

Determination of an Application for an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2010

Decision document recording our decision-making process

The Permit Number is: EPR/GP3432W/A001
The Applicant / Operator is: MWH Treatment Limited

The Installation is located at: Welland Bio Power
Pebble Hall Farm
Theddingworth
Northamptonshire
LE17 6NJ

What this document is about

This is a decision document, which accompanies a permit.

It explains how we have considered the Applicant's Application, and why we have included the specific conditions in the permit we are issuing to the Applicant. It is our record of our decision-making process, to show how we have taken into account all relevant factors in reaching our position. Unless the document explains otherwise, we have accepted the Applicant's proposals.

We try to explain our decision as accurately, comprehensively and plainly as possible. Achieving all three objectives is not always easy, and we would welcome any feedback as to how we might improve our decision documents in future. A lot of technical terms and acronyms are inevitable in a document of this nature: we provide a glossary of acronyms near the front of the document, for ease of reference.

Preliminary information and use of terms

We gave the application the reference number EPR/GP3432WP/A001. We refer to the application as "the **Application**" in this document in order to be consistent.

The number we have given to the permit is EPR/GP3432WP. We refer to the proposed permit as “the **Permit**” in this document.

The Application was duly made on 15th July 2015

The Applicant is MWH Treatment Limited. We refer to MWH Treatment Limited as “the **Applicant**” in this document. Where we are talking about what would happen after the Permit is granted (if that is our final decision), we call MWH Treatment Limited “the **Operator**”.

MWH Treatment Limited proposed facility is located at Pebble Hall Farm, Theddingworth, Northamptonshire. We refer to this as “the **Installation**” in this document.

How this document is structured

- Glossary of acronyms
- Our proposed decision
- How we reached our decision
- The legal framework
- The Installation
 - Description of the Installation and general issues
 - The site and its protection
 - Operation of the Installation – general issues
- Minimising the installation's environmental impact
 - Assessment Methodology
 - Air Quality Assessment
 - Human health risk assessment
 - Impact on Habitats sites, SSSIs, non-statutory conservation sites etc.
 - Impact of abnormal operations
- Application of Best Available Techniques
 - Scope of Consideration
 - BAT and emissions control
 - BAT and global warming potential
 - BAT and POPs
 - Other Emissions to the Environment
 - Setting ELVs and other Permit conditions
 - Monitoring
 - Reporting
- Other legal requirements
 - The EPR 2010 (as amended) and related Directives
 - National primary legislation
 - National secondary legislation
 - Other relevant legal requirements
- Annexes
 - Application of the Waste Incineration Directive
 - Pre-Operational Conditions
 - Improvement Conditions
 - Consultation Responses

Glossary of acronyms used in this document

(Please note that this glossary is standard for our decision documents and therefore not all these acronyms are necessarily used in this document.)

AAD	Ambient Air Directive (2008/50/EC)
APC	Air Pollution Control
BAT	Best Available Technique(s)
BAT-AEL	BAT Associated Emission Level
BREF	BAT Reference Note
CEM	Continuous emissions monitor
CFD	Computerised fluid dynamics
CHP	Combined heat and power
COMEAP	Committee on the Medical Effects of Air Pollutants
CROW	Countryside and rights of way Act 2000
CV	Calorific value
DAA	Directly associated activity – Additional activities necessary to be carried out to allow the principal activity to be carried out
DD	Decision document
EAL	Environmental assessment level
EIAD	Environmental Impact Assessment Directive (85/337/EEC)
ELV	Emission limit value
EMAS	EU Eco Management and Audit Scheme
EMS	Environmental Management System
EPR	Environmental Permitting (England and Wales) Regulations 2010 (SI 2010 No. 675) as amended
EQS	Environmental quality standard
EU-EQS	European Union Environmental Quality Standard
EWG	European waste catalogue
FSA	Food Standards Agency
GWP	Global Warming Potential
HHRAP	Human Health Risk Assessment Protocol
HMIP	Her Majesty's Inspectorate of Pollution
HPA	Health Protection Agency (now PHE – Public Health England)
HRA	Human Rights Act 1998

HW	Hazardous waste
HWI	Hazardous waste incinerator
IBA	Incinerator Bottom Ash
IED	Industrial Emissions Directive (2010/75/EU)
IPPCD	Integrated Pollution Prevention and Control Directive (2008/1/EC) – now superseded by IED
I-TEF	Toxic Equivalent Factors set out in Annex VI Part 2 of IED
I-TEQ	Toxic Equivalent Quotient calculated using I-TEF
LCPD	Large Combustion Plant Directive (2001/80/EC) – now superseded by IED
LCV	Lower calorific value – also termed net calorific value
LfD	Landfill Directive (1999/31/EC)
LADPH	Local Authority Director(s) of Public Health
LOI	Loss on Ignition
MBT	Mechanical biological treatment
MSW	Municipal Solid Waste
MWI	Municipal waste incinerator
NO _x	Oxides of nitrogen (NO plus NO ₂ expressed as NO ₂)
Opra	Operator Performance Risk Appraisal
PAH	Polycyclic aromatic hydrocarbons
PC	Process Contribution
PCB	Polychlorinated biphenyls
PEC	Predicted Environmental Concentration
PHE	Public Health England
POP(s)	Persistent organic pollutant(s)
PPS	Public participation statement
PR	Public register
PXDD	Poly-halogenated di-benzo-p-dioxins
PXB	Poly-halogenated biphenyls
PXDF	Poly-halogenated di-benzo furans
RDF	Refuse derived fuel
RGS	Regulatory Guidance Series
SAC	Special Area of Conservation
SCR	Selective catalytic reduction
SGN	Sector guidance note

SHPI(s)	Site(s) of High Public Interest
SNCR	Selective non-catalytic reduction
SPA(s)	Special Protection Area(s)
SS	Sewage sludge
SSSI(s)	Site(s) of Special Scientific Interest
SWMA	Specified waste management activity
TDI	Tolerable daily intake
TEF	Toxic Equivalent Factors
TGN	Technical guidance note
TOC	Total Organic Carbon
UHV	Upper heating value –also termed gross calorific value
UN_ECE	United Nations Environmental Commission for Europe
US EPA	United States Environmental Protection Agency
WFD	Waste Framework Directive (2008/98/EC)
WHO	World Health Organisation
WID	Waste Incineration Directive (2000/76/EC) – now superseded by IED

1 Our proposed decision

We have decided to grant the Permit to the Applicant. This will allow it to operate the Installation, subject to the conditions in the Permit.

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the permit will ensure that a high level of protection is provided for the environment and human health.

This Application is to operate an installation which is subject principally to the Industrial Emissions Directive (IED).

The Permit contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the permit, we have considered the Application and accepted the details are sufficient and satisfactory to make the standard condition appropriate. This document does, however, provide an explanation of our use of “tailor-made” or installation-specific conditions, or where our Permit template provides two or more options.

2 How we reached our decision

2.1 Receipt of Application

The Application was duly made on 15th July 2015. This means we considered it was in the correct form and contained sufficient information for us to begin our determination but not that it necessarily contained all the information we would need to complete that determination: see below.

The Applicant made no claim for commercial confidentiality. We have not received any information in relation to the Application that appears to be confidential in relation to any party.

2.2 Consultation on the Application

We carried out consultation on the Application in accordance with the EPR, our statutory PPS and our own RGS Note 6 for Determinations involving Sites of High Public Interest. We consider that this process satisfies, and frequently goes beyond the requirements of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, which are directly incorporated into the IED, which applies to the Installation and the Application. We have also taken into account our obligations under the Local Democracy, Economic Development

and Construction Act 2009 (particularly Section 23). This requires us, where we consider it appropriate, to take such steps as we consider appropriate to secure the involvement of representatives of interested persons in the exercise of our functions, by providing them with information, consulting them or involving them in any other way. In this case, our consultation already satisfies the Act's requirements.

We advertised the Application by a notice placed on our website, which contained all the information required by the IED, including telling people where and when they could see a copy of the Application. We also placed an advertisement in the Harborough Mail and the Leicester Mercury on 23rd July 2015.

We made a copy of the Application and all other documents relevant to our determination (see below) available to view on our Public Register at Nene House, Pytchley Lodge Industrial Estate, Kettering NN15 6JQ

Anyone wishing to see these documents could do so and arrange for copies to be made.

We sent copies of the Application to the following bodies, which includes those with whom we have "Working Together Agreements":

- *Local Fire Service – Leicester Fire and Rescue Service*
- *Public Health England*
- *Local Authority Environmental Health – Daventry Borough Council*
- *Food Standards Agency*
- *Director of Public Health – Leicestershire County Council and Northamptonshire County Council*
- *Health and safety Executive*

These are bodies whose expertise, democratic accountability and/or local knowledge make it appropriate for us to seek their views directly. Note under our Working Together Agreement with Natural England, we only inform Natural England of the results of our assessment of the impact of the installation on designated Habitats sites.

Further details along with a summary of consultation comments and our response to the representations we received can be found in Annex 4. We have taken all relevant representations into consideration in reaching our determination.

We also carried out a 'minded to' consultation on our draft permit and decision document. The documents were made available on our website between 04/04/2016 and 03/05/2016. Further details along with a summary of consultation comments and our response to the representations we received can also be found in Annex 4.

2.3 Requests for Further Information

Although we were able to consider the Application duly made, we did in fact need more information in order to determine it, and issued an information notice on 07/10/2015. A response was received on the 27/11/2015. A copy of the information notice was placed on our public register.

In addition to our information notices, we received additional information during the determination from the Applicant. The following table shows the date this information was received and what the information was:

Date received	Type	Info
16/07/2015	Email with attachment	Copy of Environmental impact Assessment
18/08/2015	Email with attachment	Site induction – Part of Fire Prevention Plan
05/10/2015	Email with attachments	Information on effluent discharges to River Welland and permit boundary
22/10/2015	2 x Email with attachment	Noise assessment reports
08/02/2016	Email	Additional information on fuel specification.
17/12/2016	Email	Additional information on exhaust stack
19/12/2015	Email and attachment	Additional on stack height and design
26/02/2016	Email with attachments	Information on discharge to River Welland
29/02/2016	Email with Attachments	Info on surface water discharge arrangements.
01/03/2016	Email with Attachment	Drainage Layout drawing
17/03/2016	Email with Attachments	Additional information on effluent discharges.
22/03/2016	Email with Attachment	Info on effluent and surface water drainage to the Attenuation and Retention Lagoons including operating instructions
06/05/2016	2 Emails	Additional information on suitable waste types and effluent temperature.

We made a copy of this information available to the public in the same way as the response(s) to our information notice(s).

3 The legal framework

The Permit will be granted, if appropriate, under Regulation 13 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* and a *waste co-incineration plant* as described by the IED;
- an *operation* covered by the WFD, and
- subject to aspects of other relevant legislation which also have to be addressed.

We address some of the major legal requirements directly where relevant in the body of this document. Other requirements are covered in a section towards the end of this document.

We consider that, in granting the Permit, it will ensure that the operation of the Installation complies with all relevant legal requirements and that a high level of protection will be delivered for the environment and human health.

We explain how we have addressed specific statutory requirements more fully in the rest of this document.

4 The Installation

4.1 Description of the Installation and related issues

4.1.1 The permitted activities

The Installation is subject to the EPR because it carries out an activity listed in Part 1 of Schedule 1 to the EPR:

- Section 5.1 Part A(1)(b) – incineration of non-hazardous waste in a waste incineration plant or waste co-incineration plant with a capacity of 3 tonnes or more per hour.

The IED definition of “waste incineration plants” and “waste co-incineration plants” says that it includes:

“all incineration lines or co-incineration lines, waste reception, storage, on-site pre-treatment facilities, waste, fuel and air supply systems, boilers, facilities for the treatment of waste gases, on-site facilities for treatment or storage of residues and waste water, stacks, devices for controlling incineration or

co-incineration operations, recording and monitoring incineration or co-incineration conditions.”

Many activities which would normally be categorised as “directly associated activities” for EPR purposes (see below), such as air pollution control plant and the ash storage bunker, are therefore included in the listed activity description.

An installation may also comprise “directly associated activities”, which at this Installation includes the generation of electricity using a steam turbine. These activities comprise one installation, because the incineration plant and the steam turbine are successive steps in an integrated activity.

Together, these listed and directly associated activities comprise the Installation.

4.1.2 The Site

The proposed installation is located approximately 7.5km west south west of Market Harborough and about 1km south west of the village of Theddingworth. The approximate Ordnance Survey National Grid Reference for the centre of the site is SP 66182 84632.

To the northeast of the installation is a permitted wood processing and composting facility (WML 73293). To the west of the site is the River Welland. There are no European Designated habitat sites within 10km of the installation, there is one Sites of Special Scientific Interest with 2km; and there is one local wildlife sites within 2km.

The surrounding area comprises mainly agricultural land. The closest residential receptor is located approximately 500m north of the site.

The Applicant submitted a plan which we consider is satisfactory, showing the site of the Installation and its extent. A plan is included in Schedule 7 to the Permit, and the Operator is required to carry on the permitted activities within the site boundary.

Further information on the site is addressed below at 4.3.

4.1.3 What the Installation does

The Applicant has described the facility as a Timber Resource Recovery Plant. Our view is that for the purposes of IED (in particular Chapter IV) and EPR, the Installation is a waste co-incineration plant because:

Notwithstanding the fact that waste will be thermally treated by the process; the process is never the less ‘co-incineration’ because it is considered that main purpose of this plant is the generation of energy.

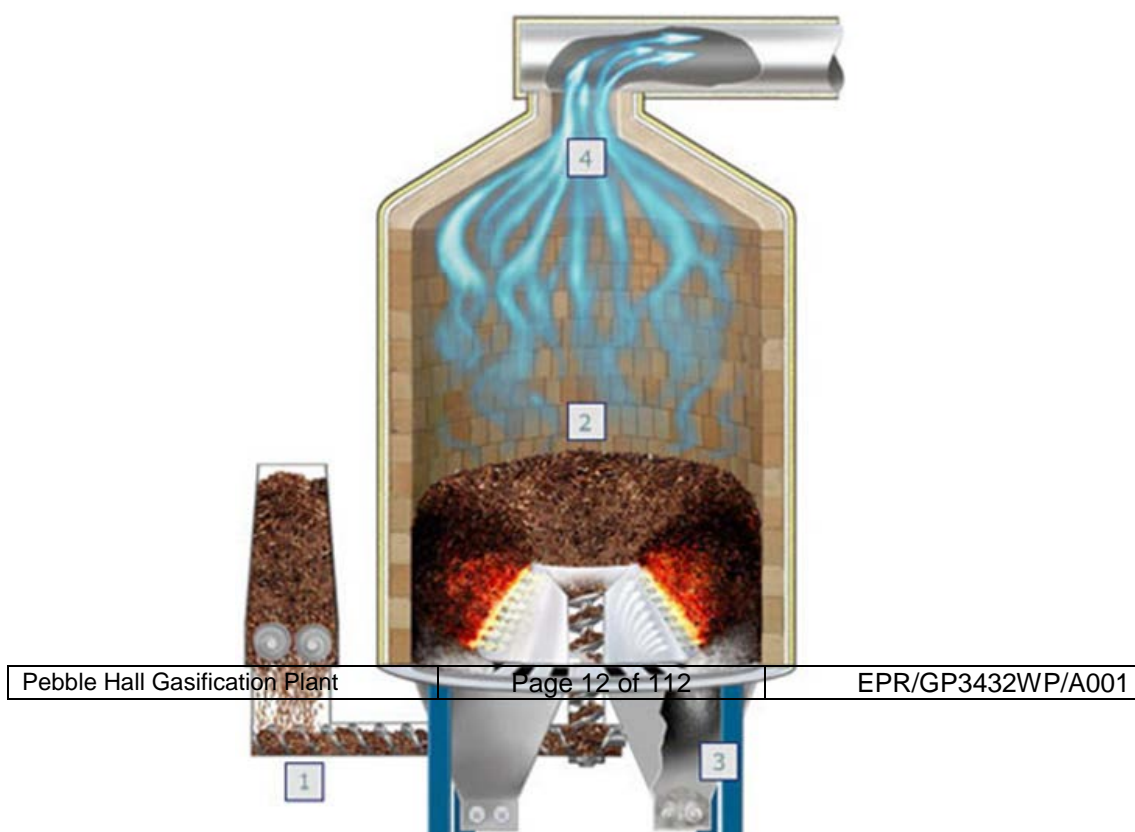
The facility will operate a high efficiency steam boiler turbine for the recovery of energy. It is proposed that waste heat will be exported (via heat main) to the nearby TAD plant, and electricity to the grid (10.3MWe). The Facility will recover energy at a rate greater than 0.8 MWh/tonne waste. The principal source of fuel to produce the syngas is from a consistent feedstock of waste wood, which will undergo some pre-treatment prior to being gasified (including shredding and drying).

Although the process used to thermally treat the waste is gasification; for the process not to be considered a waste co-incineration plant (i.e. combustion plant), the resultant gases from the gasification process would have to be purified to such an extent that they would no longer be considered a waste (prior to combustion) and that emissions were no higher than those from the burning of natural gas.

The Applicant has not applied for 'end of waste' test as referred to in the Waste Framework Directive; therefore the whole process is considered to be a waste co-incineration plant and therefore subject to the requirements of Chapter IV of the IED.

The Installation will process a maximum of 72,000 tonnes (20% moisture) or 60,000 tonnes (dry) of waste wood per annum, with a calorific value of 20MJ/kg \pm 10%. It is likely that most of the timber feed material will be prepared and shredded adjacent to the site but by a different Operator and will be brought to site in pre prepared form. A 'storage push floor' system (complete with perforated steel plate for air drying) will load the feedstock onto a conveyor. Screening takes place by removal of ferrous metals and fines, utilising a magnetic separator and screen prior to being transported to the gasifier units.

The shredded feedstock will be fed into one of four gasifier units by an auger at a rate of 7,500kg per hour per individual gasifier.

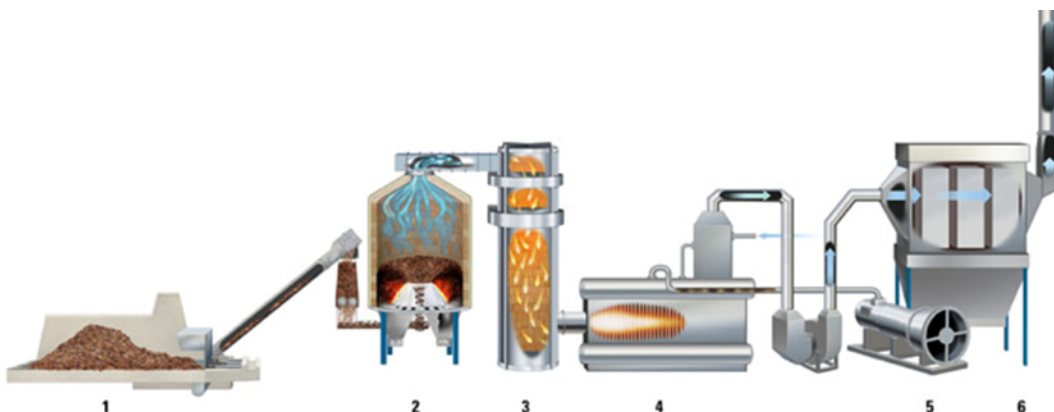


- 1 Feed auger
- 2 Gasifier Chamber
- 3 Ash discharge
4. Syn gas discharge

Ignition of the wood (by natural gas) occurs once required temperatures (850°C) are met within the secondary combustion chamber by pre-heating with natural gas. Where required, heat can also be supplied within the transfer ducts (between gasifier and combustion chamber) in order to maintain temperatures.

The gasifiers provide a low oxygen atmosphere to which a hydrogen and carbon monoxide rich 'syngas' can be produced (at a rate of 13,400m³ per hour per unit). Syngas streams are combined, cleaned and cooled prior to arriving at the combustion tube / chamber. At this point, combustion takes place at a temperature in excess of 850°C for a minimum residence time of 2 seconds.

Following combustion, hot gases are transported to a single boiler and steam turbine allowing for the production of electricity at a rate of 9.0 MWe (net) for the National Grid (and local industrial users) and excess heat (to potential future heat users). The process will generate gasification ash (potential re-use as construction aggregate) and APC residues. These will be collected and recycled where possible, or taken off-site for appropriate disposal.



Gasifier Schematic

- 1 Fuel store
- 2 Gasifier (one of four number)
- 3 Secondary combustion chamber (one of one number)
- 4 Boiler
- 5 Steam Turbine Generator set
- 6 Bag filter

There is one release point to air (A1) via a 35m stack. Emissions released from this point will undergo the following gas abatement prior to discharge:-

- SNCR (Selective Non-Catalytic Reduction) for reduction of NO_x (Oxides of Nitrogen) using urea,
- Acid Gas Abatement (injection of dry lime),
- Activated Carbon (injected upstream of the fabric filter) for Metals and Dioxins, and
- Advanced bag (fabric) filter for Particulate Matter (and APC residues).

Effluents from the cooling process will be discharged to the site surface water system and following treatment discharged to the River Welland.

The key features of the Installation can be summarised in the table below.

Waste throughput, Tonnes/line	72,000 /annum	9 tonnes/hour
Waste processed	Wood	
Number of lines	One line consisting of Four Gasifier Units.	
Furnace technology	Gasification	
Auxiliary Fuel	Natural Gas	
Acid gas abatement	Dry	Lime
NO _x abatement	SNCR	urea
Reagent consumption	Auxiliary Fuel 24000m ³ /annum Ammonia/Urea : 21.4 te/annum Lime/Other : 35000 te/annum Activated carbon: 10 te/annum	
Flue gas recirculation	Yes	
Dioxin abatement	Activated carbon	
Stack	Grid Reference	
	Height, 35 m	Diameter, 1.41 m
Flue gas	Flow, 23.44 Nm ³ /s	Velocity, 15m/s
	Temperature °C	176°C (when generating electricity only) 110°C (when taking waste heat from the stack)
Electricity generated	Approximately 10.6 MWe	84,800 MWh
Electricity exported	At least 9MWe	72,000 MWh
Waste heat use	Heat will be used to re heat the process buildings and offices and the warming and drying of the prepared feedstock. It also proposed to use waste heat in the adjacent TAD process.	

4.1.4 Key Issues in the Determination

The key issues arising during this determination were emissions to air and their impact; and noise and we therefore describe how we determined these issues in most detail in this document.

4.2 The site and its protection

4.2.1 Site setting, layout and history

The proposed installation is located approximately 7.5km west south west of Market Harborough and about 1km south west of the village of Theddingworth. The approximate Ordnance Survey National Grid Reference for the centre of the site is SP 663 846.

To the northeast of the installation is a permitted wood processing and composting facility (WML 73293). To the west of the site is the River Welland. Geology of the site is underlain by Mid Pleistocene Glaciofluvial deposits which overlie Blue Lias Formation and Charmouth Mudstone Formation of Jurassic age.

4.2.2 Proposed site design: potentially polluting substances and prevention measures

Hazard	Environmental Consequence	Techniques to reduce risk
Spillage of cooling tower chemicals or oils Spillage of ash Spillage of liquid Urea Leakage from cooling towers	Direct infiltration to land Entry to surface water	Impervious operational areas Containment measures including bunding High level alarms on tanks Training. Spillage granules available to clean up minor spillages
Failure of containment for chemicals and oils	Direct infiltration to land Entry to surface water	Preventative maintenance regime; Integrity testing and inspection procedures Impervious operational areas Spillages can be detained in flood detention basin. Drip trays beneath hose connections.
Failure to	Direct infiltration	Impervious operational areas

contain water	fire	to land Entry to surface water	Mist fire suppression rather than deluge minimises firewater volumes Building is banded to contain firewater Incident management procedures
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The local Groundwater and Contaminated Land team assessed the content of of the Application Site Report, including data from Site Investigation and Baseline data. The report concludes no significantly elevated levels of contaminants / concentrations, and our groundwater and contaminated land team agree that sufficient data has been provided within the Application, and that pollution of land and water is unlikely.

Under Article 22(2) of the IED the Applicant is required to provide a baseline report containing at least the information set out in paragraphs (a) and (b) of the Article before starting operation.

The Applicant has submitted a site condition report which includes a report on the baseline conditions as required by Article 22. We have reviewed that report and consider that it adequately describes the condition of the soil and groundwater prior to the start of operations.

The baseline report is an important reference document in the assessment of contamination that might arise during the operational lifetime of the installation and at cessation of activities at the installation.

4.2.3 Closure and decommissioning

Having considered the information submitted in the Application, we are satisfied that the appropriate measures will be in place for the closure and decommissioning of the Installation, as referred to in Appendix 8 of the Application. Pre-operational condition PO1 requires the Operator to have an Environmental Management System in place before the Installation is operational, and this will include a site closure plan.

At the definitive cessation of activities, the Operator has to satisfy us that the necessary measures have been taken so that the site ceases to pose a risk to soil or groundwater, taking into accounts both the baseline conditions and the site's current or approved future use. To do this, the Operator will apply to us for surrender of the permit, which we will not grant unless and until we are satisfied that these requirements have been met.

4.3 Operation of the Installation – general issues

4.3.1 Administrative issues

The Applicant is the sole Operator of the Installation.

We are satisfied that the Applicant is the person who will have control over the operation of the Installation after the granting of the Permit; and that the Applicant will be able to operate the Installation so as to comply with the conditions included in the Permit.

The co-incineration of waste is not a specified waste management activity (SWMA). The Environment Agency has considered whether any of the other activities taking place at the Installation are SWMAs and is satisfied that none are taking place.

We are satisfied that the Applicant's submitted Opra profile is accurate.

The Opra score will be used as the basis for subsistence and other charging, in accordance with our Charging Scheme. Opra is the Environment Agency's method of ensuring application and subsistence fees are appropriate and proportionate for the level of regulation required.

4.3.2 Management

The Applicant has stated in the Application that they will implement an Environmental Management System (EMS) that will be certified under ISO14001 or EMAS. A pre-operational condition (PO1) is included requiring the Operator to provide a summary of the EMS prior to commissioning of the plant and to make available for inspection all EMS documentation. The Environment Agency recognises that certification of the EMS cannot take place until the Installation is operational. An improvement condition (IC1) is included requiring the Operator to report progress towards gaining accreditation of its EMS.

We are satisfied that appropriate management systems and management structures will be in place for this Installation, and that sufficient resources are available to the Operator to ensure compliance with all the Permit conditions.

4.3.3 Site security

Having considered the information submitted in the Application, we are satisfied that appropriate infrastructure and procedures will be in place to ensure that the site remains secure.

4.3.4 Accident management

The Applicant has submitted an Accident Management Plan. Having considered the plan and other information including the Fire Prevention Plan

(titled Managing Fire Risk @ Welland Bio Power) submitted in the Application, we are satisfied that appropriate measures will be in place to ensure that accidents that may cause pollution are prevented but that, if they should occur, their consequences are minimised. An Accident Management Plan will form part of the Environmental Management System and must be in place prior to commissioning as required by a pre-operational condition (PO1).

We have also included a pre operational condition (PO10) for the Operator to submit an updated Fire Prevention Plan. Whilst we have approved Fire Prevention Plan in principal, the installation is not built yet. Therefore to ensure the final plan reflects the plant when it is built and operational, the plan needs to be updated and submitted to the Environment Agency for final approval before the installation becomes operational.

4.3.5 Off-site conditions

We do not consider that any off-site conditions are necessary.

4.3.6 Operating techniques

We have specified that the Applicant must operate the Installation in accordance with the following documents contained in the Application:

Description	Parts Included
The Application	<p>Operating Techniques described in the: Section 2 Emissions control (all sub sections)</p> <p>Section 5 Improvement programme</p> <p>Appendix 5: Air emissions dispersion modelling report, HHRAP, Emergency releases. Appendix 7: BAT Review Appendix 8: Draft closure notice Appendix 10: Application site report. Appendix 11: Timber acceptance protocol. Appendix 15: Wood supply details. Appendix 16: Hydrogen fluoride monitoring Appendix 17: Operational details Appendix 18: residence time calculation Appendix 19: Ash residue analysis Appendix 23: CHP-Ready Assessment</p> <p>Additional info for Duly Making: Response to question 1: Amended application forms Response to question 5: Amended Site condition Report & 'Managing Fire Risk @ Welland Bio Power' document Response to question 6: additional information in support of Air Quality and dioxin health risk assessment. Response to question 7: Additional information in support of habitats assessment.</p>

	<p>Response to question 8: Additional information on emission levels for group 3 metals.</p> <p>Response to question 9: Table summarising how the plant will meet for each of the requirements of IED/WID.</p>
<p>Response to Schedule 5 Notice received 27/11/2015</p>	<p>Response to question 1 – Boiler design</p> <p>Response to question 2 – Burner technology</p> <p>Response to question 3 – Injection of activated carbon</p> <p>Response to question 5 – Choice of start up fuel</p> <p>Response to question 8 – Effluent treatment and discharge arrangements to the River Welland.</p> <p>Response to question 9 – Containment of biocides</p> <p>Response to question 10 – Containment of cleandown water</p> <p>Response to question 11 – Impact of noise from vehicle movements on site</p> <p>Response to question 12 - Method of transfer of treated effluent from site to attenuation lagoon.</p> <p>Response to question 13 – Details of Attenuation lagoon lining system.</p>
<p>Other Information</p>	<p>Email Received 18/08/2015 containing copy of Site induction – Part of Fire Prevention Plan</p> <p>2 Email received 22/10/2015 containing noise assessment reports.</p> <p>Email containing Additional in information on stack height and design received 19/12/2015</p> <p>Email from Steve Cooper (MWH) explaining surface water discharge arrangements Received 29/02/2016</p> <p>Drainage Layout drawing received 01/03/2016</p> <p>Email from Steve Cooper (MWH) received 22/03/2016 regarding effluent and surface water drainage to the Attenuation and Retention Lagoons including 2 x operating instructions titled:</p> <ul style="list-style-type: none"> • Effluent water testing of discharge to river from Attenuation Lagoon rev05 • Effluent water testing discharge to river from retention lagoonrev05

The details set out above describe the techniques that will be used for the operation of the Installation that have been assessed by the Environment Agency as BAT; they form part of the Permit through Permit condition 2.3.1 and Table S1.2 in the Permit Schedules.

Article 45(1) of the IED requires that the Permit must include a list of all types of waste which may be treated using at least the types of waste set out in the European Waste List established by Decision 2005/532/EC, EC, if possible, and containing information on the quantity of each type of waste, where appropriate. The Application contains a list of those wastes coded by the European Waste Catalogue (EWC) number, which the Applicant will accept in

the waste streams entering the plant and which the plant is capable of burning in an environmentally acceptable way. We have specified the permitted waste types, descriptions and where appropriate quantities which can be accepted at the installation in Table S2.2.

We are satisfied that the Applicant can accept the wastes contained in Table S2.2 of the Permit because: -

- (i) the wastes are all categorised as non-hazardous in the European Waste Catalogue and are capable of being safely burnt at the installation.
- (ii) these wastes are likely to be within the design calorific value (CV) range for the plant;
- (iii) these wastes are unlikely to contain harmful components that cannot be safely processed at the Installation.

The co-incineration plant will take biomass that will be sourced from commercial, industrial, construction and demolition waste streams. The fuel will be processed off site before being transported to the installation.

We have limited the capacity of the Installation to 72,000 tonnes per annum. This is based on the installation operating 8,000 hours per year at a nominal capacity of 9 tonnes per hour.

The Installation will be designed, constructed and operated using BAT for the incineration of the permitted wastes. We are satisfied that the operating and abatement techniques are BAT for incinerating these types of waste. Our assessment of BAT is set out later in this document.

4.3.7 Energy efficiency

(i) Consideration of energy efficiency

We have considered the issue of energy efficiency in the following ways:

1. The use of energy within, and generated by, the Installation which are normal aspects of all EPR permit determinations. This issue is dealt with in this section.
2. The extent to which the Installation meets the requirements of Article 50(5) of the IED, which requires *“the heat generated during the incineration and co-incineration process is recovered as far as practicable through the generation of heat, steam or power”*. This issue is covered in this section.
3. The combustion efficiency and energy utilisation of different design options for the Installation are relevant considerations in the determination of BAT for the Installation, including the Global Warming

Potential of the different options. This aspect is covered in the BAT assessment in section 6 of this Decision Document.

4. The extent to which the Installation meets the requirement of Article 14(5) of the Energy Efficiency Directive which requires new thermal electricity generation installations with a total thermal input exceeding 20 MW to carry out a cost-benefit assessment “*assess the cost and benefits of providing for the operation of the installation as a high-efficiency cogeneration installation*”.

(ii) Use of energy within the Installation

Having considered the information submitted in the Application, we are satisfied that appropriate measures will be in place to ensure that energy is used efficiently within the Installation.

The Application details a number of measures that will be implemented at the Installation in order to increase its energy efficiency. The Application states that the specific energy consumption, a measure of total energy consumed per unit of waste processed, will be 141.5 kWh/tonne. The installation capacity is 72,000 t/a.

Data from the BREF for Municipal Waste Incinerators shows that the range of specific energy consumptions is as in the table below.

MSWI plant size range (t/yr)	Process energy demand (kWh/t waste input)
Up to 150,000	300 – 700
150,000 – 250,000	150 – 500
More than 250,000	60 – 200

The BREF says that it is BAT to reduce the average installation electrical demand to generally below 150 kWh/tonne of waste with an LCV of 10.4 MJ/kg. The LCV in this case is expected to be 18 MJ/kg (based upon 20MJ/kg [Dry]). Taking account of the difference in LCV, the specific energy consumption in the Application is in line with that set out above.

(iii) Generation of energy within the Installation - Compliance with Article 50(5) of the IED

Article 50(5) of the IED requires that *“the heat generated during the incineration and co-incineration process is recovered as far as practicable”*.

Our CHP Ready Guidance - February 2013 considers that BAT for energy efficiency for Energy from Waste (EfW) plant is the use of CHP in circumstances where there are technically and economically viable opportunities for the supply of heat from the outset.

The term CHP in this context represents a plant which also provides a supply of heat from the electrical power generation process to either a district heating network or to an industrial / commercial building or process. However, it is recognised that opportunities for the supply of heat do not always exist from the outset (i.e. when a plant is first consented, constructed and commissioned).

In cases where there are no immediate opportunities for the supply of heat from the outset, the Environment Agency considers that BAT is to build the plant to be CHP Ready (CHP-R) to a degree which is dictated by the likely future opportunities which are technically viable and which may, in time, also become economically viable.

The Applicant has stated that the site will be designed to CHP ready from the outset. It is proposed that an Anaerobic digestion facility, known as the TAD facility, will be built close by to the Welland Bio Power plant. It must be noted that the TAD facility is yet have an Environmental Permit granted. The Applicant has stated that the TAD plant could take waste heat for the use of drying pellets.

As detailed in Environment Agency Guidance document CHP Ready Guidance for Combustion and Energy from Waste Power Plants (V1 Feb 2013) with respect to the use of CHP, there are 3 BAT tests that should be applied. The Applicant has stated that it is likely that the installation will meet the first BAT test, which means that it will be CHP plant at the outset. However as discussed above discussion are still progress with a potential recipient of the waste heat.

The second BAT test, which is that the new plant will be CHP ready at the outset but there are no immediate opportunities for the supply of heat. The installation should be designed to be CHP with the minimum of modification. The applications states that the installation has been designed to CHP ready from the outset and these considerations have been included in the design stages from the Welland Bio power plant, even down to the associated fittings being designed to include the installation of heat mains to the adjacent TAD businesses.

The BREF says that where a plant generates electricity only, it is BAT to recover 0.4 – 0.65 MWh/ tonne of waste (based on LCV of 10.4 MJ/kg) for raw waste inputs or 0.6 – 1.0 MWh/tonne of waste (based on LCV of 15.2 MJ/kg) for pre-treated wastes. Our technical guidance note, SGN EPR S5.01, states that where electricity only is generated, 5-9 MW of electricity should be recoverable per 100,000 tonnes/annum of waste (which equates to 0.4 – 0.72 MWh/tonne of waste).

As the use of waste heat is not yet finalised, we have assumed the Installation will generate electricity only and has been specified to maximise electrical output with little or no use of waste heat. The Application shows 10.6 MW of electricity produced for an annual burn of 72,000 tonnes, which represents 14.7 MW per 100,000 tonnes/yr of waste burned (1.17 MWh/tonne of waste). The Installation is therefore in excess of the indicative BAT range.

The SGN and Chapter IV of the IED both require that, as well as maximising the primary use of heat to generate electricity; waste heat should be recovered as far as practicable.

We consider that the Installation will recover heat as far as practicable, and therefore that the requirements of Article 6(6) are met.

(iv) R1 Calculation and the DEFRA Good Quality CHP Scheme

The R1 calculation and gaining accreditation under the DEFRA Good Quality CHP Scheme does not form part of the matters relevant to our determination. They are however a general indicators that the installation is achieving a high level of energy recovery.

The Applicant has not presented an R1 calculation with this application, nor have we received a separate application for a determination on whether the installation is a recovery or disposal facility.

The Operator is seeking accreditation under the DEFRA Good Quality CHP Scheme. This process does not form part of the matters relevant to our determination, but forms part of financial aspects of the project drawing down funding through Renewable Obligation Credits (ROCs). Gaining accreditation under the scheme is however an indication of achieving a high level of energy recovery. Our consideration of energy recovery is described in the preceding paragraphs and we are satisfied that the level of recovery being achieved meets all the statutory requirements.

Note that the availability or non-availability of financial incentives for renewable energy such as the ROC and RHI schemes is not a consideration in determining this application.

(v) Choice of Steam Turbine

An appropriate turbine design will be selected to maximise electricity generation and facilitate the distribution of heat to third-party customers off-site.

(vi) Choice of Cooling System

The Applicant confirmed that the plant would operate an Air Cooled Condenser (ACC) for cooling spent steam after the boiler.

The Air Cooled Condenser has a minimal water usage requirement, whilst preventing a steam plume. The ACC was considered to represent BAT for this Installation and we agree with this conclusion.

(vii) Compliance with Article 14(5) of the Energy Efficiency Directive

The operator has submitted a cost-benefit assessment of opportunities for high efficiency co-generation within 15 km of the installation in which they calculated net present value. If the NPV is positive (i.e. any number more than zero) it means that the investors will make a rate of return that makes the scheme commercially viable. A negative NPV means that the project will not be commercially viable. The Applicant's assessment showed a net present value of 1.34 which demonstrates that operating as a high-efficiency cogeneration installation will be financially viable. We have therefore included conditions in the operator's permit as described in section [viii] below.

(viii) Permit conditions concerning energy efficiency

Conditions 1.2.2 and 1.2.3 have also been included in the Permit, which require the Operator to review the options available for heat recovery on an ongoing basis, and to provide and maintain the proposed steam/hot water pass-outs.

Condition PO11 in table S1.4 has been included in the permit requiring the operator to submit a plan (for approval by the Environment Agency) to which they will operate as a high-efficiency co-generation installation in the manner described within the cost-benefit assessment carried out to satisfy the requirements of Article 14(5) of the Energy Efficiency Directive.

The Operator is required to report energy usage and energy generated under condition 4.2 and Schedule 4. The following parameters are required to be reported: total electrical energy generated; electrical energy exported; total energy usage and energy exported as heat (if any). Together with the total MSW burned per year, this will enable the Environment Agency to monitor energy recovery efficiency at the Installation and take action if at any stage the energy recovery efficiency is less than proposed.

There are no site-specific considerations that require the imposition of standards beyond indicative BAT, and so the Environment Agency accepts that the Applicant's proposals represent BAT for this Installation.

4.3.8 Efficient use of raw materials

Having considered the information submitted in the Application, we are satisfied that the appropriate measures will be in place to ensure the efficient use of raw materials and water.

The Operator is required to report with respect to quarterly raw material usage under condition 4.2. and Schedule 4, including consumption of lime, activated carbon and urea used per tonne of waste burned. This will enable the Environment Agency to assess whether there have been any changes in the efficiency of the air pollution control plant, and the operation of the SNCR to abate NO_x. These are the most significant raw materials that will be used at the Installation, other than the waste feed itself (addressed elsewhere). The efficiency of the use of auxiliary fuel will be tracked separately as part of the energy reporting requirement under condition 4.2.1. Optimising reagent dosage for air abatement systems and minimising the use of auxiliary fuels is further considered in the section on BAT.

4.3.9 Avoidance, recovery or disposal with minimal environmental impact of wastes produced by the activities

This requirement addresses wastes produced at the Installation and does not apply to the waste being treated there. The principal waste streams the

Installation will produce are gasification ash, air pollution control residues and recovered metals.

The first objective is to avoid producing waste at all. Waste production will be avoided by achieving a high degree of burnout of the ash in the gasifier, which results in a material that is both reduced in volume and in chemical reactivity. Condition 3.1.3 and associated Table S3.5 specify limits for total organic carbon (TOC) of <3% in gasification ash. Compliance with this limit will demonstrate that good combustion control and waste burnout is being achieved and waste generation is being avoided where practicable.

Gasification ash, similar to Incinerator bottom ash (IBA) will normally be classified as non-hazardous waste. However, IBA is classified on the European List of Wastes as a “mirror entry”, which means IBA is a hazardous waste if it possesses a hazardous property relating to the content of dangerous substances. Monitoring of gasification ash will be carried out in accordance with the requirements of Article 53(3) of IED. Classification of IBA (gasification ash) for its subsequent use or disposal is controlled by other legislation and so is not duplicated within the permit.

Air pollution control (APC) residues from flue gas treatment are hazardous waste and therefore must be sent for disposal to a landfill site permitted to accept hazardous waste, or to an appropriately permitted facility for hazardous waste treatment. The amount of APC residues is minimised through optimising the performance of the air emissions abatement plant.

In order to ensure that the gasification ash and APC residues are adequately characterised, pre-operational condition PO2 requires the Operator to provide a written plan for approval detailing the ash sampling protocols. Table S3.5 requires the Operator to carry out an ongoing programme of monitoring.

The Application states that ferrous and non ferrous metals will be recovered upfront during extensive waste wood pre-preparation (timber shredding). Following the gasification process the ash residue is expected to be low content (timber biomass) and where possible will be recovered / treated for use as a fertiliser (where possible) and as an inert aggregate type material for the construction industry. This will be dependent on the level of contaminants of the ash produced which will be determined through the characterisation requirements discussed above.

Having considered the information submitted in the Application, we are satisfied that the waste hierarchy referred to in Article 4 of the WFD will be applied to the generation of waste and that any waste generated will be treated in accordance with this Article.

We are satisfied that the waste from the Installation that cannot be recovered will be disposed of using a method that minimises any impact on the environment. Standard permit condition 1.4.1 will ensure that this position is maintained.

5. Minimising the Installation's environmental impact

Regulated activities can present different types of risk to the environment, these include odour, noise and vibration; accidents, fugitive emissions to air and water; as well as point source releases to air, discharges to ground or groundwater, global warming potential and generation of waste and other environmental impacts. Consideration may also have to be given to the effect of emissions being subsequently deposited onto land (where there are ecological receptors). All these factors are discussed in this and other sections of this document.

For an installation of this kind, the principal emissions are those to air, although we also consider those to land and water.

The next sections of this document explain how we have approached the critical issue of assessing the likely impact of the emissions to air from the Installation on human health and the environment and what measures we are requiring to ensure a high level of protection.

5.1 Assessment Methodology

5.1.1 Application of Environment Agency H1 Guidance

A methodology for risk assessment of point source emissions to air, which we use to assess the risk of applications we receive for permits, is set out in our Horizontal Guidance Note H1 and has the following steps:

- Describe emissions and receptors
- Calculate process contributions
- Screen out insignificant emissions that do not warrant further investigation
- Decide if detailed air modelling is needed
- Assess emissions against relevant standards
- Summarise the effects of emissions

The H1 methodology uses a concept of “process contribution (PC)”, which is the estimated concentration of emitted substances after dispersion into the receiving environmental media at the point where the magnitude of the concentration is greatest. The guidance provides a simple method of calculating PC primarily for screening purposes and for estimating process contributions where environmental consequences are relatively low. It is based on using dispersion factors. These factors assume worst case dispersion conditions with no allowance made for thermal or momentum plume rise and so the process contributions calculated are likely to be an overestimate of the actual maximum concentrations. More accurate calculation of process contributions can be achieved by mathematical dispersion models, which take into account relevant parameters of the release and surrounding conditions, including local meteorology – these techniques are expensive but normally lead to a lower prediction of PC.

5.1.2 Use of Air Dispersion Modelling

For incineration applications, we normally require the Applicant to submit a full air dispersion model as part of their application. Air dispersion modelling enables the process contribution to be predicted at any environmental receptor that might be impacted by the plant.

Once short-term and long-term PCs have been calculated in this way, they are compared with Environmental Quality Standards (EQS) referred to as “benchmarks” in the H1 Guidance.

Where an EU EQS exists, the relevant standard is the EU EQS. Where an EU EQS does not exist, our guidance sets out a National EQS (also referred to as Environmental Assessment Level - EAL) which has been derived to provide a similar level of protection to Human Health and the Environment as the EU EQS levels. In a very small number of cases, e.g. for emissions of Lead, the National EQS is more stringent than the EU EQS. In such cases, we use the National EQS standard for our assessment.

National EQSs do not have the same legal status as EU EQSs, and there is no explicit requirement to impose stricter conditions than BAT in order to comply with a national EQS. However, national EQSs are a standard for harm and any significant contribution to a breach is likely to be unacceptable.

PCs are considered **Insignificant** if:

- the **long-term** process contribution is less than **1%** of the relevant EQS; and
- the **short-term** process contribution is less than **10%** of the relevant EQS.

The **long term** 1% process contribution insignificance threshold is based on the judgements that:

- It is unlikely that an emission at this level will make a significant contribution to air quality;
- The threshold provides a substantial safety margin to protect health and the environment.

The **short term** 10% process contribution insignificance threshold is based on the judgements that:

- spatial and temporal conditions mean that short term process contributions are transient and limited in comparison with long term process contributions;
- the threshold provides a substantial safety margin to protect health and the environment.

Where an emission is screened out in this way, we would normally consider that the Applicant's proposals for the prevention and control of the emission to be BAT. That is because if the impact of the emission is already insignificant, it follows that any further reduction in this emission will also be insignificant.

However, where an emission cannot be screened out as insignificant, it does not mean it will necessarily be significant.

For those pollutants which do not screen out as insignificant, we determine whether exceedences of the relevant EQS are likely. This is done through detailed audit and review of the Applicant's air dispersion modelling taking background concentrations and modelling uncertainties into account. Where an exceedance of an EU EQS is identified, we may require the Applicant to go beyond what would normally be considered BAT for the Installation or we may refuse the application if the applicant is unable to provide suitable proposals. Whether or not exceedences are considered likely, the application is subject to the requirement to operate in accordance with BAT.

This is not the end of the risk assessment, because we also take into account local factors (for example, particularly sensitive receptors nearby such as a SSSIs, SACs or SPAs). These additional factors may also lead us to include more stringent conditions than BAT.

If, as a result of reviewing of the risk assessment and taking account of any additional techniques that could be applied to limit emissions, we consider that emissions **would cause significant pollution**, we would refuse the Application.

5.2 Assessment of Impact on Air Quality

The Applicant's assessment of the impact of air quality is set out in Appendix 5 of the Application. The assessment comprises:

- An H1 screening assessment of emissions to air from the operation of the incinerator.
- Dispersion modelling of emissions to air from the operation of the incinerator.
- A study of the impact of emissions on nearby sensitive human receptors and habitat/conservation sites.

Amenity impacts during construction and air quality impacts arising from additional road traffic have not been considered as these are essentially matters for the local planning authority when considering the parallel application for planning permission, and outside the scope of our determination under the Environmental Permitting Regulations.

This section of the decision document deals primarily with the dispersion modelling of emissions to air from the incinerator chimney and its impact on local air quality. The impact on conservation sites is considered in section 5.4.

The Applicant has assessed the Installation's potential emissions to air against the relevant air quality standards, and the potential impact upon local habitat/conservation sites and human health. These assessments predict the potential effects on local air quality from the Installation's stack emissions

using the ADMS (version 5.0) dispersion model, which is a commonly used computer model for regulatory dispersion modelling. The model used 5 years of meteorological data collected from the weather station at Coventry Airport between 2008 and 2012. The impact of the terrain surrounding the site upon plume dispersion was considered in the dispersion modelling. The Applicant's assessment is based on a height of 30m and an efflux temperature from the stack of 176°C. During the determination the Applicant amended their proposals to increase the stack height to 35m, this was to compensate for a reduction in the predicted stack efflux temperature to 110°C which would be a consequence of waste heat re use at the nearby TAD process (as discussed earlier in section 4.3.7). The Applicant submitted a report that showed the impacts from emissions to air would not increase as a result of the increase in stack height and reduction in efflux temperature. We have audited this report and carried out own checks and we agree with this conclusion.

The air impact assessments, and the dispersion modelling upon which they were based, employed the following assumptions.

- First, they assumed that the ELVs in the Permit would be the maximum permitted by Article 46(2) and Annex VI of the IED. These substances are:
 - Oxides of nitrogen (NO_x), expressed as NO₂
 - Total dust
 - Carbon monoxide (CO)
 - Sulphur dioxide (SO₂)
 - Hydrogen chloride (HCl)
 - Hydrogen fluoride (HF)
 - Metals (Cadmium, Thallium, Mercury, Antimony, Arsenic, Lead, Chromium, Cobalt, Copper, Manganese, Nickel and Vanadium)
 - Polychlorinated dibenzo-para-dioxins and polychlorinated dibenzo furans (referred to as dioxins and furans)
 - Gaseous and vaporous organic substances, expressed as Total Organic Carbon (TOC)
- Second, they assumed that the Installation operates continuously at the relevant long-term or short-term emission limit values, i.e. the maximum permitted emission rate (except for emissions of arsenic, chromium and nickel, which are considered in section 5.2.3 of this decision document).
- Third, the model also considered emissions of pollutants not covered by Annex VI of IED, specifically ammonia (NH₃), nitrous oxide (N₂O), Polycyclic Aromatic Hydrocarbons (PAH) and PCB's (which was provided by the Applicant following an information request for duly making). Emission rates used in the modelling have been drawn from data in the Waste Incineration BREF and are considered further in section 5.2.1.

We are in agreement with this approach. The assumptions underpinning the model have been checked and are reasonably precautionary.

As well as calculating the peak ground level concentration, the Applicant has modelled the concentration of key pollutants at a number of specified locations within the surrounding area.

The way in which the Applicant used dispersion models, its selection of input data, use of background data and the assumptions it made have been reviewed by the Environment Agency's modelling specialists to establish the robustness of the Applicant's air impact assessment. The output from the model has then been used to inform further assessment of health impacts and impact on habitats and conservation sites.

Our review of the Applicant's assessment leads us to agree with the Applicant's conclusions. We have also audited the air quality and human health impact assessment and similarly agree that the conclusions drawn in the reports were acceptable.

The Applicant's modelling predictions are summarised in the following sections.

5.2.1 Assessment of Air Dispersion Modelling Outputs

The Applicant's modelling predictions are summarised in the tables below. The Applicant's modelling predicted peak ground level exposure to pollutants in ambient air. We have conservatively assumed that the maximum concentrations occur at the location of receptors.

Whilst we have used the Applicant's modelling predictions in the table below, we have made our own simple verification calculation of the percentage process contribution and predicted environmental concentration. These are the numbers shown in the tables below and so may be very slightly different to those shown in the Application. Any such minor discrepancies do not materially impact on our conclusions.

Assessment of Emissions to Air (1)

(Non Metals)

Pollutant	EQS / EAL		Back-ground	Process Contribution (PC)		Predicted Environmental Concentration (PEC)	
	µg/m³			µg/m³	µg/m³	% of EAL	µg/m³
NO ₂	40	1	10.4	4.1	10.3	14.5	36.3
	200	2	20.8	30	15.0	50.8	25.4
PM ₁₀	40	1	15.2	0.3	0.8	15.5	38.8
	50	3	30.4	1	2.0	31.4	62.8
PM _{2.5}	25	1	10	0.3	1.2	10.3	41.2
SO ₂	266	4		26	9.8		
	350	5		19	5.4		
	125	6		11	8.8		

HCl	750	7		5.3	0.7		
HF	16	8		0.03	0.2		
	160	7		0.5	0.3		
CO	10000	9		18.0	0.2		
VOC	5	1		0.3	6.0		
PAH	0.00025	1		0.000002	0.9		
NH ₃	180	1		0.05	0.0		
	2500	10		1.4	0.1		
PCBs	0.2	1		9.2E-10	0.0		
	6	10		8.5E-09	0.0		
Dioxins				2.04E-09			

VOC as Benzene

PAH as

benzo[a]pyrene

- 1 Annual Mean
- 2 99.79th %ile of 1-hour means
- 3 90.41st %ile of 24-hour means
- 4 99.9th ile of 15-min means
- 5 99.73rd %ile of 1-hour means
- 6 99.18th %ile of 24-hour means
- 7 1-hour average
- 8 Monthly average
- Maximum daily running 8-hour
- 9 mean
- 10 1-hour maximum

(i) Screening out emissions which are insignificant

From the tables above the following emissions can be screened out as insignificant in that the process contribution is < 1% of the long term EQS/EAL and <10% of the short term EAQ/EAL. These are:

Sulphur dioxide, hydrogen chloride, hydrogen fluoride, carbon monoxide, PAH as benzo[a]pyrene, ammonia, PM₁₀ and PCBs.

Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation subject to the detailed audit referred to below.

(ii) Emissions unlikely to give rise to significant pollution

Also from the tables above the following emissions (which were not screened out as insignificant) have been assessed as being unlikely to give rise to significant pollution in that the predicted environmental concentration is less than 100% (taking expected modelling uncertainties into account) of both the long term and short term EQS/EAL

- PM_{2.5}, NO₂

Also for VOCs the applicant's assessment predicted a process contribution of 6% of the EAL. There was no background data available to predicted the PEC, however we are in agreement with Applicant's assessment that whilst we cannot conclude the impact will be insignificant (i.e <% of the EAL) the assessment methodology used is based on the worst case, and in this location the overall environmental impact may be described as 'negligible'.

For these emissions, we have carefully scrutinised the Applicant's proposals to ensure that they are applying the Best Available Techniques to prevent and minimise emissions of these substances. This is reported in section 6 of this document.

(iii) Emissions requiring further assessment

All emissions either screen out as insignificant or where they do not screen out as insignificant are considered unlikely to give rise to significant pollution.

5.2.2 Consideration of key pollutants

(i) Nitrogen dioxide (NO₂)

The impact on air quality from NO₂ emissions has been assessed against the EU EQS of 40 µg/m³ as a long term annual average and a short term hourly average of 200 µg/m³. The model assumes a 70% NO_x to NO₂ conversion for the long term and 35% for the short term assessment in line with Environment Agency guidance on the use of air dispersion modelling.

The above tables show that the peak long term PC is greater than 1% of the EUEQS and therefore cannot be screened out as insignificant. Even so, from the table above, the emission is not expected to result in the EUEQS being exceeded. The peak short term PC is marginally above the level that would screen out as insignificant (>10% of the EUEQS). However it is not expected to result in the EUEQS being exceeded.

(ii) Particulate matter PM₁₀ and PM_{2.5}

The impact on air quality from particulate emissions has been assessed against the EQS for PM₁₀ (particles of 10 microns and smaller) and PM_{2.5} (particles of 2.5 microns and smaller). For PM₁₀, the EUEQS are a long term annual average of 40 µg/m³ and a short term daily average of 50 µg/m³. For

PM_{2.5} the EUEQS of 25 µg/m³ as a long-term annual average to be achieved by 2010 as a Target Value and by 2015 as a Limit Value has been used.

The Applicant's predicted impact of the Installation against these EQSs is shown in the tables above. The assessment assumes that **all** particulate emissions are present as PM₁₀ for the PM₁₀ assessment and that **all** particulate emissions are present as PM_{2.5} for the PM_{2.5} assessment.

The above assessment is considered to represent a worst case assessment in that: -

- It assumes that the plant emits particulates continuously at the IED Annex VI limit for total dust, whereas actual emissions from similar plant are normally lower.
- It assumes all particulates emitted are below either 10 microns (PM₁₀) or 2.5 microns (PM_{2.5}), when some are expected to be larger.

We have reviewed the Applicant's particulate matter impact assessment and are satisfied in the robustness of the Applicant's conclusions.

The above assessment shows that the predicted process contribution for emissions of PM₁₀ is below 1% of the long term EQS and below 10% of the short term EQS and so can be screened out as insignificant. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of particulates to be BAT for the Installation.

The above assessment shows that the predicted process contribution for emissions of PM_{2.5} is slightly above 1% EQS and so cannot be screened out as insignificant. However, the assessment is based very much on a worst case scenario, and in reality the process contribution is expected to be <1% of the EQS. Even so, from the table above, the emission is not expected to result in the EQS being exceeded.

There is currently no emission limit prescribed nor any continuous emissions monitor for particulate matter specifically in the PM₁₀ or PM_{2.5} fraction. Whilst the Environment Agency is confident that current monitoring techniques will capture the fine particle fraction (PM_{2.5}) for inclusion in the measurement of total particulate matter, an improvement condition (IC2) has been included that will require a full analysis of particle size distribution in the flue gas, and hence determine the ratio of fine to coarse particles. In the light of current knowledge and available data however the Environment Agency is satisfied that the health of the public would not be put at risk by such emissions, as explained in section 5.3.3.

(iii) Acid gases, SO₂, HCl and HF

From the tables above, emissions of HCl and HF can be screened out as insignificant in that the process contribution is <10% of the short term EQS/EAL. There is no long term EQS/EAL for HCl. HF has 2 assessment criteria – a 1-hr EAL and a monthly EAL – the process contribution is <1% of

the monthly EAL and so the emission screens out as insignificant if the monthly EAL is interpreted as representing a long term EAL.

There is no long term EAL for SO₂ for the protection of human health. Protection of ecological receptors from SO₂ for which there is a long term EAL is considered in section 5.4.

Emissions of SO₂ can also be screened out as insignificant in that the short term process contribution is also <10% of each of the three short term EUEQS values. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation.

(iv) Emissions to Air of CO, VOCs, PAHs, PCBs, Dioxins and NH₃

The above tables show that for CO emissions, the peak long term PC is less than 1% of the EAL/EQS and the peak short term PC is less than 10% of the EAL/EQS and so can be screened out as insignificant. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation.

The above tables show that for VOC emissions, the peak long term PC is greater than 1% of the EAL/EQS and therefore cannot be screened out as insignificant. Even so, from the table above, the emission is not expected to result in the EQS being exceeded.

The above tables show that for PAH and PCB emissions, the peak long term PC is less than 1% of the EAL/EQS and the peak short term PC is less than 10% of the EAL/EQS for PCB's and so can be screened out as insignificant. Therefore we consider the Applicant's proposals for preventing and minimising the emissions of these substances to be BAT for the Installation.

The Applicant has also used the EQS for benzo[a]pyrene (BaP) for their assessment of the impact of PAH. We agree that the use of the BaP EQS is sufficiently precautionary.

There is no EAL for dioxins and furans as the principal exposure route for these substances is by ingestion and the risk to human health is through the accumulation of these substances in the body over an extended period of time. This issue is considered in more detail in section 5.3

The ammonia emission is based on a release concentration of 2 mg/m³, which the Applicant says is as a result of slippage from the SNCR NO_x control system. We are satisfied that this level of emission is consistent with the operation of a well controlled SNCR NO_x abatement system. The process contributions of ammonia are <1% of both short term and long term EALs.

Whilst all emissions cannot be screened out as insignificant, the Applicant's modelling shows that the installation is unlikely to result in a breach of the EAL. The Applicant is required to prevent, minimise and control PAH and

VOC emissions using BAT, this is considered further in Section 6. We are satisfied that PAH and VOC emissions will not result in significant pollution.

(V) Summary

For the above emissions to air, for those emissions that do not screen out, we have carefully scrutinised the Applicant's proposals to ensure that they are applying the BAT to prevent and minimise emissions of these substances. This is reported in section 6 of this document. Therefore we consider the Applicant's proposals for preventing and minimising emissions to be BAT for the Installation. Dioxins and furans are considered further in section 5.3.2.

5.2.3 Assessment of Emission of Metals

The Applicant has assessed the impact of metal emissions to air, as previously described.

Assessment of Emissions to Air (2)

Pollutant	EQS / EAL		Back-ground	Process Contribution		Predicted Environmental Concentration	
	µg/m³			µg/m³	% of EAL	µg/m³	% of EAL
Cd	0.005	1	0.00014	0.00101	20.2	0.00115	23.0
Tl	1	1		0.00101	0.1		
Hg	0.25	1		0.00101	0.40		
Sb	5	1		0.0101	0.2		
Pb	0.25	1		0.0101	4.0		
Co				0.0101			
Cu	10	1		0.0101	0.1		
Mn	0.15	1		0.0011	0.7		
V	5	1		0.0101	0.2		
As	0.003	1		0.0101	336.7		
Cr (II)(III)	5	1		0.0101	0.2		
Cr (VI)	0.0002	1		0.00101	505.0		
Ni	0.02	1		0.0101	50.5		

1 Annual Mean

Annex VI of IED sets three limits for metal emissions:

- An emission limit value of $0.05 \text{ mg}/\text{m}^3$ for mercury and its compounds (formerly WID group 1 metals).
- An aggregate emission limit value of $0.05 \text{ mg}/\text{m}^3$ for cadmium and thallium and their compounds (formerly WID group 2 metals).

- An aggregate emission limit of 0.5 mg/m³ for antimony, arsenic, lead, chromium, cobalt, copper, manganese, nickel and vanadium and their compounds (formerly WID group 3 metals).

In addition the UK is a Party to the Heavy Metals Protocol within the framework of the UN-ECE Convention on long-range trans-boundary air pollution. Compliance with the IED Annex VI emission limits for metals along with the Application of BAT also ensures that these requirements are met.

From the table above, the following emissions of metals were screened out as insignificant:

- Thallium, Mercury, Antimony, Copper, Vanadium, Chromium (II)(III)

Also from the table above, the following emissions of metals whilst not screened out as insignificant were assessed as being unlikely to give rise to significant pollution:

- Cadmium

This left emissions of Chromium (VI), Arsenic, Lead, Manganese and Nickel requiring further assessment. For all other metals, the Applicant has concluded that exceedences of the EAL for all metals are not likely to occur.

Where Annex VI of the IED sets an aggregate limit, the Applicant's assessment assumes that each metal is emitted individually at the relevant aggregate emission limit value. This is a something which can never actually occur in practice as it would inevitably result in a breach of the said limit, and so represents a very much worst case scenario.

For metals Chromium (VI), Arsenic, Lead, Manganese and Nickel the Applicant then used a two step approach:

- Each metal is emitted as the proportion of metals in its group (i.e. one ninth of the limit for each of the group 3 metals). Historical data for Municipal Waste Incinerators indicates that 1/9th of the limit is an over estimate of actual emissions, and so we are satisfied that the Applicant's proposal is reasonable in this context.

Then for metals that had not screened out;

- Used representative emissions data from other municipal waste incinerators using our guidance note Please refer to "Guidance to Applicants on Impact Assessment for Group 3 Metals Stack Releases – V.3 September 2012".

Based on the above, the following emissions of metals were screened out as insignificant:

- Chromium (VI), Arsenic, Lead & Manganese

The following emissions of metals whilst not screened out as insignificant were assessed as being unlikely to give rise to significant pollution:

- Nickel

The 2009 report of the Expert Panel on Air Quality Standards (EPAQS) – “Guidelines for Metal and Metalloids in Ambient Air for the Protection of Human Health”, sets non statutory ambient air quality guidelines for Arsenic, Nickel and Chromium (VI). These guidelines have been incorporated as EALs in the revised H1 Guidance issued by the Agency in 2010.

Chromium (VI) is not specifically referenced in Annex VI of IED, which includes only total Chromium as one of the nine Group 3 metals, the impact of which has been assessed above. The EPAQS guidelines refer only to that portion of the metal emissions contained within PM₁₀ in ambient air. The guideline for Chromium (VI) is 0.2 ng/m³.

- Measurement of Chromium (VI) at the levels anticipated at the stack emission points is expected to be difficult, with the likely levels being below the level of detection by the most advanced methods. We have considered the concentration of total chromium and chromium (VI) in the APC residues collected upstream of the emission point for existing Municipal Waste incinerators and have assumed these to be similar to the particulate matter released from the emission point. This data shows that the mean Cr(VI) emission concentration (based on the bag dust ratio) is 3.5×10^{-5} mg/m³ (max 1.3×10^{-4}).

There is little data available on the background levels of Cr(VI). Taking a precautionary approach, we have assumed that the background level already exceeds the EAL.

The Applicant has used the above data to model the predicted Cr(VI) impact. The PC is predicted as 0.4% of the EAL.

This assessment shows that emissions of Chromium (VI) screen out as insignificant. We agree with the Applicant's conclusions. The installation has been assessed as meeting BAT for control of metal emissions to air. See section 6 of this document.

5.2.4 Consideration of Local Factors

(i) Impact on Air Quality Management Areas (AQMAs)

No Air Quality Management Areas (AQMAs) have been declared within an area likely to be affected by emissions from the gasifier.

5.3 Human health risk assessment

5.3.1 Our role in preventing harm to human health

The Environment Agency has a statutory role to protect the environment and human health from all processes and activities it regulates. We assessed the effects on human health for this application in the following ways:

i) Applying Statutory Controls

The plant will be regulated under EPR. These regulations include the requirements of relevant EU Directives, notably, the industrial emissions directive (IED), the waste framework directive (WFD), and ambient air directive (AAD).

The main conditions in an EfW permit are based on the requirements of the IED. Specific conditions have been introduced to specifically ensure compliance with the requirements of Chapter IV. The aim of the IED is to prevent or, where that is not practicable, to reduce emissions to air, water and land and prevent the generation of waste, in order to achieve a high level of protection of the environment taken as a whole. IED achieves this aim by setting operational conditions, technical requirements and emission limit values to meet the requirements set out in Articles 11 and 18 of the IED. These requirements include the application of BAT, which may in some circumstances dictate tighter emission limits and controls than those set out in Chapter IV of IED on waste incineration and co-incineration plants. The assessment of BAT for this installation is detailed in section 6 of this document.

ii) Environmental Impact Assessment

Industrial activities can give rise to odour, noise and vibration, accidents, fugitive emissions to air and water, releases to air (including the impact on Photochemical Ozone Creation Potential (POCP)), discharges to ground or groundwater, global warming potential and generation of waste. For an installation of this kind, the principal environmental effects are through emissions to air, although we also consider all of the other impacts listed. Section 5.1 and 5.2 above explain how we have approached the critical issue of assessing the likely impact of the emissions to air from the Installation on human health and the environment and any measures we are requiring to ensure a high level of protection.

iii) Expert Scientific Opinion

We take account of the views of national and international expert bodies. The gathering of evidence is a continuing process. Although gathering evidence is not our role we keep the available evidence under review. The following is a summary of some of the publications which we have considered (in no particular order).

An independent review of evidence on the health effects of municipal waste incinerators was published by **DEFRA** in 2004. It concluded that there was no convincing link between the emissions from MSW incinerators and adverse effects on public health in terms of cancer, respiratory disease or birth defects. On air quality effects, the report concluded "Waste incinerators contribute to local air pollution. This contribution, however, is usually a small proportion of existing background levels which is not detectable through environmental monitoring (for example, by comparing upwind and downwind levels of airborne pollutants or substances deposited to land). In some cases, waste incinerator facilities may make a more detectable contribution to air pollution. Because current MSW incinerators are located predominantly in urban areas, effects on air quality are likely to be so small as to be undetectable in practice."

The European Integrated Pollution Prevention and Control Bureau stated in the Reference Document on the Best Available Techniques for Waste Incineration August 2006 "European health impact assessment studies, on the basis of current evidence and modern emission performance, suggest that the local impacts of incinerator emissions to air are either negligible or not detectable."

HPA (now **PHE**) in 2009 states that "The Health Protection Agency has reviewed research undertaken to examine the suggested links between emissions from municipal waste incinerators and effects on health. While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable". In January 2012 PHE confirmed they would be undertaking a study to look for

evidence of any link between municipal waste incinerators and health outcomes including low birth weight, still births and infant deaths. Their current position that modern, well run municipal waste incinerators are not a significant risk to public health remains valid. The study will extend the evidence base and provide the public with further information

Policy Advice from Government also points out that the minimal risk from modern incinerators. Paragraph 22 (Chapter 5) of WS2007 says that “research carried out to date has revealed no credible evidence of adverse health outcomes for those living near incinerators.” It points out that “the relevant health effects, mainly cancers, have long incubation times. But the research that is available shows an absence of symptoms relating to exposures twenty or more years ago when emissions from incinerators were much greater than is now the case.” **Paragraph 30 of PPS10** explains that “modern, appropriately located, well run and well regulated waste management facilities should pose little risk to public health.”

The **Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (CoC)** issued a statement in 2000 which said that “any potential risk of cancer due to residency (for periods in excess of 10 years) near to municipal solid waste incinerators was exceedingly low and probably not measurable by the most modern epidemiological techniques.” In 2009, CoC considered six further relevant epidemiological papers that had been published since the 2000 statement, and concluded that “there is no need to change the advice given in the previous statement in 2000 but that the situation should be kept under review”.

Republic of Ireland Health Research Board report stated that “It is hard to separate the influences of other sources of pollutants, and other causes of cancer and, as a result, the evidence for a link between cancer and proximity to an incinerator is not conclusive”.

The **Food Safety Authority of Ireland (FSAI) (2003)** investigated possible implications on health associated with food contamination from waste incineration and concluded: “In relation to the possible impact of introduction of waste incineration in Ireland, as part of a national waste management strategy, on this currently largely satisfactory situation, the FSAI considers that such incineration facilities, if properly managed, will not contribute to dioxin levels in the food supply to any significant extent. The risks to health and sustainable development presented by the continued dependency on landfill as a method of waste disposal far outweigh any possible effects on food safety and quality.”

Health Protection Scotland (2009) considered scientific studies on health effects associated with the incineration of waste particularly those published after the Defra review discussed earlier. The main conclusions of this report were: “(a) For waste incineration as a whole topic, the body of evidence for an association with (non-occupational) adverse health effects is both inconsistent and inconclusive. However, more recent work suggests, more strongly, that there may have been an association between emissions (particularly dioxins)

in the past from industrial, clinical and municipal waste incinerators and some forms of cancer, before more stringent regulatory requirements were implemented. (b) For individual waste streams, the evidence for an association with (non-occupational) adverse health effects is inconclusive. (c) The magnitude of any past health effects on residential populations living near incinerators that did occur is likely to have been small. (d) Levels of airborne emissions from individual incinerators should be lower now than in the past, due to stricter legislative controls and improved technology. Hence, any risk to the health of a local population living near an incinerator, associated with its emissions, should also now be lower.”

The **US National Research Council Committee on Health Effects of Waste Incineration (NRC) (NRC 2000)** reviewed evidence as part of a wide ranging report. The Committee view of the published evidence was summarised in a key conclusion: “Few epidemiological studies have attempted to assess whether adverse health effects have actually occurred near individual incinerators, and most of them have been unable to detect any effects. The studies of which the committee is aware that did report finding health effects had shortcomings and failed to provide convincing evidence. That result is not surprising given the small populations typically available for study and the fact that such effects, if any, might occur only infrequently or take many years to appear. Also, factors such as emissions from other pollution sources and variations in human activity patterns often decrease the likelihood of determining a relationship between small contributions of pollutants from incinerators and observed health effects. Lack of evidence of such relationships might mean that adverse health effects did not occur, but it could mean that such relationships might not be detectable using available methods and sources.”

The **British Society for Ecological Medicine (BSEM) published a report in 2005** on the health effects associated with incineration and concluded that “Large studies have shown higher rates of adult and childhood cancer and also birth defects around municipal waste incinerators: the results are consistent with the associations being causal. A number of smaller epidemiological studies support this interpretation and suggest that the range of illnesses produced by incinerators may be much wider. Incinerator emissions are a major source of fine particulates, of toxic metals and of more than 200 organic chemicals, including known carcinogens, mutagens, and hormone disrupters. Emissions also contain other unidentified compounds whose potential for harm is as yet unknown, as was once the case with dioxins. Abatement equipment in modern incinerators merely transfers the toxic load, notably that of dioxins and heavy metals, from airborne emissions to the fly ash. This fly ash is light, readily windborne and mostly of low particle size. It represents a considerable and poorly understood health hazard.”

The BSEM report was reviewed by the HPA and they concluded that “Having considered the BSEM report the HPA maintains its position that contemporary and effectively managed and regulated waste incineration processes contribute little to the concentrations of monitored pollutants in ambient air and that the emissions from such plants have little effect on health.” The

BSEM report was also commented on by the consultants who produced the Defra 2004 report referred to above. They said that “It fails to consider the significance of incineration as a source of the substances of concern. It does not consider the possible significance of the dose of pollutants that could result from incinerators. It does not fairly consider the adverse effects that could be associated with alternatives to incineration. It relies on inaccurate and outdated material. In view of these shortcomings, the report’s conclusions with regard to the health effects of incineration are not reliable.”

A **Greenpeace** review on incineration and human health concluded that a broad range of health effects have been associated with living near to incinerators as well as with working at these installations. Such effects include cancer (among both children and adults), adverse impacts on the respiratory system, heart disease, immune system effects, increased allergies and congenital abnormalities. Some studies, particularly those on cancer, relate to old rather than modern incinerators. However, modern incinerators operating in the last few years have also been associated with adverse health effects.”

The Health Protection Scotland report referred to above says that “the authors of the Greenpeace review do not explain the basis for their conclusion that there is an association between incineration and adverse effects in terms of criteria used to assess the strength of evidence. The weighting factors used to derive the assessment are not detailed. The objectivity of the conclusion cannot therefore be easily tested.”

From this published body of scientific opinion, we take the view stated by the HPA that “While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable”. We therefore ensure that permits contain conditions which require the installation to be well-run and regulate the installation to ensure compliance with such permit conditions.

iv) Health Risk Models

Comparing the results of air dispersion modelling as part of the H1 Environmental Impact assessment against European and national air quality standards effectively makes a health risk assessment for those pollutants for which a standard has been derived. These air quality standards have been developed primarily in order to protect human health via known intake mechanisms, such as inhalation and ingestion. Some pollutants, such as dioxins, furans and dioxin like PCBs, have human health impacts at lower ingestion levels than lend themselves to setting an air quality standard to control against. For these pollutants, a different human health risk model is required which better reflects the level of dioxin intake.

Models are available to predict the dioxin, furan and dioxin like PCB’s intake for comparison with the Tolerable Daily Intake (TDI) recommended by the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment, known as COT. These include HHRAP and the HMIP model.

HHRAP has been developed by the US EPA to calculate the human body intake of a range of carcinogenic pollutants and to determine the mathematic quantitative risk in probabilistic terms. In the UK, in common with other European Countries, we consider a threshold dose below which the likelihood of an adverse effect is regarded as being very low or effectively zero. The HMIP model uses a similar approach to the HHRAP model, but does not attempt to predict probabilistic risk and does not include biotransfer factors specific to PCBs. As such only the HHRAP model can fully make comparisons with the TDI.

The TDI is the amount of a substance that can be ingested daily over a lifetime without appreciable health risk. It is expressed in relation to bodyweight in order to allow for different body size, such as for children of different ages. In the UK, the COT has set a TDI for dioxins, furans and dioxin like PCB's of 2 picograms I-TEQ/Kg-body weight/day (N.B. a picogram is a million millionths (10^{-12}) of a gram).

In addition to an assessment of risk from dioxins, furans and dioxin like PCB's, the HHRAP model enables a risk assessment from human intake of a range of heavy metals. The HMIP report does not consider metals. In principle, the respective EQS for these metals are protective of human health. It is not therefore necessary to model the human body intake.

COMEAP developed a methodology based on the results of time series epidemiological studies which allows calculation of the public health impact of exposure to the classical air pollutants (NO_2 , SO_2 and particulates) in terms of the numbers of "deaths brought forward" and the "number of hospital admissions for respiratory disease brought forward or additional". COMEAP has issued a statement expressing some reservations about the applicability of applying its methodology to small affected areas. Those concerns generally relate to the fact that the exposure-response coefficients used in the COMEAP report derive from studies of whole urban populations where the air pollution climate may differ from that around a new industrial installation. COMEAP identified a number of factors and assumptions that would contribute to the uncertainty of the estimates. These were summarised in the Defra review as below:

- Assumption that the spatial distribution of the air pollutants considered is the same in the area under study as in those areas, usually cities or large towns, in which the studies which generated the coefficients were undertaken.
- Assumption that the temporal pattern of pollutant concentrations in the area under study is similar to that in the areas in which the studies which generated the coefficients were undertaken (i.e. urban areas).
- It should be recognised that a difference in the pattern of socio-economic conditions between the areas to be studied and the reference areas could lead to inaccuracy in the predicted level of effects.

- In the same way, a difference in the pattern of personal exposures between the areas to be studied and the reference areas will affect the accuracy of the predictions of effects.

The use of the COMEAP methodology is not generally recommended for modelling the human health impacts of individual installations. However it may have limited applicability where emissions of NO_x, SO₂ and particulates cannot be screened out as insignificant in an H1 Environmental Impact assessment, there are high ambient background levels of these pollutants and we are advised that its use was appropriate by our public health consultees.

Our recommended approach is therefore the use of the H1 assessment methodology comparison for most pollutants (including metals) and dioxin intake model using the HHRAP model as described above for dioxins, furans and dioxin like PCBs. Where an alternative approach is adopted for dioxins, we check the predictions ourselves.

v) Consultations

As part of our normal procedures for the determination of a permit application, we consult with the Local Authority, Local Authority Director of Public Health, FSA and PHE. We also consult the local communities who may raise health related issues. All issues raised by these consultations are considered in determining the application as described in Annex 4 of this document.

5.3.2 Assessment of Intake of Dioxins, Furans and Dioxin like PCBs

For dioxins, furans and dioxin like PCBs, the principal exposure route is through ingestion, usually through the food chain, and the main risk to health is through accumulation in the body over a period of time.

The human health risk assessment calculates the dose of dioxins and furans that would be received by local receptors if their food and water were sourced from the locality where the deposition of dioxins, furans and dioxin like PCBs is predicted to be the highest. This is then assessed against the Tolerable Daily Intake (TDI) levels established by the COT of 2 picograms I-TEQ / Kg bodyweight/ day.

The results of the Applicant's assessment of dioxin intake are detailed in the table below. (worst – case results for each category are shown). The results showed that the predicted daily intake of dioxins, furans and dioxin like PCBs at all receptors, resulting from emissions from the proposed facility, were significantly below the recommended TDI levels.

Receptor				Percentage of tolerable intake (adult)	Percentage of tolerable intake (child)
Horthorpe receptor)	Hall	(Nearest	downwind	4.5%	3.5%

The FSA has reported that dietary studies have shown that estimated total dietary intakes of dioxins and dioxin-like PCBs from all sources by all age groups fell by around 50% between 1997 and 2001 and are expected to continue to fall. A report in 2012 showed that Dioxin and PCB levels in food have fallen slightly since 2001. In 2001, the average daily intake by adults in the UK from diet was 0.9 pg WHO-TEQ/kg bodyweight. The additional daily intake predicted by the modelling as shown in the table above is substantially below this figure.

In 2010, FSA studied the levels of chlorinated, brominated and mixed (chlorinated-brominated) dioxins and dioxin-like PCBs in fish, shellfish, meat and eggs consumed in UK. It asked COT to consider the results and to advise on whether the measured levels of these PXDDs, PXDFs and PXBs indicated a health concern ('X' means a halogen). COT issued a statement in December 2010 and concluded that "The major contribution to the total dioxin toxic activity in the foods measured came from chlorinated compounds. Brominated compounds made a much smaller contribution, and mixed halogenated compounds contributed even less (1% or less of TDI). Measured levels of PXDDs, PXDFs and dioxin-like PXBs do not indicate a health concern". COT recognised the lack of quantified TEFs for these compounds but said that "even if the TEFs for PXDDs, PXDFs and dioxin-like PXBs were up to four fold higher than assumed, their contribution to the total TEQ in the diet would still be small. Thus, further research on PXDDs, PXDFs and dioxin-like PXBs is not considered a priority."

In the light of this statement, we assess the impact of chlorinated compounds as representing the impact of all chlorinated, brominated and mixed dioxins / furans and dioxin like PCBs.

5.3.3 Particulates smaller than 2.5 microns

The Operator will be required to monitor particulate emissions using the method set out in Table S3.1 of Schedule 3 of the Permit. This method requires that the filter efficiency must be at least 99.5 % on a test aerosol with a mean particle diameter of 0.3 µm, at the maximum flow rate anticipated. The filter efficiency for larger particles will be at least as high as this. This means that particulate monitoring data effectively captures everything above 0.3 µm and much of what is smaller. It is not expected that particles smaller than 0.3 µm will contribute significantly to the mass release rate / concentration of particulates because of their very small mass, even if present. This means that emissions monitoring data can be relied upon to measure the true mass emission rate of particulates.

Nano-particles are considered to refer to those particulates less than 0.1 µm in diameter (PM_{0.1}). Questions are often raised about the effect of nano-particles on human health, in particular on children's health, because of their high surface to volume ratio, making them more reactive, and their very small size, giving them the potential to penetrate cell walls of living organisms. The small size also means there will be a larger number of small particles for a

given mass concentration. However the HPA statement (referenced below) says that due to the small effects of incinerators on local concentration of particles, it is highly unlikely that there will be detectable effects of any particular incinerator on local infant mortality.

The HPA addresses the issue of the health effects of particulates in their September 2009 statement 'The Impact on Health of Emissions to Air from Municipal Incinerators'. It refers to the coefficients linking PM₁₀ and PM_{2.5} with effects on health derived by COMEAP and goes on to say that if these coefficients are applied to small increases in concentrations produced, locally, by incinerators; the estimated effects on health are likely to be small. The HPA notes that the coefficients that allow the use of number concentrations in impact calculations have not yet been defined because the national experts have not judged that the evidence is sufficient to do so. This is an area being kept under review by COMEAP.

In December 2010, COMEAP published a report on The Mortality Effects of Long-Term Exposure to Particulate Air Pollution in the United Kingdom. It says that "a policy which aims to reduce the annual average concentration of PM_{2.5} by 1 µg/m³ would result in an increase in life expectancy of 20 days for people born in 2008." However, "The Committee stresses the need for careful interpretation of these metrics to avoid incorrect inferences being drawn – they are valid representations of population aggregate or average effects, but they can be misleading when interpreted as reflecting the experience of individuals."

The HPA (now PHE) also point out that in 2007 incinerators contributed 0.02% to ambient ground level PM₁₀ levels compared with 18% for road traffic and 22% for industry in general. The HPA noted that in a sample collected in a day at a typical urban area the proportion of PM_{0.1} is around 5-10% of PM₁₀. It goes on to say that PM₁₀ includes and exceeds PM_{2.5} which in turn includes and exceeds PM_{0.1}.

This is consistent with the assessment of this application which shows emissions of PM₁₀ to air to be insignificant.

We take the view, based on the foregoing evidence, that techniques which control the release of particulates to levels which will not cause harm to human health will also control the release of fine particulate matter to a level which will not cause harm to human health.

5.3.4 Assessment of Health Effects from the Installation

We have assessed the health effects from the operation of this installation in relation to the above (sections 5.3.1 to 5.3.3). We have applied the relevant requirements of the national and European legislation in imposing the permit conditions. We are satisfied that compliance with these conditions will ensure protection of the environment and human health.

Taking into account all of the expert opinion available, we agree with the conclusion reached by the HPA (now PHE) that “While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable.”

In carrying out air dispersion modelling as part of the H1 Environmental Impact assessment and comparing the predicted environmental concentrations with European and national air quality standards, the Applicant has effectively made a health risk assessment for many pollutants. These air quality standards have been developed primarily in order to protect human health.

The Applicant’s assessment of the impact from Sulphur dioxide, hydrogen chloride, hydrogen fluoride, carbon monoxide, PAH as benzo[a]pyrene, ammonia, PM₁₀, PCBs, Thallium, Mercury, Antimony, Copper, Vanadium and Chromium (II)(III), Chromium (VI), Arsenic, Lead & Manganese have all indicated that the Installation emissions screen out as insignificant; where the impact of emissions of PM_{2.5}, NO₂, VOCs, Cadmium and Nickel have not been screened out as insignificant, the assessment still shows that the predicted environmental concentrations are well within air quality standards or environmental action levels.

The Environment Agency has reviewed the methodology employed by the Applicant to carry out the health impact assessment. We agree with the conclusions presented in the Applicant’s assessment.

Overall, taking into account the conservative nature of the impact assessment (i.e. that it is based upon an individual exposed for a life-time to the effects of the highest predicted relevant airborne concentrations and consuming mostly locally grown food), it was concluded that the operation of the proposed facility will not pose a significant carcinogenic or non-carcinogenic risk to human health.

Public Health England (PHE) and the Local Authority Director of Public Health were consulted on the Application. PHE concluded that they had no significant concerns regarding the risk to the health of humans from the installation. The Food Standards Agency was also consulted during the permit determination process and it concluded that it is unlikely that there will be any unacceptable effects on the human food chain as a result of the operations at the Installation. Details of the responses provided by Public Health England, the Local Authority Director of Public Health and the FSA to the consultation on this Application can be found in Annex 4.

The Environment Agency is therefore satisfied that the Applicant’s conclusions presented above are soundly based and we conclude that the potential emissions of pollutants including dioxins, furans and metals from the proposed facility are unlikely to have an impact upon human health.

5.4 Impact on Habitats sites, SSSIs, non-statutory conservation sites etc.

5.4.1 Sites Considered

There are no Habitats (i.e. Special Areas of Conservation, Special Protection Areas and Ramsar) sites within 10Km of the proposed Installation.

The following Sites of Special Scientific Interest are located within 2Km of the Installation:

- Coombe Hill Hollow

The following non-statutory local wildlife and conservation sites are located within 2Km of the Installation:

- Hothorpe Hill Woodlands

The applicant also identified a number of other unnamed priority woodland habitats.

5.4.2 Habitats Assessment

5.4.3 SSSI Assessment

The Applicant's assessment of SSSIs, which was identified as Coombe Hill Hollow, was reviewed by the Environment Agency's technical specialists for modelling, air quality, conservation and ecology technical services, who agreed with the assessment's conclusions, that the proposal does not damage the special features of the SSSI(s).

Pollutant	EQS / EAL (µg/m³)	Back-ground (µg/m³)	Process Contribution (PC) (µg/m³)	PC as % of EQS / EAL	Predicted Environmental Concentration (PEC) (µg/m³)	PEC as % EQS / EAL
NO _x Annual	30		0.1	<1%		
NO _x Daily Mean	75		1.7	2.3%		
SO ₂	10 ⁽¹⁾		0.03	<1%		
Ammonia	1 ⁽¹⁾		0.001	<1%		
HF Weekly Mean	0.5		0.003	<1%		
HF Daily Mean	5		0.01	<1%		

(1) The lichen and bryophyte sensitivity standards for ammonia and sulphur dioxide have been assigned for this assessment as the presence of these features has been recorded in the site Management Plan for at least one of the sections of the site.

Pollutant	Critical load	Back-ground ($\mu\text{g}/\text{m}^3$)	Headroom ($\mu\text{g}/\text{m}^3$)	PC Deposition	PC Deposition as % of CL
N Deposition ($\text{KgN}/\text{ha}/\text{yr}$)	8 (Lower critical load)	23.5	-15.5	0.01	<1%
Acid Deposition ($\text{KgN}/\text{ha}/\text{yr}$)	0.438	1.68	-1.2	0.004	<1%

5.4.4 Assessment of other conservation sites

Conservation sites are protected in law by legislation. The Habitats Directive provides the highest level of protection for SACs and SPAs, domestic legislation provides a lower but important level of protection for SSSIs. Finally the Environment Act provides more generalised protection for flora and fauna rather than for specifically named conservation designations. It is under the Environment Act that we assess other sites (such as local wildlife sites) which prevents us from permitting something that will result in significant pollution; and which offers levels of protection proportionate with other European and national legislation. However, it should not be assumed that because levels of protection are less stringent for these other sites, that they are not of considerable importance. Local sites link and support EU and national nature conservation sites together and hence help to maintain the UK's biodiversity resilience.

For SACs SPAs, Ramsars and SSSIs we consider the contribution PC and the background levels in making an assessment of impact. In assessing these other sites under the Environment Act we look at the impact from the Installation alone in order to determine whether it would cause significant pollution. This is a proportionate approach, in line with the levels of protection offered by the conservation legislation to protect these other sites (which are generally more numerous than Natura 2000 or SSSIs) whilst ensuring that we do not restrict development.

Critical levels and loads are set to protect the most vulnerable habitat types. Thresholds change in accordance with the levels of protection afforded by the legislation. Therefore the thresholds for SAC SPA and SSSI features are more stringent than those for other nature conservation sites.

Therefore we would generally conclude that the Installation is not causing significant pollution at these other sites if the PC is less than the relevant critical level or critical load, provided that the Applicant is using BAT to control emissions.

The Applicant has identified a number of local wildlife sites and other ecological receptors within 2 km of the installation. In the application they have assessed the impact on these sites and have concluded that the installation will not cause significant pollution at these sites. We have audited the Applicant's assessment and we agree that PCs at the local wildlife site and other ecological receptors identified within 2km are either likely to be insignificant or well below 100% of the critical levels and critical loads. The Applicant is required to prevent, minimise and control emissions using BAT, this is considered further in Section 6.

5.5 Impact of abnormal operations

Article 50(4)(c) of IED requires that waste incineration and co-incineration plants shall operate an automatic system to prevent waste feed whenever any of the continuous emission monitors show that an emission limit value (ELV) is exceeded due to disturbances or failures of the purification devices. Notwithstanding this, Article 46(6) allows for the continued incineration and co-incineration of waste under such conditions provided that this period does not (in any circumstances) exceed 4 hours uninterrupted continuous operation or the cumulative period of operation does not exceed 60 hours in a calendar year. This is a recognition that the emissions during transient states (e.g. start-up and shut-down) are higher than during steady-state operation, and the overall environmental impact of continued operation with a limited exceedance of an ELV may be less than that of a partial shut-down and re-start.

For incineration plant, IED sets backstop limits for particulates, CO and TOC which must continue to be met at all times. The CO and TOC limits are the same as for normal operation, and are intended to ensure that good combustion conditions are maintained. The backstop limit for particulates is 150 mg/m³ (as a half hourly average) which is five times the limit in normal operation.

Article 45(1)(f) requires that the permit shall specify the maximum permissible period of any technically unavoidable stoppages, disturbances, or failures of the purification devices or the measurement devices, during which the concentrations in the discharges into the air may exceed the prescribed emission limit values. In this case we have decided to set the time limit at 4 hours, which is the maximum period prescribed by Article 46(6) of the IED.

These abnormal operations are limited to no more than a period of 4 hours continuous operation and no more than 60 hour aggregated operation in any calendar year. This is less than 1% of total operating hours and so abnormal operating conditions are not expected to have any significant long term environmental impact unless the background conditions were already close to, or exceeding, an EQS. For the most part therefore consideration of abnormal operations is limited to consideration of its impact on short term EQSs.

In making an assessment of abnormal operations the following worst case scenario has been assumed:

- Dioxin emissions of 10 ng/m^3 (100 x normal)
- NO_x emissions of 825 mg/m^3 (2.75 x normal)
- Particulate emissions of 56 mg/m^3 (3.7 x normal) – Please note that this concentration is considered low as for waste incineration plant the IED allows for total particulate emissions up to 150 mg/Nm^3 at 11% oxygen under abnormal operations. This equates to 225 mg/Nm^3 at 6% oxygen (15 x normal). We have conducted check modelling to the potentially higher particulate emissions under abnormal operations.
- Metal emissions are approximately 3.7 times those of normal operation, this is based on the assumption that metals tend to concentrate in the particulate emissions and therefore plausible abnormal emissions of metals are assumed to increase in relation to this. The concentrations relate to emissions monitoring data taken from an incinerator burning biomass similar to the waste fuel proposed at this installation. As stated above the predicted particulate emission was considered too low, so the concentrations have been adjusted accordingly in the check modelling conducted by Environment agency air quality experts and this did not affect the overall conclusions.
- SO_2 emissions of 420 mg/m^3 (5.6 x normal)
- HCl emissions of 180 mg/m^3 (12 x normal)

This is a worst case scenario in that these abnormal conditions include a number of different equipment failures not all of which will necessarily result in an adverse impact on the environment (e.g. a failure of a monitoring instrument does not necessarily mean that the gasifier or abatement plant is malfunctioning). This analysis assumes that any failure of any equipment results in all the negative impacts set out above occurring simultaneously.

The result on the Applicant's short-term environmental impact is summarised in the table below.

Assessment of Emissions to Air (3)

Pollutant	EQS / EAL		Back-ground	Process Contribution (PC)		Predicted Environmental Concentration (PEC)	
	µg/m³			µg/m³	% of EAL	µg/m³	% of EAL
NO ₂	200	2	20.8	81	40.5	101.8	50.9
PM ₁₀ [*]	50	3	30.4	1.3	2.6	31.7	63.4
SO ₂	266	4	2.8	36	13.5	38.8	14.6
	350	5		26	7.4		
HCl	750	6		11	1.5		
HF	160	6		0.7	0.44		
Hg [*]	7.5	1		0.12	1.60		
Sb [*]	150	1		0.12	0.08		
Cu [*]	200	1		0.12	0.06		
Mn [*]	1500	1		0.12	0.01		
Cr (II)(III) [*]	150	1		0.12	0.08		
V [*]	1	3	0.003	0.12	12.00	0.12	12.3
Dioxins				3.10E-07		3.10E-07	

- 1 1-hr Maximum
- 2 99.79th %ile of 1-hour means
- 3 90.41st %ile of 24-hour means
- 4 99.9th ile of 15-min means
- 5 99.73rd %ile of 1-hour means
- 6 1-hour average

* Contributions based on assessment in the Application, as discussed above we have conducted check modelling for these pollutants at higher concentrations, our assessment shows that the overall conclusions remain unchanged.

From the table above the emissions of the following substances can still be considered insignificant, in that the PC is still <10% of the short-term EQS/EAL.

Chromium, Manganese, Particulate matter, Copper, Antimony, Mercury, Hydrogen chloride and Hydrogen fluoride.

Also from the table above emissions of the following emissions (which were not screened out as insignificant) have been assessed as being unlikely to

give rise to significant pollution in that the predicted environmental concentration is less than 100% of short term EQS/EAL.

Nitrogen dioxide, Sulphur dioxide and Vanadium.

We are therefore satisfied that it is not necessary to further constrain the conditions and duration of the periods of abnormal operation beyond those permitted under Chapter IV of the IED.

We have not assessed the impact of abnormal operations against long term EQSs for the reasons set out above. Except that if dioxin emissions were at 10 ng/m³ for the maximum period of abnormal operation, this would result in an increase of approximately 70% in the TDI reported in section 5.3.3. Despite this increase under abnormal operations the dioxin intake is predicted to remain well below the health standard. Which will still not pose a risk to human health.

6. Application of Best Available Techniques

6.1 Scope of Consideration

In this section, we explain how we have determined whether the Applicant's proposals are the Best Available Techniques for this Installation.

- The first issue we address is the fundamental choice of incineration technology. There are a number of alternatives, and the Applicant has explained why it has chosen one particular kind for this Installation.
- We then consider in particular control measures for the emissions which were not screened out as insignificant in the previous section on minimising the installation's environmental impact. They are: Nitrogen dioxide, PM_{2.5}, VOCs, Cadmium and Nickel
- We also have to consider the combustion efficiency and energy utilisation of different design options for the Installation, which are relevant considerations in the determination of BAT for the Installation, including the Global Warming Potential of the different options.
- Finally, the prevention and minimisation of Persistent Organic Pollutants (POPs) must be considered, as we explain below.

Chapter IV of the IED specifies a set of maximum emission limit values. Although these limits are designed to be stringent, and to provide a high level of environmental protection, they do not necessarily reflect what can be achieved by new plant. Article 14(3) of the IED says that BAT Conclusions shall be the reference for setting the permit conditions, so it may be possible and desirable to achieve emissions below the limits referenced in Chapter IV.

However BAT Conclusions and a revised BREF for Incineration have not yet been drafted or published, so the existing BREF and Chapter IV of the IED remain relevant.

Even if the Chapter IV limits are appropriate, operational controls complement the emission limits and should generally result in emissions below the maximum allowed; whilst the limits themselves provide headroom to allow for unavoidable process fluctuations. Actual emissions are therefore almost certain to be below emission limits in practice, because any Operator who sought to operate its installation continually at the maximum permitted level would almost inevitably breach those limits regularly, simply by virtue of normal fluctuations in plant performance, resulting in enforcement action (including potentially prosecution) being taken. Assessments based on, say, Chapter IV limits are therefore “worst-case” scenarios.

Should the Installation, once in operation, emit at rates significantly below the limits included in the Permit, we will consider tightening ELVs appropriately. We are, however, satisfied that emissions at the permitted limits would ensure a high level of protection for human health and the environment in any event.

6.1.1 Consideration of Furnace Type

The prime function of the furnace is to achieve maximum combustion of the waste. Chapter IV of the IED requires that the plant (furnace in this context) should be designed to deliver its requirements. The main requirements of Chapter IV in relation to the choice of a furnace are compliance with air emission limits for CO and TOC and achieving a low TOC/LOI level in the bottom ash.

The Waste Incineration BREF elaborates the furnace selection criteria as:

- the use of a furnace (including secondary combustion chamber) dimensions that are large enough to provide for an effective combination of gas residence time and temperature such that combustion reactions may approach completion and result in low and stable CO and TOC emissions to air and low TOC in residues.
- use of a combination of furnace design, operation and waste throughput rate that provides sufficient agitation and residence time of the waste in the furnace at sufficiently high temperatures.
- The use of furnace design that, as far as possible, physically retain the waste within the combustion chamber (e.g. grate bar spacing) to allow its complete combustion.

The BREF also provides a comparison of combustion and thermal treatment technologies and factors affecting their applicability and operational suitability used in EU and for all types of wastes. There is also some information on the comparative costs. The table below has been extracted from the BREF tables. This table is also in line with the Guidance Note “The Incineration of Waste (EPR 5.01)). However, it should not be taken as an exhaustive list nor that all technologies listed have found equal application across Europe.

Overall, any of the furnace technologies listed below would be considered as BAT provided the Applicant has justified it in terms of:

- nature/physical state of the waste and its variability
- proposed plant throughput which may affect the number of incineration lines
- preference and experience of chosen technology including plant availability
- nature and quantity/quality of residues produced.
- emissions to air – usually NO_x as the furnace choice could have an effect on the amount of unabated NO_x produced
- energy consumption – whole plant, waste preparation, effect on GWP
- Need, if any, for further processing of residues to comply with TOC
- Costs

Summary comparison of thermal treatment technologies (reproduced from the Waste Incineration BREF)

Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Moving grate (air-cooled)	<p>Low to medium heat values (LCV 5 – 16.5 GJ/t)</p> <p>Municipal and other heterogeneous solid wastes</p> <p>Can accept a proportion of sewage sludge and/or medical waste with municipal waste</p> <p>Applied at most modern MSW installations</p>	<p>1 to 50 t/h with most projects 5 to 30 t/h.</p> <p>Most industrial applications not below 2.5 or 3 t/h.</p>	<p>Widely proven at large scales.</p> <p>Robust</p> <p>Low maintenance cost</p> <p>Long operational history</p> <p>Can take heterogeneous wastes without special preparation</p>	<p>generally not suited to powders, liquids or materials that melt through the grate</p>	<p>TOC 0.5 % to 3 %</p>	<p>High capacity reduces specific cost per tonne of waste</p>
Moving grate (liquid Cooled)	<p>Same as air-cooled grates except:</p> <p>LCV 10 – 20 GJ/t</p>	<p>Same as air-cooled grates</p>	<p>As air-cooled grates but:</p> <p>higher heat value waste is treatable</p> <p>better Combustion control possible.</p>	<p>As air-cooled grates but:</p> <p>risk of grate damage/ leaks</p> <p>higher complexity</p>	<p>TOC 0.5 % to 3 %</p>	<p>Slightly higher capital cost than air-cooled</p>

Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Rotary Kiln	Can accept liquids and pastes solid feeds more limited than grate (owing to refractory damage) often applied to hazardous Wastes	<10 t/h	Very well proven with broad range of wastes and good burn out even of HW	Throughputs lower than grates	TOC <3 %	Higher specific cost due to reduced capacity
Fluid bed - bubbling	Only finely divided consistent wastes. Limited use for raw MSW <input type="checkbox"/> often applied to sludges	1 to 10 t/h	Good mixing Fly ashes of good leaching quality	Careful operation required to avoid clogging bed. Higher fly ash quantities.	TOC <3 %	FGT cost may be lower. Costs of waste preparation
Fluid bed - circulating	Only finely divided consistent wastes. Limited use for raw MSW, often applied to sludges / RDF.	1 to 20 t/h most used above 10 t/h	Greater fuel flexibility than BFB Fly ashes of good leaching quality	Cyclone required to conserve bed material Higher fly ash quantities	TOC <3 %	FGT cost may be lower. Costs of preparation.
Oscillating furnace	MSW / wastes <input type="checkbox"/>	1 – 10 t/h	Robust Low maintenance Long history	-higher thermal loss than with grate furnace - LCV under 15 GJ/t	TOC 0.5 – 3 %	Similar to other technologies

			Low NOX level Low LOI of bottom ash			
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Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Pulsed hearth	Only higher CV waste (LCV >20 GJ/t) used for clinical wastes	<7 t/h	can deal with liquids and powders	bed agitation may be lower	Dependent on waste type	Higher specific cost due to reduced capacity
Stepped and static hearths	Only higher CV waste (LCV >20 GJ/t) Mainly used for clinical wastes	No information	Can deal with liquids and powders	Bed agitation may be lower	Dependent on waste type	Higher specific cost due to reduced capacity
Spreader - stoker combustor	- RDF and other particle feeds - poultry manure - wood wastes	No information	- simple grate construction - less sensitive to particle size than FB	only for well defined mono-streams	No information	No information
Gasification - fixed bed	- mixed plastic wastes - other similar consistent streams - gasification less widely used/proven than incineration	1 to 20 t/h	-low leaching residue -good burnout if oxygen blown - syngas available - Reduced oxidation of recyclable metals	- limited waste feed - not full combustion - high skill level - tar in raw gas - less widely proven	-Low leaching bottom ash -good burnout with oxygen	High operation/ maintenance costs

Technique	Key waste characteristics and suitability	Throughput per line	Advantages	Disadvantages / Limitations of use	Bottom Ash Quality	Cost
Gasification - entrained flow	<ul style="list-style-type: none"> - mixed plastic wastes - other similar consistent streams - not suited to untreated MSW - gasification less widely used/proven than incineration 	To 10 t/h	<ul style="list-style-type: none"> - low leaching slag - reduced oxidation of recyclable metals 	<ul style="list-style-type: none"> - limited waste feed - not full combustion - high skill level - less widely proven 	low leaching slag	High operation/ maintenance costs pre-treatment costs high
Gasification - fluid bed	<ul style="list-style-type: none"> - mixed plastic wastes - shredded MSW - shredder residues - sludges - metal rich wastes - other similar consistent streams - less widely used/proven than incineration 	5 – 20 t/h	<ul style="list-style-type: none"> -temperatures e.g. for Al recovery - separation of non-combustibles -can be combined with ash melting - reduced oxidation of recyclable metals 	<ul style="list-style-type: none"> -limited waste size (<30cm) - tar in raw gas - higher UHV raw gas - less widely proven 	If Combined with ash melting chamber ash is vitrified	Lower than other gasifiers
Pyrolysis	<ul style="list-style-type: none"> - pre-treated MSW - high metal inert streams - shredder residues/plastics - pyrolysis is less widely used/proven than incineration 	~ 5 t/h (short drum) 5 – 10 t/h (medium drum)	<ul style="list-style-type: none"> - no oxidation of metals - no combustion energy for metals/inert - in reactor acid neutralisation possible - syngas available 	<ul style="list-style-type: none"> - limited wastes - process control and engineering critical - high skill req. - not widely proven - need market for syngas 	<ul style="list-style-type: none"> - dependent on process temperature - residue produced requires further processing e.g. combustion 	High pre-treatment, operation and capital costs

The Applicant has carried out a review of the following candidate furnace types:

- Moving Grate Furnace
- Pyrolysis
- Gasification

Technology	Nexterra Gasification	Pyrolysis	Moving Grate
Track record	Sufficient reference plants to permit funders and DD process to endorse technology	No reference plants operating at this scale. Insufficient operating data to satisfy investors.	Numerous reference plants
Residues	Same as moving grate as fuel chemistry is identical (but slightly lower APC residue due to low carry over from gasifier)	Larger quantity of char product with limited market.	Baseline - ash content is defined by proportion of ash in the fuel
Fuel use	Specifically designed for biomass and waste wood use	Not sufficiently proven at scale	Baseline- can be designed for this use.
Overall emissions	Slightly lower than moving grate technology owing to limited particle carry over	Reportedly lower but not proven at this scale.	Baseline
Thermal efficiency	Higher due to closer control of gas combustion stoichiometry during secondary combustion.	Same as Gasification	Baseline
Dioxin	Lowest due to different stoichiometry, low particulate carry over and chemistry of conversion	Lowest due to different stoichiometry and chemistry of conversion. Emissions not proven at this scale.	Baseline

These technologies are identified as being BAT in the BREF for this type of waste feed – comprising a consistent waste wood feedstock.

The Applicant has proposed to use furnace technology comprising

of fixed bed gasification (four gasifiers) whereby syngas will be produced, combined and mixed prior to combustion in a single conventional boiler (combustion tube and boiler/turbine unit) - with natural gas as a support fuel.

The applicant's assessment of the technologies concluded that there is little difference between the moving grate and Nexterra Gasification technology. They have selected this technology as it was designed for wood fuel; it has a slightly better emissions performance and higher overall thermal efficiency, as well as a commercial benefit.

The Applicant proposes to use LPG as support fuel for start-up, shut down and for the auxiliary burners. The choice of support fuel is considered BAT as it is not considered to produce emissions any worse than those from burning gas oil, as defined by Directive 75/716/EEC (as amended).

Boiler Design

In accordance with our Technical Guidance Note, S5.01, the Applicant has confirmed that the boiler design will include the following features to minimise the potential for reformation of dioxins within the de-novo synthesis range:

- ensuring that the steam/metal heat transfer surface temperature is a minimum where the exhaust gases are within the de-novo synthesis range;
- design of the boilers using CFD to ensure no pockets of stagnant or low velocity gas;
- boiler passes are progressively decreased in volume so that the gas velocity increases through the boiler; and
- Design of boiler surfaces to prevent boundary layers of slow moving gas.

Any of the options listed in the BREF and summarised in the table above can be BAT. The Applicant has chosen a furnace technique that is listed in the BREF and we are satisfied that the Applicant has provided sufficient justification to show that their technique is BAT. This is not to say that the other techniques could not also be BAT, but that the Applicant has shown that their chosen technique is at least comparable with the other BAT options. We believe that, based on the information gathered by the BREF process, the chosen technology will achieve the requirements of Chapter IV of the IED for the air emission of TOC/CO and the TOC on gasification ash.

6.2 BAT and emissions control

The prime function of flue gas treatment is to reduce the concentration of pollutants in the exhaust gas as far as practicable. The techniques which are described as BAT individually are targeted to remove specific pollutants, but the BREF notes that there is benefit from considering the FGT system as a whole unit. Individual units often interact, providing a primary abatement for some pollutants and an additional effect on others.

The BREF lists the general factors requiring consideration when selecting flue-gas treatment (FGT) systems as:

- type of waste, its composition and variation
- type of combustion process, and its size
- flue-gas flow and temperature
- flue-gas content, size and rate of fluctuations in composition
- target emission limit values
- restrictions on discharge of aqueous effluents
- plume visibility requirements
- land and space availability
- availability and cost of outlets for residues accumulated/recovered
- compatibility with any existing process components (existing plants)
- availability and cost of water and other reagents
- energy supply possibilities (e.g. supply of heat from condensing scrubbers)
- reduction of emissions by primary methods
- release of noise.

Taking these factors into account the Technical Guidance Note points to a range of technologies being BAT subject to circumstances of the Installation.

6.2.1 Particulate Matter

Particulate matter				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Bag / Fabric filters (BF)	Reliable abatement of particulate matter to below 5mg/m ³	Max temp 250°C	Multiple compartments Bag burst detectors	Most plants
Wet scrubbing	May reduce acid gases simultaneously.	Not normally BAT. Liquid effluent produced	Require reheat to prevent visible plume and dew point problems.	Where scrubbing required for other pollutants
Ceramic filters	High temperature applications	May "blind" more than fabric filters		Small plant. High

	Smaller plant.			temperature gas cleaning required.
Electrostatic precipitators	Low pressure gradient. Use with BF may reduce the energy consumption of the induced draft fan.	Not normally BAT.		When used with other particulate abatement plant

The Applicant proposes to use fabric filters for the abatement of particulate matter. Fabric filters provide reliable abatement of particulate matter to below 5 mg/m³ and are BAT for most installations. The Applicant proposes to use multiple compartment filters with burst bag detection to minimise the risk of increased particulate emissions in the event of bag rupture.

Emissions of particulate matter cannot be screened out as insignificant. The Environment Agency has therefore considered whether other available techniques should be considered:

- Wet Scrubbing – this technique has the advantage of also simultaneously reducing acid gas concentration. However the technique is not considered BAT by itself in that it produces an effluent for further treatment in compliance with Article 46(3) of IED and requires reheat of the exhaust to prevent visible plumes.
- Ceramic Filters – this technique can be used at higher flue gas temperatures than fabric filters, but filters are more likely to blind. This technique can be BAT for smaller plant or where high temperature gas cleaning is needed.
- Electrostatic Precipitators – this technique is not BAT by itself, but can be used in combination with bag filters to reduce the energy consumption of the induced draft fan, which might be overall beneficial.

In this case, it is not considered that any of the alternate techniques offer any advantage in comparison with the Applicant's preferred option of fabric filters and so agrees that the Applicant's proposed technique is BAT for the installation.

6.2.2 Oxides of Nitrogen

Oxides of Nitrogen : Primary Measures				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Low NOx burners	Reduces NOx at source		Start-up, supplementary firing.	Where auxiliary burners required.
Starved air systems	Reduce CO simultaneously.			Pyrolysis, Gasification systems.
Optimise primary and secondary air injection				All plant.
Flue Gas Recirculation (FGR)	Reduces the consumption of reagents used for secondary NOx control. May increase overall energy recovery	Some applications experience corrosion problems.		All plant unless impractical in design (needs to be demonstrated)

Oxides of Nitrogen : Secondary Measures (BAT is to apply Primary Measures first)				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Selective catalytic reduction (SCR)	NOx emissions < 70mg/ m ³ Reduces CO, VOC, dioxins	Expensive. Re-heat required – reduces plant efficiency		All plant
Selective non-catalytic reduction (SNCR)	NOx emissions typically 150 - 180mg/m ³	Relies on an optimum temperature around 900 °C, and sufficient retention time for reduction May lead to Ammonia slip	Port injection location	All plant unless lower NOx release required for local environmental protection.
Reagent Type: Ammonia	Likely to be BAT Lower nitrous oxide formation	More difficult to handle Narrower temperature window		All plant

Reagent Type: Urea	Likely to be BAT			All plant
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The Applicant proposes to implement the following primary measures:

- Starved air systems – this technique also simultaneously reduces CO and is defined as BAT for pyrolysis and gasification systems.
- Flue gas recirculation – this technique reduces the consumption of reagents for secondary NO_x control and can increase overall energy recovery, although in some applications there can be corrosion problems – the technique is considered BAT for all plant.

There are two recognised techniques for secondary measures to reduce NO_x. These are Selective Catalytic Reduction (SCR) and Selective Non-Catalytic Reduction (SNCR). For each technique, there is a choice of urea or ammonia reagent.

SCR can reduce NO_x levels to below 70 mg/m³ and can be applied to all plant, it is generally more expensive than SNCR and requires reheating of the waste gas stream which reduces energy efficiency, periodic replacement of the catalysts also produces a hazardous waste. SNCR can typically reduce NO_x levels to between 150 and 180 mg/m³, it relies on an optimum temperature of around 900 deg C and sufficient retention time for reduction. SNCR is more likely to have higher levels of ammonia slip. The technique can be applied to all plant unless lower NO_x releases are required for local environmental protection. Urea or ammonia can be used as the reagent with either technique, urea is somewhat easier to handle than ammonia and has a wider operating temperature window, but tends to result in higher emissions of N₂O. Either reagent is BAT, and the use of one over the other is not normally significant in environmental terms.

The Applicant proposes to use SNCR with urea as the reagent.

Emissions of NO_x cannot be screened out as insignificant. Therefore the Applicant has carried out a cost / benefit study of the alternative techniques. The study shows that using SCR would result in a small decrease in NO_x emissions when compared to SNCR however the capital cost and running cost of SCR are significantly higher than for SNCR. As the background NO_x levels for this installation are relatively low, the small predicted NO_x reduction through the use of SCR is not significant and the Applicant considers that the additional cost of SCR over SNCR is not justified by the reduction in environmental impact. Thus SCR is not BAT in this case, and SNCR is BAT for the Installation. Also SNCR uses less energy than SCR as there is no need to re-heat the gases. The Applicant has justified the use of urea as the reagent on the basis of being safer to handle and store than ammonia. The Environment Agency agrees with this assessment.

The amount of urea used for NO_x abatement will need to be optimised to maximise NO_x reduction and minimise NH₃ slip. Improvement condition IC5 requires the Operator to report to the Environment Agency on optimising the performance of the NO_x abatement system. The Operator is also required to monitor and report on NH₃ and N₂O emissions every 6 months.

6.2.3 Acid Gases, SO_x, HCl and HF

Acid gases and halogens : Primary Measures				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Low sulphur fuel, (< 0.1%S gasoil or natural gas)	Reduces SO _x at source		Start-up, supplementary firing.	Where auxiliary fuel required.
Management of waste streams	Disperses sources of acid gases (e.g. PVC) through feed.	Requires closer control of waste management		All plant with heterogeneous waste feed

Acid gases and halogens : Secondary Measures (BAT is to apply Primary Measures first)				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Wet	High reaction rates Low solid residues production Reagent delivery may be optimised by concentration and flow rate	Large effluent disposal and water consumption if not fully treated for re-cycle Effluent treatment plant required May result in wet plume Energy required for effluent treatment and plume reheat		Plants with high acid gas and metal components in exhaust gas – HWIs
Dry	Low water use	Higher solid residue production		All plant

	<p>Reagent consumption may be reduced by recycling in plant</p> <p>Lower energy use</p> <p>Higher reliability</p>	Reagent consumption controlled only by input rate		
Semi-dry	<p>Medium reaction rates</p> <p>Reagent delivery may be varied by concentration and input rate</p>	Higher solid waste residues		All plant
Reagent Type: Sodium Hydroxide	<p>Highest removal rates</p> <p>Low solid waste production</p>	<p>Corrosive material</p> <p>ETP sludge for disposal</p>		HWIs
Reagent Type: Lime	<p>Very good removal rates</p> <p>Low leaching solid residue</p> <p>Temperature of reaction well suited to use with bag filters</p>	<p>Corrosive material</p> <p>May give greater residue volume if no in-plant recycle</p>	Wide range of uses	MWIs, CWIs
Reagent Type: Sodium Bicarbonate	<p>Good removal rates</p> <p>Easiest to handle</p> <p>Dry recycle systems proven</p>	<p>Efficient temperature range may be at upper end for use with bag filters</p> <p>– Leachable solid residues</p>	Not proven at large plant	CWIs

		Bicarbonate more expensive		
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The Applicant proposes to implement the following primary measures:

- Use of low sulphur fuels for start up and auxiliary burners – gas should be used if available, where fuel oil is used, this will be low sulphur (i.e. <0.1%), this will reduce SO_x at source. The Applicant has justified its choice of liquid petroleum gas (LPG) as the support fuel on the basis that mains natural gas is unavailable and we agree with that assessment.
- Management of heterogeneous wastes – this will disperse problem wastes such as PVC by ensuring a homogeneous waste feed.
- Limestone dosing of the raw timber feed to enable in bed scrubbing.

There are three recognised techniques for secondary measures to reduce acid gases. These are wet, dry and semi-dry. Wet scrubbing produces an effluent for treatment and disposal in compliance with Article 46(3) of IED. It will also require reheat of the exhaust to avoid a visible plume. Wet scrubbing is unlikely to be BAT except where there are high acid gas and metal components in the exhaust gas as may be the case for some hazardous waste incinerators. In this case, the Applicant does not propose using wet scrubbing, and the Environment Agency agrees that wet scrubbing is not appropriate in this case.

The Applicant has therefore considered dry and semi-dry methods of secondary measures for acid gas abatement. Either can be BAT for this type of facility.

Both dry and semi-dry methods rely on the dosing of powdered materials into the exhaust gas stream. Semi-dry systems (i.e. hydrated reagent) offer reduced material consumption through faster reaction rates, but reagent recycling in dry systems can offset this.

In both dry and semi-dry systems, the injected powdered reagent reacts with the acid gases and is removed from the gas stream by the bag filter system. The powdered materials are either lime or sodium bicarbonate. Both are effective at reducing acid gases, and dosing rates can be controlled from continuously monitoring acid gas emissions. The decision on which reagent to use is normally economic. Lime produces a lower leaching solid residue in the APC residues than sodium bicarbonate and the reaction temperature is well suited to bag filters, it tends to be lower cost, but it is a corrosive material and can generate a greater volume of solid waste residues than sodium bicarbonate. Either reagent is BAT, or the use of one over the other is not significant in environmental terms in this case.

In this case, the Applicant proposes to use a dry acid gas scrubber system using lime based material. The Environment Agency is satisfied that this is BAT.

6.2.4 Carbon monoxide and volatile organic compounds (VOCs)

The prevention and minimisation of emissions of carbon monoxide and volatile organic compounds is through the optimisation of combustion controls, where all measures will increase the oxidation of these species.

Carbon monoxide and volatile organic compounds (VOCs)				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Optimise combustion control	All measures will increase oxidation of these species.		Covered in section on furnace selection	All plants

6.2.5 Dioxins and furans (and Other POPs)

Dioxins and furans				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Optimise combustion control	All measures will increase oxidation of these species.		Covered in section on furnace selection	All plants
Avoid <i>de novo</i> synthesis			Covered in boiler design	All plant
Effective Particulate matter removal			Covered in section on particulate matter	All plant
Activated Carbon injection	Can be combined with acid gas absorber or fed separately.	Combined feed rate usually controlled by acid gas content.		All plant. Separate feed normally BAT unless feed is constant and acid gas control also controls dioxin release.

The prevention and minimisation of emissions of dioxins and furans is achieved through:

- optimisation of combustion control including the maintenance of permit conditions on combustion temperature and residence time, which has been considered in 6.1.1 above;
- avoidance of de novo synthesis, which has been covered in the consideration of boiler design;
- the effective removal of particulate matter, which has been considered in 6.2.1 above;

- injection of activated carbon. This can be combined with the acid gas reagent or dosed separately. Where the feed is combined, the combined feed rate will be controlled by the acid gas concentration in the exhaust. Therefore, separate feed of activated carbon would normally be considered BAT unless the feed was relatively constant. Effective control of acid gas emissions also assists in the control of dioxin releases.

In this case the Applicant proposes separate feed and we are satisfied their proposals are BAT.

6.2.6 Metals

Metals				
Technique	Advantages	Disadvantages	Optimisation	Defined as BAT in BREF or TGN for:
Effective Particulate matter removal			Covered in section on particulate matter	All plant
Activated Carbon injection for mercury recovery	Can be combined with acid gas absorber or fed separately.	Combined feed rate usually controlled by acid gas content.		All plant. Separate feed normally BAT unless feed is constant and acid gas control also controls dioxin release.

The prevention and minimisation of metal emissions is achieved through the effective removal of particulate matter, and this has been considered in 6.2.1 above.

Unlike other metals however, mercury if present will be in the vapour phase. BAT for mercury removal is also dosing of activated carbon into the exhaust gas stream. This can be combined with the acid gas reagent or dosed separately. Where the feed is combined, the combined feed rate will be controlled by the acid gas concentration in the exhaust. Therefore, separate feed of activated carbon would normally be considered BAT unless the feed was relatively constant.

In this case the Applicant proposes separate feed and we are satisfied their proposals are BAT.

6.3 BAT and global warming potential

This section summarises the assessment of greenhouse gas impacts which has been made in the determination of this Permit. Emissions of carbon dioxide (CO₂) and other greenhouse gases differ from those of other pollutants in that, except at gross levels, they have no localised environmental impact. Their impact is at a global level and in terms of climate change. Nonetheless, CO₂ is clearly a pollutant for IED purposes.

The principal greenhouse gas emitted is CO₂, but the plant also emits small amounts of N₂O arising from the operation of secondary NO_x abatement. N₂O has a global warming potential 310 times that of CO₂. The Applicant will therefore be required to optimise the performance of the secondary NO_x abatement system to ensure its GWP impact is minimised.

The major source of greenhouse gas emissions from the installation is however CO₂ from the combustion of waste. There will also be CO₂ emissions from the burning of support fuels at start up, shut down and should it be necessary to maintain combustion temperatures. BAT for greenhouse gas emissions is to maximise energy recovery and efficiency.

The electricity that is generated by the Installation will displace emissions of CO₂ elsewhere in the UK, as virgin fossil fuels will not be burnt to create the same electricity.

The Installation is not subject to the Greenhouse Gas Emissions Trading Scheme Regulations 2012 therefore it is a requirement of IED to investigate how emissions of greenhouse gases emitted from the installation might be prevented or minimised.

Factors influencing GWP and CO₂ emissions from the Installation are:

On the debit side

- CO₂ emissions from the burning of the waste;
- CO₂ emissions from burning auxiliary or supplementary fuels;
- CO₂ emissions associated with electrical energy used;
- N₂O from the de-NO_x process.

On the credit side

- CO₂ saved from the export of electricity to the public supply by displacement of burning of virgin fuels;

The GWP of the plant will be dominated by the emissions of carbon dioxide that are released as a result of waste combustion. This will be constant for all options considered in the BAT assessment. Any differences in the GWP of the options in the BAT appraisal will therefore arise from small differences in energy recovery and in the amount of N₂O emitted.

The Applicant considered energy efficiency and compared SCR to SNCR in its BAT assessment, it was also considered in the choice of furnace

technology. The Applicant assessment showed that their chosen technology has a favourable thermal efficiency when compared to moving grate and their choice of SNCR has lower energy consumption than the alternative technology SCR. This is discussed in sections 4.3.7, 6.1.1 and 6.2.2 of this decision document.

Note: avoidance of methane which would be formed if the waste was landfilled has not been included in this assessment. If it were included due to its avoidance it would be included on the credit side. Ammonia has no direct GWP effect.

The Environment Agency agrees with this assessment and that the chosen option is BAT for the installation.

6.4 BAT and POPs

International action on Persistent Organic pollutants (POPs) is required under the UN's Stockholm Convention, which entered into force in 2004. The EU implemented the Convention through the POPs Regulation (850/2004), which is directly applicable in UK law. The Environment Agency is required by national POPs Regulations (SI 2007 No 3106) to give effect to Article 6(3) of the EC POPs Regulation when determining applications for environmental Permits.

However, it needs to be borne in mind that this application is for a particular type of installation, namely a waste co-incinerator (using gasification technology). The Stockholm Convention distinguishes between intentionally-produced and unintentionally-produced POPs. Intentionally-produced POPs are those used deliberately (mainly in the past) in agriculture (primarily as pesticides) and industry. Those intentionally-produced POPs are not relevant where waste incineration is concerned, as in fact high-temperature incineration is one of the prescribed methods for destroying POPs.

The unintentionally-produced POPs addressed by the Convention are:

- dioxins and furans;
- HCB (hexachlorobenzene)
- PCBs (polychlorobiphenyls) and
- PeCB (pentachlorobenzene)

The UK's national implementation plan for the Stockholm Convention, published in 2007, makes explicit that the relevant controls for unintentionally-produced POPs, such as might be produced by waste incineration, are delivered through the requirements of IED. That would include an examination of BAT, including potential alternative techniques, with a view to preventing or minimising harmful emissions. These have been applied as explained in this document, which explicitly addresses alternative techniques and BAT for the minimisation of emissions of dioxins.

Our legal obligation, under regulation 4(b) of the POPs Regulations, is, when considering an application for an environmental permit, to comply with article 6(3) of the POPs Regulation:

“Member States shall, when considering proposals to construct new facilities or significantly to modify existing facilities using processes that release chemicals listed in Annex III, without prejudice to Council Directive 1996/61/EC, give priority consideration to alternative processes, techniques or practices that have similar usefulness but which avoid the formation and release of substances listed in Annex III.”

The 1998 Protocol to the Convention recommended that unintentionally produced should be controlled by imposing emission limits (e.g 0.1 ng/m³ for MWIs) and using BAT for incineration. UN Economic Commission for Europe (Executive Body for the Convention) (ECE-EB) produced BAT guidance for the parties to the Convention in 2009. This document considers various control techniques and concludes that primary measures involving management of feed material by reducing halogenated substances are not technically effective. This is not surprising because halogenated wastes still need to be disposed of and because POPs can be generated from relatively low concentrations of halogens. In summary, the successful control techniques for waste incinerators listed in the ECE-EB BAT are:

- maintaining furnace temperature of 850°C and a combustion gas residence time of at least 2 seconds
- rapid cooling of flue gases to avoid the *de novo* reformation temperature range of 250-450°C
- use of bag filters and the injection of activated carbon or coke to adsorb residual POPs components.

Using the methods listed above, the UN-ECE BAT document concludes that incinerators can achieve an emission concentration of 0.1 ng TEQ/m³.

We believe that the Permit ensures that the formation and release of POPs will be prevented or minimised. As we explain above, high-temperature incineration is one of the prescribed methods for destroying POPs. Permit conditions are based on the use of BAT and Chapter IV of IED and incorporate all the above requirements of the UN-ECE BAT guidance and deliver the requirements of the Stockholm Convention in relation to unintentionally produced POPs.

The release of **dioxins and furans** to air is required by the IED to be assessed against the I-TEQ (International Toxic Equivalence) limit of 0.1 ng/m³. Further development of the understanding of the harm caused by dioxins has resulted in the World Health Organisation (WHO) producing updated factors to calculate the WHO-TEQ value. Certain **PCBs** have structures which make them behave like dioxins (dioxin-like PCBs), and these also have toxic equivalence factors defined by WHO to make them capable of being considered together with dioxins. The UK's independent health advisory committee, the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) has adopted WHO-TEQ

values for both dioxins and dioxin-like PCBs in their review of Tolerable Daily Intake (TDI) criteria. The Permit requires that, in addition to the requirements of the IED, the WHO-TEQ values for both dioxins and dioxin-like PCBs should be monitored for reporting purposes, to enable evaluation of exposure to dioxins and dioxin-like PCBs to be made using the revised TDI recommended by COT. The release of dioxin-like PCBs and PAHs is expected to be low where measures have been taken to control dioxin releases. The Permit also requires monitoring of a range of PAHs and dioxin-like PCBs at the same frequency as dioxins are monitored. We have included a requirement to monitor and report against these WHO-TEQ values for dioxins and dioxin-like PCBs and the range of PAHs as listed in the Permit. We are confident that the measures taken to control the release of dioxins will also control the releases of dioxin-like PCBs and PAHs. Section 5.2.1 of this document details the assessment of emissions to air, which includes dioxins and concludes that there will be no adverse effect on human health from either normal or abnormal operation.

Hexachlorobenzene (HCB) is released into the atmosphere as an accidental product from the combustion of coal, waste incineration and certain metal processes. It has also been used as a fungicide, especially for seed treatment although this use has been banned in the UK since 1975. Natural fires and volcanoes may serve as natural sources. Releases of (HCB) are addressed by the European Environment Agency (EEA), which advises that:

"due to comparatively low levels in emissions from most (combustion) processes special measures for HCB control are usually not proposed. HCB emissions can be controlled generally like other chlorinated organic compounds in emissions, for instance dioxins/furans and PCBs: regulation of time of combustion, combustion temperature, temperature in cleaning devices, sorbents application for waste gases cleaning etc." [reference http://www.eea.europa.eu/publications/EMEPCORINAIR4/sources_of_HCB.pdf]

Pentachlorobenzene (PeCB) is another of the POPs list to be considered under incineration. PeCB has been used as a fungicide or flame retardant, there is no data available however on production, recent or past, outside the UN-ECE region. PeCBs can be emitted from the same sources as for PCDD/F: waste incineration, thermal metallurgic processes and combustion plants providing energy. As discussed above, the control techniques described in the UN-ECE BAT guidance and included in the permit, are effective in controlling the emissions of all relevant POPs including PeCB.

We have assessed the control techniques proposed for dioxins by the Applicant and have concluded that they are appropriate for dioxin control. We are confident that these controls are in line with the UN-ECE BAT guidance and will minimise the release of HCB, PCB and PeCB.

We are therefore satisfied that the substantive requirements of the Convention and the POPs Regulation have been addressed and complied with.

6.5 Other Emissions to the Environment

6.5.1 Emissions to water

The installation will produce an effluent that will consist of boiler blowdown, cooling tower discharge and domestic effluent. It is proposed where possible to reuse this effluent on site following treatment through a package treatment plant; however where volumes are too large to re use it is proposed to discharge the treated effluent to an attenuation lagoon located to the north of the site, from where it will drain to the River Welland.

The Applicant has stated that uncontaminated surface water runoff from the roofs and roads on site will also be drained to the Attenuation Lagoon. This runoff will drain to the lagoon via a 3 stage oil interceptor. Also draining to the lagoon is uncontaminated surface water from the roofs of the TAD facility.

The Applicant has provided details of the likely composition of the treated effluent. We have carried out a risk assessment based on this information and have set discharge limits and monitoring requirements in the permit that will protect water quality in the River Welland. We have set an improvement operational condition in the permit (IC8) that requires the Operator to repeat the water quality assessment following 12 months of monitoring, in order to validate their initial assessment.

The Applicant has not finalised their proposals for the specific effluent treatment technology that will be used to treat the effluent. The reason given for this is that the treatment process will be chosen following assessment of the process water that will be used for the site. The process water will be drawn from an on-site borehole. This water will be tested prior to operations. The Operator has stated that a number of options are being considered including micro filtration, reverse osmosis and vacuum evaporation; they will also consider tankering effluent off site if required. For this reason we have included a pre operational condition in the permit that requires the Operator to submit to the Environment Agency for approval final proposals for effluent treatment (PO9). This means they will be unable to operate the facility until we have approved their proposals.

Monitoring of the effluent discharge will be required at a point located after the treatment plant. The location of the monitoring point will be confirmed in accordance with pre operational condition PO9. We have also include a requirement for the Operator to periodically water quality in the River Welland upstream and downstream of the discharge.

Based upon the information in the application we are satisfied that appropriate measures will be in place to prevent and /or minimise emissions to water.

6.5.2 Emissions to sewer

There will be no emissions to sewer.

6.5.3 Fugitive emissions

The IED specifies that plants must be able to demonstrate that the plant is designed in such a way as to prevent the unauthorised and accidental release of polluting substances into soil, surface water and groundwater. In addition storage requirements for waste and for contaminated water of Article 46(5) must be arranged.

The main control measures proposed are:

- Stockpiles of organic feedstock and Gasification Ash will be stored within an enclosed building
- Employing dry sweep cleaning in storage and treatment areas.
- Containers and bags of material in use at the installation will be sealed.
- No subsurface sumps or tanks.
- Pipework inspected regularly
- Only subsurface pipework will be interceptor foul sewer and uncontaminated surface water drainage systems.
- Process areas and chemical storage areas comprise containment kerbs and connection to sealed drainage system.
- All areas covered by hardstanding.
- All tanks will be bunded and handled within plant building which itself is bunded.
- Spills kits and operational procedures will be in place to prevent and control spillages.

Also proposed by the Applicant is if necessary in the event of fire on site to discharge contaminated firewater from the fuel reception building via drains (which are shut in normal operation) in to the Retention Lagoon (as shown on Site Plan in Schedule 7 of the permit). It will be held in the lagoon and will be disposed of appropriately. The Applicant has submitted a written procedure for this which has been included in the operating techniques for the site via table S1.2 of the permit.

Based upon the information in the application we are satisfied that appropriate measures will be in place to prevent and /or minimise fugitive emissions.

6.5.4 Odour

The application states that there are no potential odour sources at the installation. The timber raw materials brought to the site are considered non-odorous. It will be stored within a building. All gases generated during the thermal process are inherently odourless.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise odour and to prevent pollution from odour.

6.5.5 Noise and vibration

The application contained a noise impact assessment which identified local noise-sensitive receptors, potential sources of noise at the proposed plant and noise attenuation measures. Measurements were taken of the prevailing ambient noise levels to produce a baseline noise survey and an assessment was carried out in accordance with BS 4142:2014 to compare the predicted plant rating noise levels with the established background levels.

The Applicant's assessment concluded that 'the predicted noise level meets the confirmed target (background L_{A90}) at all locations both during the day and overnight'.

We audited the assessment and we agree with the Applicant's conclusions for night time operations. We also agreed with the Operator's conclusions for day time operations; however it was highlighted that the applicant did not include the noise contribution from HGV and mobile plant in the assessment. We therefore requested further information on this, via the Schedule 5 Notice issued on 07/10/2015.

The Applicant's response to the Schedule 5 Notice justifies the omission of HGVs and mobile plant by stating that the vehicle movements are primarily associated with the adjacent permitted sited Welland Waste Management facility, which is the sole provider of the fuel used at this site and is currently operational. The applicant states that a noise assessment, including all vehicle moments from the facility applying to the permit, its fuel provider and a Thermophillic Anaerobic Digestion (TAD) plant were considered as part of the planning process. The applicant has provided the noise assessment that was submitted as part of the planning application with their Schedule 5 response.

With respects to the applicant's justification that, the vehicle movements are primarily associated with the adjacent existing permitted site, they still need to be considered within the noise assessment for the permit application when they are onsite. However, logically since the HGVs are currently operating adjacent to the site, the impact is dependent on the location of receptors in relation to the HGVs new route. The difference in impacts between the existing HGV route and new HGV route should therefore have been considered.

We have undertaken check noise calculations, using sound power listed in BS5228^[2] for a dump truck drive by and a dump truck tipping, and can confirm that their the contribution from onsite vehicle movements is likely to be low risk.

In fact, there may be an improvement due to a reduced number of vehicle movements along the access road, which is the nearest route to the most sensitive receptors. Considering this the vehicle movements, as proposed by the applicant can be considered a low risk with respects to noise. However should vehicle numbers increase or fuel supplier changes, ie no longer from

the adjacent site, the applicant should assess the contribution from vehicle movements within the installation.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise noise and vibration and to prevent pollution from noise and vibration outside the site. The Operator will be required to validate their noise assessment through the completion of improvement condition IC3. Also we have received no comments relating to noise from the local authority.

6.6 Setting ELVs and other Permit conditions

6.6.1 Translating BAT into Permit conditions

Article 14(3) of IED states that BAT conclusions shall be the reference for permit conditions. Article 15(3) further requires that under normal operating conditions; emissions do not exceed the emission levels associated with the best available techniques as laid down in the decisions on BAT conclusions.

At the time of writing of this document, no BAT conclusions have been published for waste incineration or co-incineration.

The use of IED Chapter IV emission limits for air dispersion modelling sets the worst case scenario. If this shows emissions are insignificant then we have accepted that the Applicant's proposals are BAT, and that there is no justification to reduce ELVs below the Chapter IV limits in these circumstances.

Below we consider whether, for those emission not screened out as insignificant, different conditions are required as a result of consideration of local or other factors, so that no significant pollution is caused (Article 11(c)) or to comply with environmental quality standards (Article 18).

(i) National and European EQSs

There are no additional National or European EQSs that indicate that IED limits are insufficient to protect the local environment.

(ii) Global Warming

CO₂ is an inevitable product of the combustion of waste. The amount of CO₂ emitted will be essentially determined by the quantity and characteristics of waste being incinerated, which are already subject to conditions in the Permit. It is therefore inappropriate to set an emission limit value for CO₂, which could do no more than recognise what is going to be emitted. The gas is not therefore targeted as a key pollutant under Annex II of IED, which lists the main polluting substances that are to be considered when setting emission limit values (ELVs) in Permits.

We have therefore considered setting equivalent parameters or technical measures for CO₂. However, provided energy is recovered efficiently (see section 4.3.7 above), there are no additional equivalent technical measures (beyond those relating to the quantity and characteristics of the waste) that can be imposed that do not run counter to the primary purpose of the plant, which is the recovery of energy from waste. Controls in the form of restrictions on the volume and type of waste that can be accepted at the Installation and permit conditions relating to energy efficiency effectively apply equivalent technical measures to limit CO₂ emissions.

(iii) Commissioning

Before the plant can become fully operational it will be necessary for it to be commissioned. WID and the Permit cover operations once the plant is fully operational. Before it can be commissioned the Operator is required (by pre-operational condition PO4) to submit its proposals for commissioning to the Agency for approval. Commissioning will be carried out in accordance with the approved proposals.

In addition, because it is recognised that certain information presented in the Application was based on design data or data from similar equipment, the commissioning phase is the earliest opportunity to verify much of this information. The following verifications will be determined by the Applicant:

- Calibration of CEMs in accordance with BS EN 14181 (a requirement in improvement condition (IC7)).
- Verification of furnace residence time, temperature and oxygen content (IC4).
- The plant in total conforms with the permit conditions (IC3).
- Abatement plant optimisation details (IC5).
- Development of procedures to demonstrate satisfactory process control (IC3).

6.7 Monitoring

6.7.1 Monitoring during normal operations

We have decided that monitoring should be carried out for the parameters listed in Schedule 3 using the methods and to the frequencies specified in those tables. These monitoring requirements have been imposed in order to demonstrate compliance with emission limit values and to enable correction of measured concentration of substances to the appropriate reference conditions; to gather information about the performance of the SNCR system; to establish data on the release of dioxin-like PCBs and PAHs from the incineration process and to deliver the requirements of Chapter IV of IED for monitoring of residues and temperature in the combustion chamber.

For emissions to air, the methods for continuous and periodic monitoring are in accordance with the Environment Agency's Guidance M2 for monitoring of stack emissions to air.

Monitoring has also been set for the discharge to the River Welland. The requirements are detailed in Table S3.2 of the permit.

Based on the information in the Application and the requirements set in the conditions of the permit we are satisfied that the Operator's techniques, personnel and equipment will have either MCERTS certification or MCERTS accreditation as appropriate.

6.7.2 Monitoring under abnormal operations arising from the failure of the installed CEMs

There is no duplication of the CEMS. In the event of CEMS failure there will be a shutdown and a procedure for the hire of temporary CEMS from the manufacturer, both full scale and portable CEMS are available for hire from the equipment supplier depending upon the nature of the failure.

6.7.3 Continuous emissions monitoring for dioxins and heavy metals

Chapter IV of IED specifies manual extractive sampling for heavy metals and dioxin monitoring. However, Article 48(5) of the IED enables The Commission to act through delegated authority to set the date from which continuous measurements of the air emission limit values for heavy metals, dioxins and furans shall be carried out, as soon as appropriate measurement techniques are available within the Community. No such decision has yet been made by the Commission.

The Environment Agency has reviewed the applicability of continuous sampling and monitoring techniques to the installation.

Recent advances in mercury monitoring techniques have allowed standards to be developed for continuous mercury monitoring, including both vapour-phase and particulate mercury. There is a standard which can apply to CEMs which measure mercury (EN 15267-3) and standards to certify CEMs for mercury, which are EN 15267-1 and EN 15267-3. Furthermore, there is an MCERTS-certified CEM which has been used in trials in the UK and which has been verified on-site using many parallel reference tests as specified using the steps outlined in EN 14181.

In the case of dioxins, equipment is available for taking a sample for an extended period (several weeks), but the sample must then be analysed in the conventional way. However, the continuous sampling systems do not meet the requirements of BS EN 1948 which is the standard for dioxin analysis. BS EN 1948 requires traversing the sampler across the duct and collecting parts of the sample at various points across the duct to ensure that all of the gas phase is sampled proportionately, in case there are variations in gas flow rate or composition resulting in a non-homogeneous gas flow. This requirement is particularly important where suspended solids are present in the gas, and dioxins are often associated with suspended solid particles. Continuous samplers are currently designed for operation at one or two fixed sampling

points within the duct, and traverses are not carried out automatically. Using such samplers, more information could be obtained about the variation with time of the dioxin measurement, but the measured results could be systematically higher or lower than those obtained by the approved standard method which is the reference technique required to demonstrate compliance with the limit specified in the IED. The lack of a primary reference method (e.g. involving a reference gas of known concentration of dioxin) prohibits any one approach being considered more accurate than another. Because compliance with the IED's requirements is an essential element of EPR regulation, we have set emission limits for dioxins in the permit based on the use of BS EN 1948 and the manual sampling method remains the only acceptable way to monitor dioxins for the purpose of regulation.

For either continuous monitoring of mercury or continuous sampling of dioxins to be used for regulatory purposes, an emission limit value would need to be devised which is applicable to continuous monitoring. Such limits for mercury and dioxins have not been set by the European Commission. Use of a manual sample train is the only technique which fulfils the requirements of the IED. At the present time, it is considered that in view of the predicted low levels of mercury and dioxin emission it is not justifiable to require the Operator to install additionally continuous monitoring or sampling devices for these substances.

In accordance with its legal requirement to do so, the Environment Agency reviews the development of new methods and standards and their performance in industrial applications. In particular the Environment Agency considers continuous sampling systems for dioxins to have promise as a potential means of improving process control and obtaining more accurate mass emission estimates.

6.8 Reporting

We have specified the reporting requirements in Schedule 4 of the Permit either to meet the reporting requirements set out in the IED, or to ensure data is reported to enable timely review by the Environment Agency to ensure compliance with permit conditions and to monitor the efficiency of material use and energy recovery at the installation.

7 Other legal requirements

In this section we explain how we have addressed other relevant legal requirements, to the extent that we have not addressed them elsewhere in this document.

7.1 The EPR 2010 and related Directives

The EPR delivers the requirements of a number of European and national laws.

7.1.1 Schedules 1 and 7 to the EPR 2010 – IED Directive

We address the requirements of the IED in the body of this document above and the specific requirements of Chapter IV in Annex 1 of this document.

There is one requirement not addressed above, which is that contained in Article 5(3) IED. Article 5(3) requires that “In the case of a new installation or a substantial change where Article 4 of Directive 85/337/EC (the EIA Directive) applies, any relevant information obtained or conclusion arrived at pursuant to articles 5, 6 and 7 of that Directive shall be examined and used for the purposes of granting the permit.”

- Article 5 of EIA Directive relates to the obligation on developers to supply the information set out in Annex IV of the Directive when making an application for development consent.
- Article 6(1) requires Member States to ensure that the authorities likely to be concerned by a development by reason of their specific environmental responsibilities are consulted on the Environmental Statement and the request for development consent.
- Article 6(2)-6(6) makes provision for public consultation on applications for development consent.
- Article 7 relates to projects with transboundary effects and consequential obligations to consult with affected Member States.

The grant or refusal of development consent is a matter for the relevant local planning authority. The Environment Agency’s obligation is therefore to examine and use any relevant information obtained or conclusion arrived at by the local planning authorities pursuant to those EIA Directive articles.

In determining the Application we have considered the following documents: -

- The Environmental Statement submitted with the planning application (which also formed part of the Environmental Permit Application).
- The decision of the Northamptonshire County Council to grant planning permission on 24th October 2014
- The report and decision notice of the local planning authority accompanying the grant of planning permission.
- The response of the Environment Agency to the local planning authority in its role as consultee to the planning process.

From consideration of all the documents above, the Environment Agency considers that no additional or different conditions are necessary.

The Environment Agency has also carried out its own consultation on the Environmental Permitting Application which includes the Environmental Statement submitted to the local planning authority. The results of our consultation are described elsewhere in this decision document.

7.1.2 Schedule 9 to the EPR 2010 – Waste Framework Directive

As the Installation involves the treatment of waste, it is carrying out a *waste operation* for the purposes of the EPR 2010, and the requirements of Schedule 9 therefore apply. This means that we must exercise our functions so as to ensure implementation of certain articles of the WFD.

We must exercise our relevant functions for the purposes of ensuring that the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste and that any waste generated is treated in accordance with Article 4 of the Waste Framework Directive. (See also section 4.3.9)

The conditions of the permit ensure that waste generation from the facility is minimised. Where the production of waste cannot be prevented it will be recovered wherever possible or otherwise disposed of in a manner that minimises its impact on the environment. This is in accordance with Article 4.

We must also exercise our relevant functions for the purposes of implementing Article 13 of the Waste Framework Directive; ensuring that the requirements in the second paragraph of Article 23(1) of the Waste Framework Directive are met; and ensuring compliance with Articles 18(2)(b), 18(2)(c), 23(3), 23(4) and 35(1) of the Waste Framework Directive.

Article 13 relates to the protection of human health and the environment. These objectives are addressed elsewhere in this document.

Article 23(1) requires the permit to specify:

- (a) the types and quantities of waste that may be treated;
- (b) for each type of operation permitted, the technical and any other requirements relevant to the site concerned;
- (c) the safety and precautionary measures to be taken;
- (d) the method to be used for each type of operation;
- (e) such monitoring and control operations as may be necessary;
- (f) such closure and after-care provisions as may be necessary.

These are all covered by permit conditions.

The permit does not allow the mixing of hazardous waste so Article 18(2) is not relevant.

We consider that the intended method of waste treatment is acceptable from the point of view of environmental protection so Article 23(3) does not apply. Energy efficiency is dealt with elsewhere in this document but we consider the conditions of the permit ensure that the recovery of energy take place with a high level of energy efficiency in accordance with Article 23(4).

Article 35(1) relates to record keeping and its requirements are delivered through permit conditions.

7.1.3 Schedule 22 to the EPR 2010 – Groundwater, Water Framework and Groundwater Daughter Directives

To the extent that it might lead to a discharge of pollutants to groundwater (a “groundwater activity” under the EPR 2010), the Permit is subject to the requirements of Schedule 22, which delivers the requirements of EU Directives relating to pollution of groundwater. The Permit will require the taking of all necessary measures to prevent the input of any hazardous substances to groundwater, and to limit the input of non-hazardous pollutants into groundwater so as to ensure such pollutants do not cause pollution, and satisfies the requirements of Schedule 22.

No releases to groundwater from the Installation are permitted. The Permit also requires material storage areas to be designed and maintained to a high standard to prevent accidental releases.

7.1.4 Directive 2003/35/EC – The Public Participation Directive

Regulation 59 of the EPR 2010 requires the Environment Agency to prepare and publish a statement of its policies for complying with its public participation duties. We have published our public participation statement.

This Application is being consulted upon in line with this statement, as well as with our guidance RGS6 on Sites of High Public Interest, which addresses specifically extended consultation arrangements for determinations where public interest is particularly high. This satisfies the requirements of the Public Participation Directive.

Our decision in this case has been reached following a programme of extended public consultation both on the original application and later separately, on the draft permit and a draft decision. The way in which this has been done is set out in Section 2.2. A summary of the responses received to our consultations and our consideration of them is set out in Annex 2.

7.2 National primary legislation

7.2.1 Environment Act 1995

- (i) Section 4 (Pursuit of Sustainable Development)

We are required to contribute towards achieving sustainable development, as considered appropriate by Ministers and set out in guidance issued to us. The Secretary of State for Environment, Food and Rural Affairs has issued *The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance (December 2002)*. This document:

“provides guidance to the Agency on such matters as the formulation of approaches that the Agency should take to its work, decisions about priorities for the Agency and the allocation of resources. It is not directly applicable to individual regulatory decisions of the Agency”.

In respect of regulation of industrial pollution through the EPR, the Guidance refers in particular to the objective of setting permit conditions *“in a consistent and proportionate fashion based on Best Available Techniques and taking into account all relevant matters...”*. The Environment Agency considers that it has pursued the objectives set out in the Government's guidance, where relevant, and that there are no additional conditions that should be included in this Permit to take account of the Section 4 duty.

(ii) Section 7 (Pursuit of Conservation Objectives)

We considered whether we should impose any additional or different requirements in terms of our duty to have regard to the various conservation objectives set out in Section 7, but concluded that we should not.

We have considered the impact of the installation on local wildlife sites within 2Km which are not designated as either European Sites or SSSIs. We are satisfied that no additional conditions are required.

(iii) Section 81 (National Air Quality Strategy)

We have had regard to the National Air Quality Strategy and consider that our decision complies with the Strategy, and that no additional or different conditions are appropriate for this Permit.

7.2.2 Human Rights Act 1998

We have considered potential interference with rights addressed by the European Convention on Human Rights in reaching our decision and consider that our decision is compatible with our duties under the Human Rights Act 1998. In particular, we have considered the right to life (Article 2), the right to a fair trial (Article 6), the right to respect for private and family life (Article 8) and the right to protection of property (Article 1, First Protocol). We do not believe that Convention rights are engaged in relation to this determination.

7.2.3 Countryside and Rights of Way Act 2000 (CROW 2000)

Section 85 of this Act imposes a duty on Environment Agency to have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty (AONB). There is no AONB which could be affected by the Installation.

7.2.4 Wildlife and Countryside Act 1981

Under section 28G of the Wildlife and Countryside Act 1981 the Environment Agency has a duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest. Under section 28I the Environment Agency has a duty to consult Natural England in relation to any permit that is likely to damage SSSIs.

We assessed the Application and concluded that the Installation will not damage the special features of any SSSI. This was recorded on a CROW Appendix 4 form.

The CROW assessment is summarised in greater detail in section 5.4.3 of this document. A copy of the full Appendix 4 Assessment can be found on the public register.

7.2.5 Natural Environment and Rural Communities Act 2006

Section 40 of this Act requires us to have regard, so far as is consistent with the proper exercise of our functions, to the purpose of conserving biodiversity. We have done so and consider that no different or additional conditions in the Permit are required.

7.3 National secondary legislation

7.3.1 The Conservation of Natural Habitats and Species Regulations 2010

We have assessed the Application in accordance with guidance agreed jointly with Natural England and concluded that there will be no likely significant effect on any European Site.

7.3.2 Water Framework Directive Regulations 2003

Consideration has been given to whether any additional requirements should be imposed in terms of the Environment Agency's duty under regulation 3 to secure the requirements of the Water Framework Directive through (inter alia) EP permits, but it is felt that existing conditions are sufficient in this regard and no other appropriate requirements have been identified.

7.3.3 The Persistent Organic Pollutants Regulations 2007

We have explained our approach to these Regulations, which give effect to the Stockholm Convention on POPs and the EU's POPs Regulation, above.

7.4 Other relevant legal requirements

7.4.1 Duty to Involve

S23 of the Local Democracy, Economic Development and Construction Act 2009 require us where we consider it appropriate to take such steps as we consider appropriate to secure the involvement of interested persons in the exercise of our functions by providing them with information, consulting them or involving them in any other way. S24 requires us to have regard to any Secretary of State guidance as to how we should do that.

The way in which the Environment Agency has consulted with the public and other interested parties is set out in section 2.2 of this document. The way in which we have taken account of the representations we have received is set out in Annex 4. Our public consultation duties are also set out in the EP Regulations, and our statutory Public Participation Statement, which implement the requirements of the Public Participation Directive. In addition to meeting our consultation responsibilities, we have also taken account of our

guidance in Environment Agency Guidance Note RGS6 and the Environment Agency's Building Trust with Communities toolkit.

ANNEX 1: APPLICATION OF CHAPTER IV OF THE INDUSTRIAL EMISSIONS DIRECTIVE

IED Article	Requirement	Delivered by
45(1)(a)	The permit shall include a list of all types of waste which may be treated using at least the types of waste set out in the European Waste List established by Decision 2000/532/EC, if possible, and containing information on the quantity of each type of waste, where appropriate.	Condition 2.3.4(a) and Table S2.2 in Schedule 2 of the Permit.
45(1)(b)	The permit shall include the total waste incinerating or co-incinerating capacity of the plant.	Condition 2.4.3(a) and Table S2.2 in Schedule 2 of the Permit.
45(1)(c)	The permit shall include the limit values for emissions into air and water.	Conditions 3.1.1 and 3.1.2 and Tables S3.1, S3.1 (a) and table S3.2 in Schedule 3 of the Permit.
45(1)(d)	The permit shall include the requirements for pH, temperature and flow of waste water discharges.	Not Applicable – Only apply to discharges of contaminated scrubber water. However this permit does have a discharge of process effluent that is limited by table S3.2.
45(1)(e)	The permit shall include the sampling and measurement procedures and frequencies to be used to comply with the conditions set for emissions monitoring.	Conditions 3.5.1 to 3.5.5 and Tables S3.1, S3.1 (a), S3.2 S3.3 and S3.4 in Schedule 3 of the Permit.
45(1)(f)	The permit shall include the maximum permissible period of unavoidable stoppages, disturbances or failures of the purification devices or the measurement devices, during which the emissions into the air and the discharges of waste water may exceed the prescribed emission limit values.	Conditions 2.3.11 and 2.3.12.
45(2)(a)	The permit shall include a list of the	Not applicable

IED Article	Requirement	Delivered by
	quantities of the different categories of hazardous waste which may be treated.	
45(2)(b)	The permit shall include the minimum and maximum mass flows of those hazardous waste, their lowest and maximum calorific values and the maximum contents of polychlorinated biphenyls, pentachlorophenol, chlorine, fluorine, sulphur, heavy metals and other polluting substances.	Not applicable
46(1)	Waste gases shall be discharged in a controlled way by means of a stack the height of which is calculated in such a way as to safeguard human health and the environment.	Condition 2.3.1 and Table S1.2 of Schedule 1 of the Permit.
46(2)	Emission into air shall not exceed the emission limit values set out in part of Annex VI.	Conditions 3.1.1 and 3.1.2 and Tables S3.1 and S3.1a.
46(2)	Emission into air shall not exceed the emission limit values set out in parts 4 or determined in accordance with part 4 of Annex VI.	Conditions 3.1.1 and 3.1.2 and Tables S3.1 and S3.1a.
46(3)	Relates to conditions for water discharges from the cleaning of exhaust gases.	There are no such discharges. The only discharge to water consists of treated effluent and runoff that does not contain discharges from the cleaning of exhaust gases.
46(4)	Relates to conditions for water discharges from the cleaning of exhaust gases.	As above
46(5)	Prevention of unauthorised and accidental release of any polluting substances into soil, surface water or groundwater. Adequate storage capacity for contaminated rainwater run-off from the site or for contaminated water from spillage or fire-fighting.	The application explains the measures to be in place for achieving the directive requirements

IED Article	Requirement	Delivered by
46(6)	Limits the maximum period of operation when an ELV is exceeded to 4 hours uninterrupted duration in any one instance, and with a maximum cumulative limit of 60 hours per year.	Conditions 2.3.11 and 2.3.12
47	In the event of breakdown, reduce or close down operations as soon as practicable.	Condition 2.3.11
48(1)	Monitoring of emissions is carried out in accordance with Parts 6 and 7 of Annex VI.	Conditions 3.5.1 to 3.5.5. Reference conditions are defined in Schedule 6 of the Permit.
48(2)	Installation and functioning of the automated measurement systems shall be subject to control and to annual surveillance tests as set out in point 1 of Part 6 of Annex VI.	condition 3.5.3, and tables S3.1, S3.1(a), and S3.4
48(3)	The competent authority shall determine the location of sampling or measurement points to be used for monitoring of emissions.	conditions 3.5.3 and 3.5.4
48(4)	All monitoring results shall be recorded, processed and presented in such a way as to enable the competent authority to verify compliance with the operating conditions and emission limit values which are included in the permit.	Conditions 4.1.1 and 4.1.2, and Tables S4.1 and S4.4
49	The emission limit values for air and water shall be regarded as being complied with if the conditions described in Part 8 of Annex VI are fulfilled.	conditions 3.1.1 and 3.1.2 and 3.5.5
50(1)	Slag and bottom ash to have Total Organic Carbon (TOC) < 3% or loss on ignition (LOI) < 5%.	Conditions 3.5.1 and Table S3.5
50(2)	Flue gas to be raised to a temperature of 850°C for two seconds, as measured at representative point of the combustion chamber.	Condition 2.3.7, Pre-operational condition PO5 and Improvement condition IC4 and Table S3.4
50(3)	At least one auxiliary burner which must not be fed with fuels which can	Condition 2.3.8

IED Article	Requirement	Delivered by
	cause higher emissions than those resulting from the burning of gas oil liquefied gas or natural gas.	
50(4)(a)	Automatic shut to prevent waste feed if at start up until the specified temperature has been reached.	Condition 2.3.7
50(4)(b)	Automatic shut to prevent waste feed if the combustion temperature is not maintained.	Condition 2.3.7
50(4)(c)	Automatic shut to prevent waste feed if the CEMs show that ELVs are exceeded due to disturbances or failure of waste cleaning devices.	Condition 2.3.7
50(5)	Any heat generated from the process shall be recovered as far as practicable.	The plant will generate electricity and has proposed the use of waste heat. A review of this is required every 2 years (Conditions 1.2. 1 to 1.2.3)
50(6)	Relates to the feeding of infectious clinical waste into the furnace.	No infectious clinical waste will be burnt
50(7)	Management of the Installation to be in the hands of a natural person who is competent to manage it.	Conditions 1.1.1 to 1.1.3 and 2.3.1 of the Permit.
51(1)	Different conditions than those laid down in Article 50(1), (2) and (3) and, as regards the temperature Article 50(4) may be authorised, provided the other requirements of this chapter are met.	No such conditions Have been allowed
51(2)	Changes in operating conditions do not cause more residues or residues with a higher content of organic polluting substances compared to those residues which could be expected under the conditions laid down in Articles 50(1), (2) and (3).	No such conditions Have been allowed
51(3)	Changes in operating conditions shall include emission limit values for CO and TOC set out in Part 3 of Annex VI.	No such conditions Have been allowed
52(1)	Take all necessary precautions	Conditions 2.3.1,

IED Article	Requirement	Delivered by
	concerning delivery and reception of Wastes, to prevent or minimise pollution.	2.3.4, 3.2, 3.3, 3.4, 3.6 and 3.7.
52(2)	Determine the mass of each category of wastes, if possible according to the EWC, prior to accepting the waste.	Condition 2.3.4(a) and Table S2.2 in Schedule 3 of the Permit.
52(3)	Prior to accepting hazardous waste, the operator shall collect available information about the waste for the purpose of compliance with the permit requirements specified in Article 45(2).	Not applicable
52(4)	Prior to accepting hazardous waste, the operator shall carry out the procedures set out in Article 52(4).	Not applicable
52(5)	Granting of exemptions from Article 52(2), (3) and (4).	Not applicable
53(1)	Residues to be minimised in their amount and harmfulness, and recycled where appropriate.	Conditions 1.4.1, 1.4.2 and 3.5.1 with Table S3.5
53(2)	Prevent dispersal of dry residues and dust during transport and storage.	Conditions 1.4.1 2.3.1, 2.3.2 and 3.2.1.
53(3)	Test residues for their physical and chemical characteristics and polluting potential including heavy metal content (soluble fraction).	Condition 3.5.1 and Table S3.5 and pre-operational condition PO2.
55(1)	Application, decision and permit to be publicly available.	All documents are accessible from the Environment Agency Public Register.
55(2)	An annual report on plant operation and monitoring for all plants burning more than 2 tonne/hour waste.	Condition 4.2.2 and 4.2.3.

ANNEX 2: Pre-Operational Conditions

Based on the information on the Application, we consider that we do need to impose pre-operational conditions. These conditions are set out below and referred to, where applicable, in the text of the decision document. We are using these conditions to require the Operator to confirm that the details and measures proposed in the Application have been adopted or implemented prior to the operation of the Installation.

Reference	Pre-operational measures
PO1	Prior to the commencement of commissioning, the Operator shall send a summary of the site Environment Management System (EMS) to the Environment Agency and make available for inspection all documents and procedures which form part of the EMS. The EMS shall be developed in line with the requirements set out in Section 1 of How to comply with your environmental permit – Getting the basics right. The documents and procedures set out in the EMS shall form the written management system referenced in condition 1.1.1 (a) of the permit.
PO2	Prior to the commencement of commissioning, the Operator shall submit to the Environment Agency for approval a protocol for the sampling and testing of incinerator bottom ash for the purposes of assessing its hazard status. Sampling and testing shall be carried out in accordance with the protocol as approved.
PO3	Prior to the commencement of commissioning; the Operator shall provide a written commissioning plan, including timelines for completion, for approval by the Environment Agency. The commissioning plan shall include the expected emissions to the environment during the different stages of commissioning, the expected durations of commissioning activities and the actions to be taken to protect the environment and report to the Environment Agency in the event that actual emissions exceed expected emissions. The plan shall included proposals for the validation of the noise assessment that was submitted with the application. The Commissioning shall be carried out in accordance with the commissioning plan as approved.
PO4	Prior to the commencement of commissioning, the Operator shall submit a written report to the Agency detailing the waste acceptance procedure to be used at the site. The waste acceptance procedure shall include the process and systems by which wastes unsuitable for incineration at the site will be controlled. The procedure shall be implemented in accordance with the written approval from the Agency.
PO5	After completion of furnace design and at least three calendar months before any furnace operation; the operator shall submit a written report to the Agency of the details of the computational fluid dynamic (CFD) modelling. The report shall demonstrate whether the design combustion conditions comply with the residence time and temperature requirements as defined by Chapter IV and Annex VI of the IED.
PO6	The Operator shall submit the written protocol referenced in condition 3.2.4 for the monitoring of soil and groundwater for approval by the Environment Agency. The protocol shall demonstrate how the Operator will meet the requirements of Articles 14(1)(b), 14(1)(e) and 16(2) of the IED. The procedure shall be implemented in accordance with the written approval from the Agency.
PO7	At least three months before operation, the Operator shall submit a written report to the Environment Agency specifying arrangements for continuous and periodic monitoring of emissions to air to comply with Environment Agency guidance notes M1 and M2. The

	<p>report shall include the following:</p> <ul style="list-style-type: none"> • Plant and equipment details, including accreditation to MCERTS • Methods and standards for sampling and analysis • Details of monitoring locations, access and working platforms
PO8	<p>At least three months before operation, the Operator shall submit a written report to the Environment Agency specifying arrangements for continuous and periodic monitoring of emissions to the River Welland to comply with Environment Agency guidance notes M18. The report shall include the following:</p> <ul style="list-style-type: none"> • Sampling and monitoring equipment details, including accreditation to MCERTS • Methods and standards for sampling and analysis <p>Details of monitoring locations and access.</p>
PO9	<p>The Operator shall submit to the Environment Agency for approval a report that provides the following:</p> <ul style="list-style-type: none"> • Details of the final design of the effluent treatment plant that will be used to treat effluent from the installation prior to discharge into the River Welland. The report shall include operating techniques for maintenance and performance testing of the treatment plant. • A plan showing the discharge point from the Attenuation Lagoon, monitoring sample point for emissions of treated effluent from the installation (as required by Table S3.2) and monitoring sample point for upstream and downstream monitoring of the River Welland (as required by Table S3.3).
PO10	<p>The Operator shall submit to the Environment Agency for approval an updated Fire Prevention Plan. The Plan shall be written in accordance with Environment Agency guidance 'Fire Prevention Plans' Version 2 March 2015.</p>
PO11	<p>The operator shall submit to the Environment Agency for approval a plan for implementing the CHP scheme identified in the cost benefit analysis (received 27/11/2015).</p> <p>The plan shall include as a minimum:</p> <ul style="list-style-type: none"> • A timescale for implementation • A description of any dependencies or further approvals required • A description of any changes that will need to be made to the plant • Whether there will be any operational changes which could affect the environmental impact of the installation. • Consideration of whether a permit variation will be required <p>If required to do so by the Environment Agency they shall implement the plan in accordance with the Environment Agency's written approval.</p>

ANNEX 3: Improvement Conditions

Based in the information in the Application we consider that we need to set improvement conditions. These conditions are set out below - justifications for these are provided at the relevant section of the decision document. We are using these conditions to require the Operator to provide the Environment Agency with details that need to be established or confirmed during and/or after commissioning.

Reference	Improvement measure	Completion date
IC1	The Operator shall submit a written report to the Environment Agency on the implementation of its Environmental Management System and the progress made in the certification of the system by an external body or if appropriate submit a schedule by which the EMS will be certified.	Within 12 months of the date on which waste is first burnt.
IC2	The Operator shall submit a written proposal to the Environment Agency to carry out tests to determine the size distribution of the particulate matter in the exhaust gas emissions to air from emission point A1, identifying the fractions within the PM ₁₀ , and PM _{2.5} ranges. The proposal shall include a timetable for approval by the Environment Agency to carry out such tests and produce a report on the results. On receipt of written agreement by the Environment Agency to the proposal and the timetable, the Operator shall carry out the tests and submit to the Environment Agency a report on the results.	Within 6 months of the completion of commissioning.
IC3	The Operator shall submit a written report to the Environment Agency on the commissioning of the installation – in line with the commissioning plan as agreed under pre-operational condition PO3. The report shall summarise the environmental performance of the plant as installed against the design parameters set out in the Application, this includes validation of the noise assessment that was provided with the application. The report shall also include a review of the performance of the facility against the conditions of this permit and details of procedures developed during commissioning for achieving and demonstrating compliance with permit conditions.	Within 4 months of the completion of commissioning.
IC4	The Operator shall carry out checks to verify the residence time, minimum temperature and oxygen content of the exhaust gases in the furnace whilst operating under the anticipated most unfavourable operating conditions. The results shall be submitted in writing to the Environment Agency.	Within 4 months of the completion of commissioning.

Reference	Improvement measure	Completion date
IC5	<p>The Operator shall submit a written report to the Environment Agency describing the performance and optimisation of the Selective Non Catalytic Reduction (SNCR) system and combustion settings to minimise oxides of nitrogen (NO_x) emissions within the emission limit values described in this permit with the minimisation of nitrous oxide emissions. The report shall include an assessment of the level of NO_x and N₂O emissions that can be achieved under optimum operating conditions.</p> <p>The report shall also provide details of the optimisation (including dosing rates) for the control of acid gases and dioxins.</p>	Within 4 months of the completion of commissioning.
IC6	<p>The Operator shall carry out an assessment of the impact of emissions to air of the following component metals subject to emission limit values, Chromium, Arsenic, Lead, Manganese and Nickel. A report on the assessment shall be made to the Environment Agency.</p> <p>Emissions monitoring data obtained during the first year of operation shall be used to compare the actual emissions with those assumed in the impact assessment submitted with the Application. An assessment shall be made of the impact of each metal against the relevant EQS/EAL. In the event that the assessment shows that an EQS/EAL can be exceeded, the report shall include proposals for further investigative work.</p>	15 months from commencement of operations
IC7	<p>The Operator shall submit a written summary report to the Agency to confirm by the results of calibration and verification testing that the performance of Continuous Emission Monitors for parameters as specified in Table S3.1 and Table S3.1(a) complies with the requirements of BS EN 14181, specifically the requirements of QAL1, QAL2 and QAL3.</p>	<p>Initial calibration report to be submitted to the Agency within 3 months of completion of commissioning.</p> <p>Full summary evidence compliance report to be submitted within 18 months of commissioning.</p>
IC8	<p>The Operator shall carry out an assessment (using H1 guidance) of the impact on water quality in the River Welland, based on 12 months of water quality monitoring carried out in line with table S3.2 of the permit. A report showing the conclusion from the assessment and if necessary proposing new/amended emission limits shall be submitted to the Environment Agency for approval.</p>	15 months from commencement of normal operations

ANNEX 4: Consultation Responses

A) Advertising and Consultation on the Application

The Application has been advertised and consulted upon in accordance with the Environment Agency's Public Participation Statement. The way in which this has been carried out along with the results of our consultation and how we have taken consultation responses into account in reaching our decision is summarised in this Annex. Copies of all consultation responses have been placed on the Environment Agency public register.

The Application was advertised on the Environment Agency website from 23rd July 2015 to 19th August 2015 and in the Harborough Mail and the Leicester Mercury on 23rd July 2015. The Application was made available to view at the Environment Public Register at Nene House, Pytchley Lodge Industrial Estate, Kettering NN15 6JQ.

The following statutory and non-statutory bodies were consulted: -

- Local Fire Service – Leicester Fire and Rescue Service
- Public Health England
- Local Authority Environmental Health – Daventry Borough Council
- Food Standards Agency
- Director of Public Health – Leicestershire County Council & Northamptonshire County Council
- Health and Safety Executive

1) Consultation Responses from Statutory and Non-Statutory Bodies

Response Received from Public Health England	
Brief summary of issues raised:	Summary of action taken / how this has been covered
PHE commented: 'Based on the information contained in the application supplied to us, Public Health England has no significant concerns regarding to the risk to health of the local population from the installation'.	No action required.

No responses have been received from the other statutory or non-statutory bodies.

2) Consultation Responses from Members of the Public and Community Organisations

The consultation responses received were wide ranging and a number of the issues raised were outside the Environment Agency's remit in reaching its

permitting decisions. Specifically questions were raised which fall within the jurisdiction of the planning system, both on the development of planning policy and the grant of planning permission.

Guidance on the interaction between planning and pollution control is given in the National Planning Policy Framework. It says that the planning and pollution control systems are separate but complementary. We are only able to take into account those issues, which fall within the scope of the Environmental Permitting Regulations.

a) Representations from Community and Other Organisations

Representations were received from Martson Trussell Parish.

Brief summary of issues raised:	Summary of action taken / how this has been covered
Concern has been raised that the information and assessments in the application are based on desk top studies and have little or no regard for local topographical or climatic conditions; and they cannot be impartial.	Our specialists have audited the Applicant's Air Quality and Noise impact assessments and where necessary carried out our own check modelling and sensitivity analysis. We have also consulted on the application with bodies including the PHE and local authority Directors of Public Health.
Concern has been raised about the potential impact on local residents from NO _x emissions.	Impacts from emissions of NO _x are discussed in section 5.2.2. We agree with the Applicant's assessment that emissions of NO _x from the installation is not expected to result in the exceedance of a air quality standard.
Concern has been raised that the installation will lead to an increase in background dioxin levels and that the WHO advise dioxin background levels should be reduced.	Our assessment of dioxins is discussed in section 5.3.2.
Concern has been raised that the COMEAP assessment indicates that 0.05% of the population are likely to be hospitalised as a result of respiratory complaints associated with this development.	Although the Applicant has submitted a COMEAP assessment, for the reasons set out in section 5.3, we do not use this method to assess health effects from the installation. We have carried out an assessment of the potential impact on human health based on the Applicant's proposals using the methodology discussed in 5.3. We are satisfied that there will be no significant risk to human health. We have also consulted with Public Health England who has raised no

	significant concerns.
Concern has been raised about the impact of PM ₁₀ and PM _{2.5} released from the facility.	As discussed in sections 5.2.2 and 5.3.3 the Applicant has demonstrated that emissions of PM ₁₀ and PM _{2.5} are likely to be insignificant. In the assessment of PM _{2.5} the Operator has made the conservative assumption that all particles released will be PM _{2.5} , and has compared the predicted process contribution against the EU Environmental Quality Objective of 25µg/m ³ . The results show that the emissions of PM _{2.5} are likely to be insignificant. The EU Environmental Quality Objective is set primarily to protect human health, therefore the Environment Agency is satisfied that the health of the public would not be put at risk by emissions of particulate matter from this facility.
Concern has been raised that there is no proposals for dioxin monitoring at the points of sensitive receptors.	As discussed in section 5.3.2, we are satisfied that the impact from particulates will be insignificant. We have set a monitoring condition and emission limit in the permit for dioxins in the exhaust gases. We are satisfied that the controls in the permit will ensure any impact from dioxins will be insignificant, therefore external monitoring is not required.
It recommended that the EA seek independent and impartial expert reviews of the processes and implications relating to emissions and noise prior to approving or refusing the application.	Our specialists have audited the Applicant's Air Quality and Noise impact assessments and where necessary carried out our own check modelling and sensitivity analysis. We have also consulted on the application with bodies including the PHE and local authority Directors of Public Health.

Representation received from Theddingworth Parish Council.

A recommendation that Environment Agency seek independent assessments of the emissions, pollutants and residual products which will be produced by the proposed REGF.	The Environment Agency have carried out a full assessment of the proposals, the findings from which have been set out in this document. This includes auditing the Applicant's Air Quality and Noise impact assessments and where necessary we have carried out our own check
It is vital to the Parish Council and all	

the residents of Theddingworth that this site be run and managed in a way that there can be no detriment to the health and well-being of the current population, and that we ensure the future sustainability of the village, the local food producers and the surrounding countryside.	modelling and sensitivity analysis. We have also consulted on the application with bodies including the PHE and local authority Directors of Public Health.
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c) Representations from Individual Members of the Public

Many of the issues raised were the same as those considered above. Only those issues additional to those already considered are listed below:

Brief summary of issues raised:	Summary of action taken / how this has been covered
Concern has been raised that the proposed development will incinerate waste materials including MDF, plywood, veneered chip board and treated fencing. All of which are likely to result in excessive levels of dioxins as part of the combustion process.	We are satisfied that the permitted waste types included in the permit are appropriate for an installation of this type. We are also satisfied that the Applicant's proposals for preventing dioxin formation and dioxin abatement are appropriate to minimise dioxin emissions from the installation. This is discussed further in sections 5.3, 5.2.2 & 6.2.5.
Concern has been raised that many of the local population are either farmers, live in workers, run businesses from their homes in the village or are retired and spend much of their time in the village. They also consume food that is grown locally. The dioxin risk assessment included in the application suggests that may local people would be 'exposed to significant effects associated with emissions of dioxins'. There is also concern that dioxin impact assessment does not consider real usages of the land.	The Applicant has assessed the likely impact from dioxin emission. We have audited the Applicants assessment and carried out our own check modelling. We agree with the Applicant's conclusions that dioxin emissions will not be significant. See section 5.3.2.
Concern has been raised that in the non technical summary it states that pot ash contained in the grate ash may be recovered offsite as a fertiliser. This may increase the dioxins concentrations in locally grown produce.	The Applicant has a responsibility under the Duty of Care Regulations to ensure that any third party transferring and handling their waste is appropriately licensed and competent. Also there is a monitoring requirement in the permit that requires the Operator to sample and test the ash.

<p>Concern has been raised over whether dioxins released during the permitted 60 hours per annum abnormal operations (in the event of complete failure of the activated carbon injection system and loss of temperature control leading to high levels of dioxin reformation and their unabated release) has fully been considered.</p>	<p>The Applicant has assessed the impact of short term emissions to Air from the installation under 'abnormal conditions. We have audited the Applicant's assessment. See section 5.5.</p>
<p>Concern has been raised about the validity of the meteorological data used in the air quality modelling submitted by the Applicant:</p> <p><i>'Use prevailing wind directions from a site which is over 30km from the proposed facility. Note how the emissions flume conveniently misses the south side of Theddingworth village when using the prevailing wind from Coventry airport. The ADMS modelling software states that local prevailing wind directions be used. It additionally states that a $\pm 45^\circ$ safety window be applied to the prevailing wind to take account of any variability. This has not been done.</i></p>	<p>Environment Agency Air Quality modelling experts have audited the Applicant's Air Quality Assessment. This includes Check modelling (including the use of alternative MET data) and sensitivity analysis. Our check modelling indicates that although we do not agree with the Applicant's exact numerical predictions, we do agree with their conclusions. See section 5.2.1.</p>
<p>Concern has been raised about the validity of terrain data used in the air quality modelling submitted by the Applicant:</p> <p>'Take no account of the local terrain with a range of hills to the north and south of the proposed facility. The surrounding territory will tend to concentrate emissions along the valley and may also trap emissions from the stack (which is below the height of the hills) due to any thermal inversion effects which are common along the valley' and the emission figures also 'assume that the chimney stack base and Theddingworth are at the same elevation. Although the higher elevation of the village effectively reduces the stack height by up to 10m substantially increasing</p>	<p>Environment Agency Air Quality experts have audit the Applicant's air quality assessment and have carried out check modelling including the use of our own terrain data. Our check modelling indicates that although we do not agree with the Applicant's exact numerical predictions, we do agree with their conclusions. See section 5.2.1.</p>

the emissions’.	
Concern has been raised about impact of traffic on local residents and the existing plan restrictions on vehicle movements to and from the site.	This a relevant consideration for the grant of planning permission, but does not form part of the Environmental Permit decision making process except in consideration of background pollution levels in areas with already high background levels. Background pollution levels are low for areas around the proposed installation.
Concern has been raised that in the application it is stated that critical levels and critical loads for nitrogen deposition are currently exceeded at local receptors and that due to this any increase to this as a result of emissions from the proposals are unlikely to have a significant impact on local wildlife sites.	See section 5.4.4. We conclude that the Installation is not causing significant pollution at local wildlife sites if the PC is less than the relevant critical level or critical load, provided that the Applicant is using BAT to control emissions.
Concern has been raised that the application suggest that the proposed technology is experimental and therefore does it make sense to build and operate the facility within close proximity of human population and surrounding land with a substantial input into the human food chain.	<p>We will assess each application submitted to us on the basis of the information included and subsequently provided, to determine if it represents Best Available Techniques (BAT) having regard to guidance on BAT in the waste incineration BREF and environmental impacts. The BREF states that while the thermal treatment of waste by pyrolysis and gasification is less common than traditional incinerations by combustion, both techniques are applied within the sector in various forms. Therefore, according to the BREF, they are not considered to be emerging techniques. That said we scrutinise all applications to consider if the specific proposals can deliver BAT performance.</p> <p>Gasification itself is not an untried technology and has been used for many years successfully, for example in the gasification of coal. As discussed in section 6.1.1, the different types of furnace have been assessed. We have considered the assessments made by the Applicant and agree that the gasification</p>

	furnace technology chosen represents BAT.
<p>It has been recommended that the Environment Agency get an 'independent assessment' of the air quality assessment and human health risk assessment.</p> <p>It is also recommended that the Soil association are consulted to assess the likely impact of the proposed increases in dioxin contamination.</p>	<p>Environment Agency Air Quality Experts have audited the applicant's air quality and human risk assessment.</p> <p>We have also consulted with Public Health England who have raised no significant concerns.</p>
It has been recommended to determine why there are already exceedances of critical levels and critical loads at sites near to the proposed facility otherwise it will not be possible to attribute any subsequent contamination to particular source.	As discussed in section 5.4.4, we are satisfied that the impact on local wildlife sites and other conservation sites will not be significant. We have set a monitoring condition and emission limits in the permit for NOx, SO2, HF, Ammonia and HCl in the exhaust gases. We are satisfied that the controls in the permit will ensure any impact on these sites will not be significant. There could be a number of reason for elevated pollution levels at these sites however this is not a consideration for this permit determination.
<p>Concern has been raised about the risk to human health and the environment associated with the transport and disposal of bottom ash and fly ash from the facility. It has been raised that the ash will contain heavy metals and halogenated organic compounds.</p> <p>Concern has also been raised about the competence of a local waste management company who could potentially be contracted to transport the ash off site.</p>	<p>We have assessed the Applicant's proposals for handling and disposal of ash and we are satisfied that they are BAT. See section</p> <p>The Applicant has a responsibility under the Duty of Care Regulations to ensure that any third party transferring and handling their waste is appropriately licensed and competent.</p>
Concern has been raised about how waste heat will be managed. Particularly the effect if it is allowed to be diverted to the river.	See section 4.3.7. The Applicant has stated that the plant is designed to be CHP ready. They have identified a potential nearby user for waste heat. The only permitted discharge to the River Welland will consist of surface water runoff and treated effluent. This will be drained to an attenuation lagoon prior to discharge. The

	Applicant has estimated the discharge will have a temperature range of up to a high of 10°C. We are satisfied that there will be no thermal impact on the River Welland from this discharge.
Concern has been raised about the impact of potential odour from the facility	See section 6.5.4. Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise odour and to prevent pollution from odour.
Concern has been raised about who will be paying for emission monitoring and how the results will be published.	Monitoring requirements set in the permit will be carried out by the Operator. The monitors/ monitoring will be required to be undertaken in accordance with the standards for monitoring, using certified equipment which is calibrated and test accordingly. There are reporting conditions in the permit that require the Operator to submit monitoring results periodically. The monitoring results will be available to view on public register.

B) Advertising and Consultation on the Draft Decision

This section reports on the outcome of the public consultation on our draft decision carried out between 04/04/2016 and 03/05/2016.

In some cases the issues raised in the consultation were the same as those raised previously and already reported in section A of this Annex. Where this is the case, the Environment Agency response has not been repeated and reference should be made to section A for an explanation of the particular concerns or issues.

Also some of the consultation responses received were on matters which are outside the scope of the Environment Agency's powers under the Environmental Permitting Regulations. Our position on these matters is as described previously.

a) Representations from Individual Members of the Public

A total of 2 of responses were received from individual members of the public. Only those issues additional to those already considered are listed below:

Brief summary of issues raised:	Summary of action taken / how this has been covered
<p>It is indicated that upstream and downstream monitoring of water quality would only be required once each month at the operator's discretion. How is it to be determined that the samples are representative of the effect of peak effluent discharge?</p> <p>Could not an independent company take the samples at times which are not under the direct control of the plant operator?</p>	<p>As discussed in section 6.5 of this document based on the information in the application we are satisfied that the emissions to surface water from the facility will not cause significant pollution in the River Welland. We have imposed a sampling regime in the permit that will allow us and the Operator to monitor pollutant levels in the effluent discharge and the River Welland to ensure that the assumptions made in the risk assessment remain valid.</p> <p>Monitoring will not be at the Operator's discretion, the permit will require them to carry it out. Conditions in the permit require that sampling is carried out in accordance with relevant Environment Agency guidance and standards. The Operator must agree sampling methodology, including the timing of sampling, with Environment Agency before the operation of the facility under pre operational conditional PO8. Once agreed the Operator will be required to carry out the agreed monitoring, failure to do so will result in a breach of the permit conditions.</p> <p>The Operator is responsible for monitoring their own discharges by collecting and analysing their own chemical samples and submitting the data to us. This gives them a greater awareness of their performance and the environmental impact of their operations. We check that they are doing what they are supposed to by carrying out audits using the Operator Monitoring Assessment (OMA) procedures. There is also a requirement that the monitoring is carried out to a standard, known as MCERTS (where appropriate), which</p>

	<p>is administered by the Environment Agency and accredited by UKAS (United Kingdom Accreditation Service). Condition 3.5.3 in the permit states:</p> <p><i>Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.5.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate) unless otherwise agreed in writing by the Environment Agency.</i></p> <p>It must be noted that the Environment Agency can take their own samples and undertake check monitoring if deemed necessary; however this is not routinely carried out.</p>
The heat plant is to be CHP (combined heat and power) ready but as yet the operator indicates that the vast majority (>75%) of waste hot water has no commercial use and so will be discharged into the River Welland. I feel it could be sensible for the water temperatures of the waste effluent and the River Welland to be monitored, at least in the short term?	The Applicant has provided details on the predicted temperature of effluent stream prior to discharge. The temperature is predicted to be approximately 10°C. We are satisfied that the temperature of the discharge (limited to 58m ³ /day) will not result in significant pollution of the River Welland. Also, we do not consider that monitoring of the discharge temperature is required.
The design diagrams/plans indicate that the waste water and water run-off attenuation ponds are to be shared with the TAD food digestion plant. Should not the waste water from each plant be monitored separately before reaching the attenuation ponds, so that if pollution occurs it is clearly known who is responsible?	The final effluent discharge from this installation will include uncontaminated roof water runoff from the TAD plant. We are satisfied that there is no significant risk that this runoff could become contaminated to such an extent that it could result in pollution of the River Welland, therefore separate monitoring in this case is not required.
The local community has raised numerous concerns about increased noise and the effect this will have on local amenity. The draft permit Condition 3.4.1 indicates that it will be at the discretion of the authorised EA officer	As discussed in section 6.5.5 based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise noise and vibration and to prevent pollution from

<p>to determine and perceive when the noise levels are too high Northampton Council has imposed strict planning conditions regarding permitted increase in noise levels, specifically that the “Rating Noise Level will not exceed the equivalent background noise levels L90 dB (A) by more than 5 dB (A)” at the 4 nearest local residential receptors. There are also restrictions regarding the tonality of the noise (“no frequency, when measured as a one third octave, shall be greater or less than 10dB of its neighbouring frequency”). Would it not be applicable to have similar guidelines and restrictions placed within the environmental permit?</p>	<p>noise and vibration outside the site. We therefore consider that noise limits are not required in the permit and we prefer to base compliance on the use of appropriate techniques or BAT. However condition 3.4.1 allows us to take action in the unlikely event that noise issues do occur.</p> <p>The planning authority have their own procedures and carry out their own assessment of noise and vibration and therefore the setting of planning conditions relating to noise are decisions for themselves and do not have to be adopted in the Environmental Permit.</p>
<p>Within the draft permit (Condition section 2.3. to 2.3.12) the operator is permitted to have 60 hours per year when the plant can function within a state of “abnormal operations”. During these abnormal periods the permit indicates that pollution levels are allowed to be much higher. It would appear that the operator can unilaterally determine when these start and stop – how will this be monitored?</p> <p>Why does the permit state that conditions 2.3.12 c and 2.3.12.d constitute an end to “abnormal operations”?</p>	<p>As discussed in section 5.5 of this document we have assessed the short term impact from emissions under abnormal operations and we are satisfied based on the information submitted in the application that the no short term EQS/EALs will be exceeded. The Operator cannot decide on when abnormal operation starts and stops as Abnormal operation is defined in Schedule 6 of the permit.</p> <p>The permit conditions specify that the Operator can only Operate under abnormal condition for a maximum of 4 hours/ and no more than 60 hours total in a year. Failure to comply with this will result in a breach of permit conditions. Also the Operator is required to record the start and end of abnormal conditions under condition 2.3.9 failure to do so will result in a breach of the permit.</p> <p>The conditions specify what constitutes an end to abnormal conditions to ensure that the Operator is clear on when the emission limits in table S3.1 apply.</p>
Draft permit Schedule 2 table S2.2	The application contains the

<p>indicates the type of permitted waste including: No 20 - Municipal Wastes – household, industrial and institutional wastes - PACKAGING Could the types of wastes from this section be clarified in more detail? The adjacent TAD food digester will produce large volumes of plastic/polystyrene packaging wastes from its meat waste operations. Can it be confirmed that this waste will not be allowed to be burnt within the plant?</p>	<p>proposed waste types for the installation. Plastic /polystyrene packaging is not considered an appropriate waste type for this process. The Operator has confirmed that it is not technically possible for the process to use waste of this type as a fuel.</p>
<p>Concern has been raised about the wording of conditions 3.3.1 Odour emissions, 3.4.1 Noise and vibration; and 3.6.1 Pests. In particular ‘unless the Operator has used appropriate measures’.</p>	<p>The condition requires the permit holder to take appropriate measures to prevent or minimise noise/odour/pests. The measures required need to be what are reasonable, good practice and balances the costs and benefits to prevent or minimise the impact. We expect any standards of industry good practice to be met along with any recommendations in our guidance. If there is a problem at the site, and the Operator has already implemented some measures, there may be a case to justify further measures or restriction of the activity, depending on the severity of the problem and the cost. Even if they are following normal standards and guidance but the impact is unreasonable, then they will have to put in place further measures and we will judge with them what is reasonable and to what extent further measures are possible, required or justified.</p> <p>We have assessed the pollution control measures described in the application and we are satisfied that the control measures are BAT for this installation and the operations are unlikely to cause significant pollution.</p>
<p>It seems to me that the Table S1.3 Improvement Programme Requirements specifies unreasonably long durations for the submission of reports. For example at IC5 is it acceptable for a report on toxic emissions to not be submitted for 4 months after completion of</p>	<p>The improvement condition is about ensuring the abatement plant is optimised as far as possible based on operational conditions. This can only be done once operating. However the emission limits in the permit still need to be met from the beginning of operation.</p>

commissioning. It is obviously of little concern to those that are not exposed to the emissions.	
<p>Comment raising concerns about the contents of the DEFRA 2004 report on the health effects of municipal waste incinerators that is quoted in section 5.3 of the decision document. In particular 'because current MSW incinerators are located predominantly in urban areas, effects on air quality are likely to be so small as to be undetectable in practice'. The plant is not located in urban areas; it is in a rural setting surrounded by many residents who chose to live in a pollutant free environment.</p>	<p>The DEFRA Report also states 'Waste incinerators contribute to local air pollution. This contribution, however, is usually a small proportion of existing background levels which is not detectable through environmental monitoring (for example, by comparing upwind and downwind levels of airborne pollutants or substances deposited to land). In some cases, waste incinerator facilities may make a more detectable contribution to air pollution'</p> <p>We have assessed the impact on air quality from this installation, taking into consideration local factors as discussed in section 5.2 of this document. We are satisfied that based on the information contained in the application that all emissions to air considered in the assessment either screen out as insignificant or where they do not screen out as insignificant are considered unlikely to give rise to significant pollution. This assessment supports the conclusions set out in the DEFRA report.</p>
Comment raising concerns about the contents of the report by Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (CoC) that is discussed in Section 5.3.	<p>These reports are addressed in the decision document. We take the view stated by the HPA that "While it is not possible to rule out adverse health effects from modern, well regulated municipal waste incinerators with complete certainty, any potential damage to the health of those living close-by is likely to be very small, if detectable". We therefore ensure that permits contain conditions which require the installation to be well-run and regulate the installation to ensure compliance with such permit conditions.</p>
Comment raising concerns about the contents of the report by the British Society for Ecological Medicine (BSEM) that is discussed in Section 5.3.	
Comment raising concerns about the contents of the report by Greenpeace that is discussed in Section 5.3.	
Concern that the Draft Decision or Permit does not contain a reference to the continuous and periodic	As discussed in this document based on the application we are satisfied that there will not be significant

monitoring of noise and odour. If this is the case why is it not a requirement?	pollution due odour or noise. The permit contains specific conditions controlling the noise and odour. We have decided that continuous odour and noise monitoring are not required.
Concern is raised that permit and planning decisions are influenced by the political agenda to approve monstrous industrialisation of the countryside rather than protection of the environment and the local population.	Political Agenda's do not form part of the Environmental Permit decision.
Concern has been raised that the Environment Agency in considering issuing the permit in its current draft form is failing to comply with its core objective – 'It's our job to look after your environment and make it a better place – for you and for future generations'	We are satisfied that the Permit contains appropriate conditions that will protect the environment and human health. We are also satisfied (as discussed in this document) that based on the information contained in the Application that the installation will not cause significant pollution.