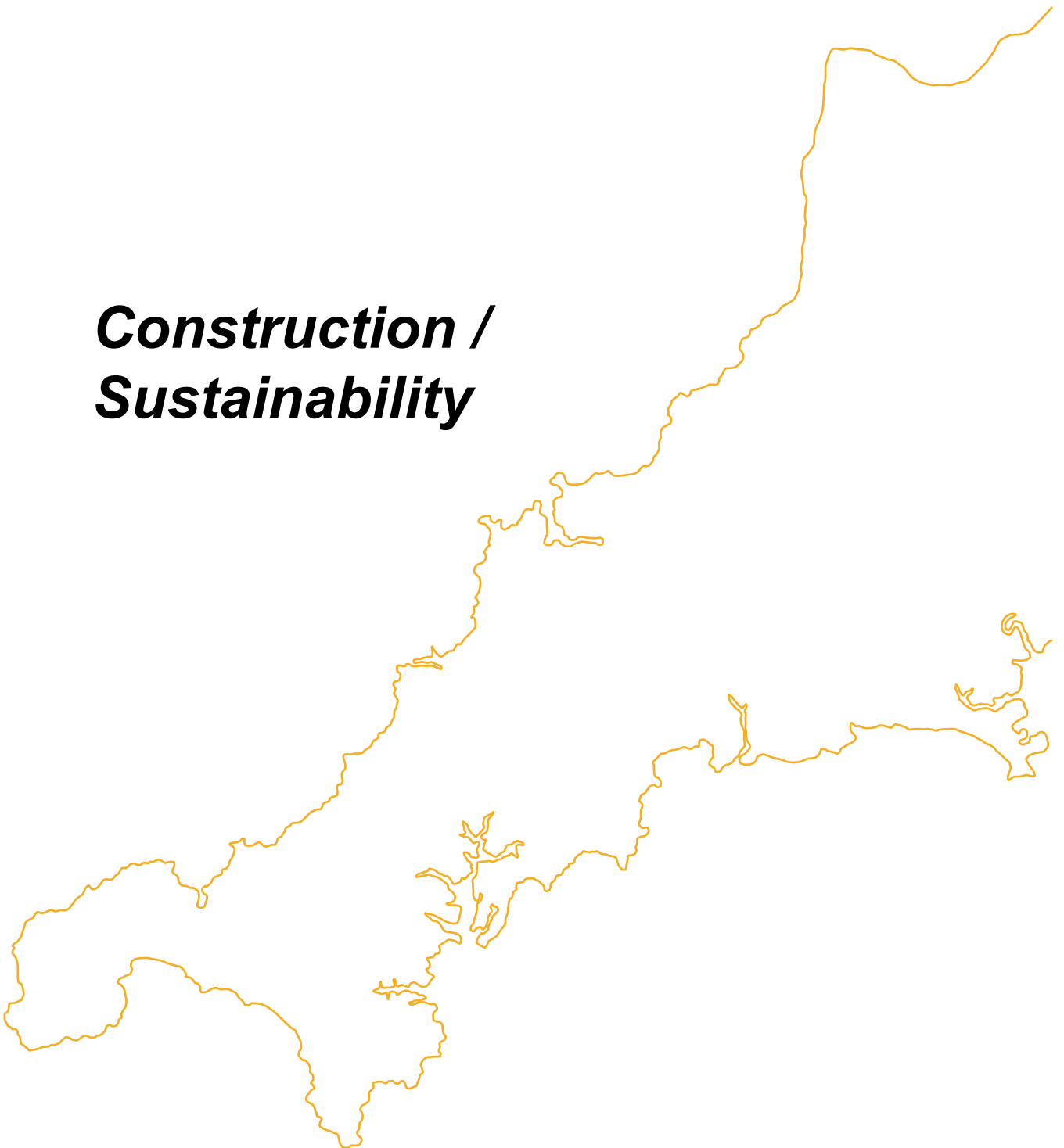




Consultee Response to CERC Environmental Permit Application

Consultee
St.Dennis Anti Incinerator Group (S.T.I.G.)

***Construction /
Sustainability***



Construction - Sustainability

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Construction - Sustainability

KEY FAILURES

SITA's application to the Environment Agency for a permit to operate a mass burn incinerator is fundamentally flawed and therefore a permit should not be issued.

The key failure areas of the application within this section are:

- During the construction phase there will be considerable and significant effects on the natural environment.
- Construction work in the vicinity of the River Fal could result in an environmental pollution incident having an impact on the ecology of the river and Bodella Brook.
- Millions of gallons of rainwater fall directly onto the surrounding area and is absorbed into the ground permeating and running off to feed the variety of streams and springs. The SITA document does not state if any studies have been or will be undertaken to show what the effects of any incidents of pollution to this natural water supply will be.
- Will monitors be placed in all streams, brooks and other watercourses in the area?
- If monitored will they be continuous or random monitoring?
- If no monitoring is to be carried out during the construction phase how will the quality of water be tested?
- Who will carry out such testing?
- What criteria have been used to take the existing ambient noise levels into account?
- What detail has been provided relating to the actual assessment of the likely cumulative noise level for each phase of the construction?
- What effect will vibration levels from HGVs and heavy plant passing residential housing have?
- What commitment has been made to the development of a travel plan for all construction works?
- Will there be timescales that should be adhered to during the construction phase?
- What dust monitoring/mitigation techniques will be used during the construction phase?
- A detailed examination of model sensitivity and uncertainty should be carried out to support the statement "it is SITA's reasoned opinion that iterations to the CERC proposals have removed any likelihood of a significant effect on the integrity of the SAC" since the predictions presented approach the EA's test threshold of 1% of the Critical Load for NO_x deposition and acid deposition.

Construction - Sustainability

- It would appear that no cumulative assessment of the effect of pollutant deposition on protected wildlife sites have been carried out.
- Areas of the proposed development site are likely to be rich in spring flowering plants. What assessments have taken place to ensure that plant species of conservation concern will not be significantly affected by the proposed development?
- Clearance of vegetation, removal of soil and a section of wet woodland area will be removed during the construction of the haul road and bridge resulting in a significant loss of habitat.
- A badger survey should be undertaken at an appropriate time of the year.
- Will field surveys and assessment of the impact from the proposed development be carried out regarding the local Barn Owl population?
- Bat surveys were carried out in unsatisfactory weather conditions. Will additional surveys be carried out, prior to construction, during suitable weather conditions?
- Will field surveys be carried out to establish the impacts on valuable ecological features that are present in parts of the site that have not been surveyed due to changes in the site boundary?
- Will a full and updated assessment of the rare and noteworthy plant species take place to assess the conservation value of all those species that are considered significant?
- Will assessments take place on bird species that were not included due to the use of an outdated list being used?
- Will a new breeding bird survey be undertaken making the 10 visits required by the methodology used?
- What impact will there be on the local dormice population concerning the fragmentation of valuable woodland habitat?
- Dormice are a UK BAP and European protected species but are only considered of County value.
- Otters are UK BAP and European protected species but again are only considered of County value.
- The slowworm, common lizard, grass snake and adder are also only recorded as 'local value' but are also UK BAP priority species.
- Will regard be given to the County Council's Preferred Option 28 – Protected species which states that an application for a waste management facility is likely to cause harm to protected species or their habitat and therefore must be subject to careful scrutiny and will only be permitted where the protection of the species or habitat can be secured?

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RESPONSES TO VOLUME 1

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Sita's EMS seeks to identify, review and prevent and limit environmental accidents and develop contingency procedures in case of such accidents. Current potential emergency situations or accidents that have been identified as significant for all operational sites include:

- *Fire and explosion*
- *Potentially polluting spillages*
- *Storage and handling of hazardous materials*

STIG Response

There is no mention of the construction phase in any of the documents that have been submitted by Sita. Therefore no contingency procedures for accidents such as spillages that may cause pollution during the construction phase have been included.

RESPONSES TO VOLUME 4

11.2.2 Construction Methodology

Haul Road and Access Road

Standard Road construction will be used to construct the new sections of the haul road the access road and the associated junctions. The new bridge over the River Fal will require concrete abutments on either side of the river and a single pier.

STIG Response

During construction there will be considerable and significant effects on the natural environment. There will be clearance of vegetation and removal of soil from the site. There will also be a section of wet woodland area that will be removed when the construction of the haul road and bridge over the River Fal takes place. The construction work in the vicinity of the River Fal could result in an environmental pollution incident and would cause an impact on the ecology of the river and Bodella Brook. Millions of gallons of rainwater fall directly onto the surrounding area and is absorbed into the ground permeating and running off to feed the variety of streams and springs within the area. The Sita document does not state if any studies have been or will be undertaken to show what the effect of the pollution of this natural water supply will be to bogs, wetlands, clay ponds, SAC's and SSSI's in the area. With this in mind the questions that need to be answered are:

Will monitors be placed in all streams, brooks and other watercourses in the area?

If they are monitored will this be continuous or random monitoring?

If no monitoring is intended to be carried out how will the quality of the water be tested and who will carry out such testing?

Construction - Sustainability**OTHER AREAS OF CONCERN**

1. The County Council's Preferred Option 28 – Protected species is a policy referring to protected species and states that an application for a waste management facility is likely to cause harm to protected species or their habitat and will be subject to careful scrutiny and will only be permitted where the protection of the species or habitat can be secured. It is an offence to kill, injure or disturb species. The construction of the proposed development may well affect their habitats and it is therefore important to protect these species.
2. Colonies of thousands of bats could be seen during the 1950's but today even our most common bat, the Pipistrelle, appears to have suffered serious decline. In Great Britain, all bats are fully protected under Schedule 5 of the Wildlife and Countryside Act (1981) as amended, and by the Conservation (Natural Habitats etc) Regulations (1994).
3. Reptiles are also particularly vulnerable to disturbance and will be at risk during the construction process.
4. Dormice have become extinct in at least half of their UK habitats in the last 100 years and continue to decline. The dormouse is now listed as 'near threatened' on the IUCN Red List and is protected by EU Law.
5. Otter numbers in England have declined dramatically since the late 1950s and 1960s. It is known that pollution is a key issue, as is the loss of habitat. Disturbance to their habitat is also known to have had an impact on their numbers. Otters can be found in all the river catchments in Cornwall.
6. The Breney Common and Goss and Tregoss Moors SAC has a cluster of three marsh fritillary butterfly sub populations and supports the largest meta-population in Cornwall and probably the most westerly viable population in England.
7. In the response to the planning application from the Institute of Environmental Management & Assessment, Page 12, 2.2.5 Natural Heritage the following points were raised:
 - a. The ES states that the breeding bird survey was undertaken in accordance with the Common Bird Census methodology (10.33). The technical appendix notes that only 5 visits to the site were undertaken rather than the 10 required by the methodology.
 - b. The ES states that the Institute for Ecology and Environmental Management (IEEM) guidance was used, in adapted form; however significant criteria did not appear to be consistent with the approach adopted in the IEEM guidance. The information presented as affected habitat was considered to be of 'Local value' only and was attributed as an impact of minor significance. In contrast to IEEM guidance that states "an ecologically significant impact is defined as an impact (negative or positive) on the integrity of a defined site or ecosystem and/or the conservation status of habitats or species with a given geographical area"