinerator Bottom Ash (IBA) and Incinerator Bottom Ash Aggregate (IBAA)

The Draft Permit makes it clear that the reception and treatment of (IBA) and (IBAA) will need to be in an enclosed building. Whilst this is supported by the Council, it should be noted that the Development Consent Order (DCO) for the facility does not make any provision for a building for IBAA.

## Energy Recovery

The applicant is not proposing any waste heat recovery that would make the facility a Combined Heat and Power (CHP) facility. The Councils question whether a permit requirement to review this every four years will mean anything once the facility is operating, as it is highly unlikely that the EA will close the facility if this is not delivered in the future.

## Types of waste and the effects on recycling

The permit states that waste shall only be accepted if having been separately collected for recycling; it is subsequently unsuitable for recovery by recycling. Just because waste is separately collected does not mean that the residual waste in any collection scheme is unsuitable for recycling. Other incineration facilities, such as the one at Milton Keynes Recovery Park, have a Materials Recovery Facility at the front end of the process on site to extract recyclables before the incineration process. If this has not happened to waste being delivered to the application site, then waste which is suitable for recycling is likely to end up being incinerated.

Such a large facility is likely to be able to benefit from economies of scale that will enable it to be able to offer relatively low gate fees. As the level of incineration capacity increases the amount of suitable residual waste available for recycling could decline as it is feared that recyclable waste would be diverted into the residual waste treatment facilities to make up the shortfall in residual waste. This is also the conclusion from a recent report published in July 2017 by Eunomia – Residual Waste Infrastructure Review (Issue 12). This report predicts that the growth in this kind of residual waste capacity will constrain recycling rates in the UK. Since the DCO was passed, there has been no major proposal for any further recycling facilities in either Bedford Borough, Central Bedfordshire or Luton.

## Ineffective Public Consultation

Bearing in mind the different processes and the length of time it has taken for this proposal to reach this stage, a public meeting should have been held at an earlier point in the environmental permit process. When a public meeting was eventually held, this should have been staffed by Environment Agency personnel directly involved in the permit application. The permit process for such a large facility inevitably gives rise to the submission of many technical documents. It has not always been clear on the Environment Agency's website when new documents have been submitted and which documents these are. This has made it difficult for both consultees and the public to engage with the

process and as such we would consider the process flawed and very misleading.

## **In conclusion**

We refer to the Environment Agency's own guidance on issuing Permits:

The aim of this consultation is to ask whether you have any comments relevant to the permit application

*"We want to make the best decision when permitting. Listening to the views of others helps us to take account of concerns, or local environmental factors, that we may not be otherwise aware of.*

*We will only issue a permit if we believe that harm to the environment, people and wildlife will be minimised and that the operator has the ability to meet the conditions of the permit. Providing a business can prove that the proposed activities meet all the legal requirements, including environmental, technological and health requirements, then we are legally obliged to issue a permit, even if some people do not approve of the decision".*

There are many new factors to take into account and this being so the Environment Agency cannot issue a permit on this basis.

Mayor Dave Hodgson  
Mayor for Bedford Borough

Cllr Mrs Sue Clark  
Deputy Executive Member for  
Regeneration