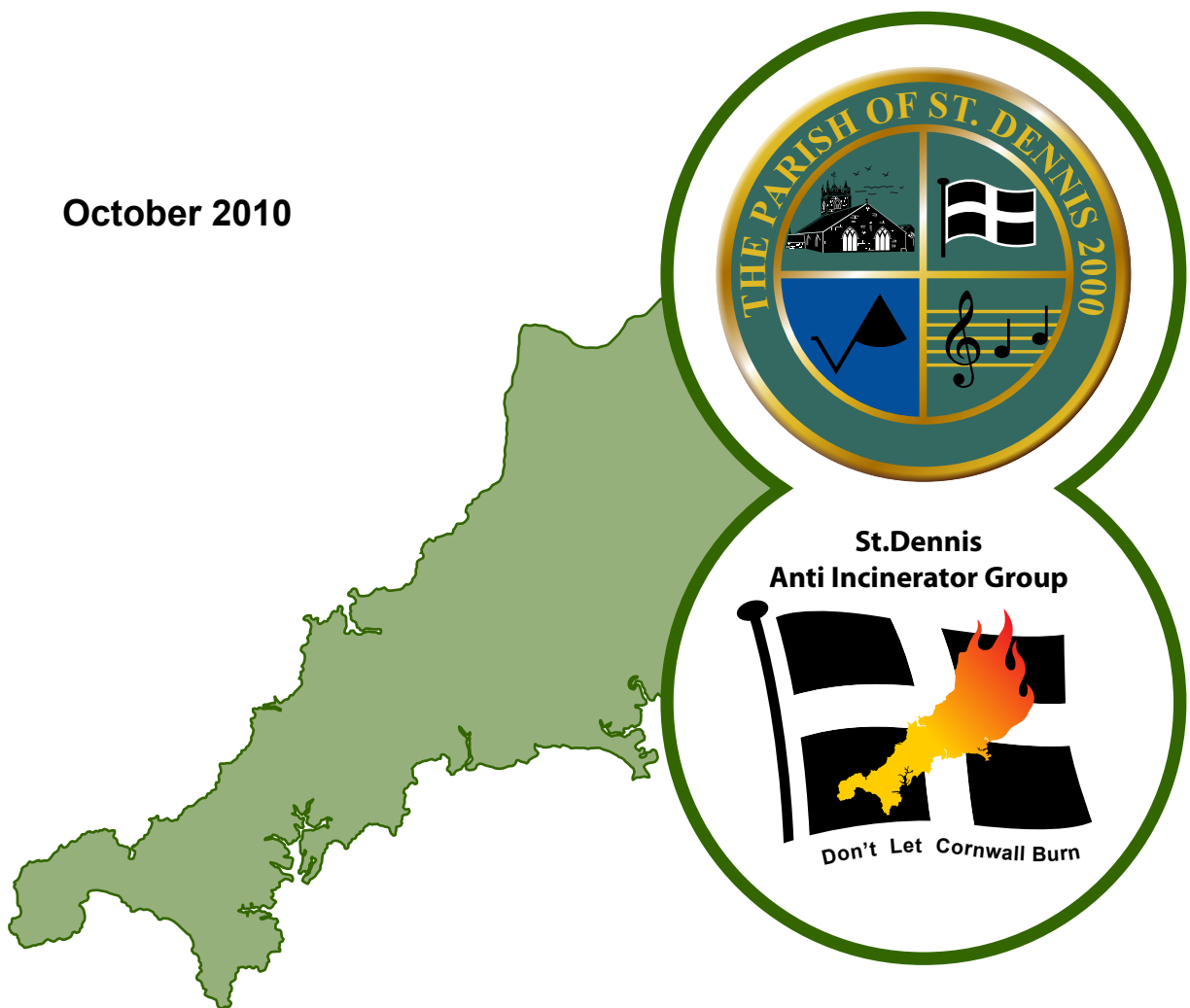


St.Dennis Parish Council and St.Dennis Anti Incinerator Group

Response to The Environment Agency Draft Permit

Permit number EPR/GP3433GH

October 2010



The Environmental Permitting (England & Wales) Regulations 2010

Cornwall Mass Burn Incinerator
Rostowrack Farm • St. Dennis • St Austell • Cornwall • PL26 8DY

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Consultation Matters

1. We consider that SITA's proposal to build a 240,000 tonne mass burn incinerator near St.Dennis is one of the most important issues faced by the residents of Cornwall for many years. The consequences of decisions taken now will impact on future generations for decades.
2. With such a proposal it was vitally important that both SITA and the Environment Agency engaged with and fully consulted the general public in a meaningful way. Concerns raised by the public should be given full consideration when deciding whether to issue a permit and questions raised by the public deserve answers.
3. It is incorrect for the Environment Agency to claim they ***"undertook a programme of extended consultation on the application by holding public meeting in St Dennis on 22 January 2009."*** Representatives of the Environment Agency were invited to this meeting, which was in fact, held by St.Dennis Parish Council, in conjunction with STIG.
4. By the time that meeting took place, both parties had already provided extensive documents to the Environment Agency in response to the Permit Application, in which many concerns and questions were raised. Responses to those concerns and questions were not addressed until the publication of the Decision document recording the decision making process, the companion document to the Draft Permit. We would have expected to be directly informed about these documents, as a matter of courtesy, when the Environment Agency announced its "minded to" position. We were not.
5. Although this document was placed on the Environment Agency website, its existence and significant content was not flagged up to us or other interested parties. The Environment Agency only drew attention to this document on 27th August 2010, in a reply to an e-mail querying CO2 emissions. Indeed even the Planning Inspector was unaware of this document until it was made known to him on the final day of the Public Inquiry, October 7th 2010, despite having requested sight of a draft permit earlier on in the Inquiry. Cornwall Council Waste Planning Authority, a Statutory Consultee, was not provided with a copy.
6. Although they were "in the public domain", as at 12/10/10 neither the Planning Inspector nor the Waste Planning Authority had received copies of the documents. Copies were provided to community representatives at a meeting on Thursday 9th September 2010, when Rule 6 parties involved in the Public Inquiry were invited to meet with Environment Agency officers during a Public Surgery event held at Kingsley Village.
7. We submit that merely placing a document on a website does not constitute a proper dissemination of information to the public and therefore cannot ensure a thorough public consultation process. In matters of such importance, the public should not have to hunt for information, or stumble on it purely by chance. Its existence should be properly notified, in a timely manner, especially to all those who have an expressed interest in the matter.

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8. We believe there is a systemic failure within the Environment Agency communication procedures, which must be addressed.

Relevant Considerations

9. We are now in a position where a draft permit has been issued. Its content clearly demonstrates that the concerns raised by the public have been given inadequate consideration. We consider all “**relevant considerations**” have not been properly taken into account. The permit will not ensure that the appropriate level of environmental protection is provided. This incinerator would not exist in a vacuum yet it is treated as such.
10. We note that the Environment Agency considers only those emissions emanating from within the “**site boundary**”. The Environment Agency is **unable** to consider emissions, including noise emanating from HGV traffic accessing the site via the haul road, despite the fact that this traffic would not exist unless required to serve the incinerator. We submit that, as one is dependent upon the other, the inability of the Environment Agency to consider such in-combination effects is indefensible.
11. How can the protection of the environment be the paramount consideration when the Environment Agency is limited in this way? All pollutions related to this project should be addressed by the Environment Agency as well as the planning system. There needs to be a more stringent and joined up approach to the measurement of the emissions that would be generated by this development as a whole, and we consider that the failure to do this gives further credence to our call for the precautionary principle to be applied.
12. It has become apparent throughout our dealings with the Environment Agency that the public perception of its remit does not chime with the reality. Though we do not doubt the integrity of its Officers, we do doubt the integrity of its systems.

This is a matter that needs to be addressed if public confidence is to be maintained. Environmental protection, not damage limitation, should be the overarching aim for decision makers.

13. Issues we would have expected to automatically lead to a permit refusal include:-
 - Impacts to global as well as local eco systems
 - CO2 emissions
 - Resource depletion
14. We note that The Waste Incinerator Directive has set limits on emissions to prevent, or limit as far as practicable, negative effects on the environment and risk to human health. The incinerator would have to meet the limits set by this directive.
15. This qualification or **get out clause** does little to reassure us. The Environment Agency appears to conduct a **Tick Box** exercise and then to bend over

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backwards to assist the applicant to achieve every tick required and thus a permit.

16. For example: The Environment Agency instructs SITA to increase the stack height to 120m to disperse emissions away from vulnerable local eco systems, but this merely moves the pollution elsewhere.

How far will emissions travel before they submit to gravity?

17. Why is so little regard given to wider environmental considerations? The site is in the middle of a peninsula and oceans are proven to be vulnerable to acidification. Why is no account taken of acid deposition to oceans? With regard to water, only emissions to ground water appear to be considered.

18. We note the following publication:-
Ocean Acidification, Reference User Group (2009). Ocean Acidification: The Facts. A special introductory guide for policy advisers and decision makers.

This guide was produced with financial support from Natural England and EPOCA, (European Project on Ocean Acidification) and is based on best practice communication approaches pioneered by the UK's Marine Climate Change Impacts Partnership.

It states that:-

"This introductory guide is written especially for policy advisers and decision makers worldwide and is a wake-up call about the double impact on our seas of climate change and ocean acidification caused by increasing atmospheric carbon dioxide levels."

19. It begs the question whether the Environment Agency is even aware of this problem and whether they have even considered how this proposal's CO2 emissions will affect the sea around Cornwall.
20. We note the estimates provided for net CO2 emissions are in excess of 173,000 tonnes per annum. CO2 emissions are proven to increase ocean acidity.
21. CO2 emitted by the incineration process have a significant and detrimental effect on Carbon Reduction targets.
22. We identify a huge reality gap here.

On the one hand, the Environment Agency encourages individuals to reduce their carbon emissions.

We note some Environment Agency e-mails bear the footnote:

"Have you tried the CO2 diet? Walk instead of using your car – it's good for you and the environment".

On the other hand, it continues to permit new Mass Burn Incinerators, such as

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the proposed incinerator at St.Dennis, which would generate vast amounts of Carbon each year and rely entirely on HGV road for the transport of its feedstock, yet CO2 emissions for HGV movements to and from incinerator are not taken into account.

We note also that in other e-mails from the Environment Agency footnotes boast:

"The Environment Agency has reduced its water consumption by 16% in the last three years. Please help to conserve water where you can".

Yet they are minded to permit the proposed incinerator, which demands an enormous amount of water.

How does the Environment Agency justify this contradiction?

23. Please provide details of where, when and on what grounds any permit for a Mass Burn Incinerator has actually been refused.
24. It is incorrect for the Environment Agency to state in the Decision document that:

"The plant will operate continuously 24 hours a day, 7 days a week, whilst deliveries will only take place on weekdays from 7.00am to 6.00pm".

Deliveries would also take place from 7.00am to 1.00pm on Saturdays.

25. During operating hours, there would be 216 waste HGV movements a day.
26. The Environment Agency fails to recognise that, at this rate, the roller shutter doors to the tipping hall would be opening and closing continuously, therefore these doors would be rendered useless as a barrier for the control of odour or noise pollution.

Health Protection Agency Involvement

27. We note the Environment Agency relies upon the opinion of the Health Protection Agency. Did the Health Protection Agency consult with local residents or their elected representatives? Did the Health Protection Agency consider all the possible effects on residents' health and well being or merely confine itself to the matter of stack emissions? Did they consider all aspects of the effects of this development including the road transport issues?
28. In relation to noise did they consider residents who are shift workers?
29. Did the Health Protection Agency take into account the psychological effects on residents who would no longer be able to use their gardens and would become virtual prisoners in their homes, unable to open a window?
30. Taking La Mount Corner as an example, where local residents would be badly affected by HGV traffic. In an attempt to mitigate noise SITA first suggested they

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erect a 2.5 metre high fence around the properties. This was then followed by a suggestion for secondary double-glazing and mechanical ventilation.

31. We submit that it is not reasonable to expect local families at La Mount Corner to spend their lives barricaded in their own homes, with their windows permanently closed and forced to rely on mechanical ventilation, as hundreds of waste lorries and other service vehicles thunder past.
32. In more general terms, the area around St.Dennis would experience an increase in noise levels and general disturbance from both the construction and operation of the new plant. Much of this will be from the increase in HGV traffic and will affect local residents, visitors to the area and walkers. This impact will be on top of the existing disturbance from the local china clay industry.
33. We consider such impacts to be totally unacceptable. The Health Protection Agency should not sanction such an extreme reduction in the quality of life for residents in a number of properties, as well as a tangible reduction in the amenity of so many people.
34. We have a wide range of concerns about potential impacts on human health. Local residents have expressed great disquiet about the toxic fly ash that would be produced, the particulates, heavy metals and dioxins emitted from the stack, pollution from traffic, the emission of greenhouse gases, the impact of dioxins on local agriculture/dairy herds and the damage to the reputation of Cornwall's vital food sector.
35. Such concerns can have wide-ranging psychological effects and they are causing widespread anxiety in the local community. There is a clear perception of harm to both health and the environment. This fact was identified by the professional planning officers at the former Restormel Borough Council, who stated that: ***"There is a perception and fear of harm to health and the environment particularly through emissions"*** (e.g. emissions from the stack/vehicle).
36. The extent of this anxiety was further reinforced by the editorial in the West Briton newspaper (28 January 2010) which stated the following:

"It's massive; it's ugly; it will blight the whole area around where it is sited; and worst of all people fear the effects it might have on their health. Let's face it everybody believed Thalidomide was safe for pregnant women to take. Nobody believed Aberfan was in any danger until after the slag heap fell onto the village at the cost of 114 lives. So we don't actually feel much reassurance when those who want the incinerator to go ahead tell us it is perfectly safe."
37. There will be significant pollution, and local people are not confident that incineration is a technology that cannot go wrong. They fear that the unintended and uncontrolled release of toxic substances into the environment from waste incineration could occur because of malfunctioning equipment, large changes in the waste feedstock, poor management of the incineration process or inadequate maintenance.

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38. As laypersons, we have been able to identify a significant array of academic and medical papers, which give legitimacy to public fears about this proposal.
39. We are disappointed that the Health Protection Agency has not adequately sought to address these concerns.
40. Is the Health Protection Agency aware of and did they consider the work of Professor Vyvyan Howard?
41. Professor Howard is a medically qualified toxico-pathologist specialising in the problems associated with the action of toxic substances on the foetus and the infant. He is Professor of Bio-imaging at the University of Ulster and has written a number of papers and book chapters and spoken in a variety of forums to draw attention to the threat posed by environmental pollutants to the developing foetus. He is a Fellow of the Royal College of Pathologists, Past President of the Royal Microscopical Society, Member of the British Society of Toxicopathologists, and Immediate Past President of the International Society of Doctors for the Environment. He has just completed 6 years as a toxicologist on the UK Government DEFRA Advisory Committee on Pesticides.
42. Professor Howard has addressed the potential impact of fine, ultrafine particles and nano-particles. He has argued that the evidence of risk of harm to human health and the environment is sufficiently high that a precautionary approach should be taken towards the permitting of new incineration capacity. (Ref: Evidence provided to Public Inquiry)
43. Other concerns that we feel have not been adequately addressed by the Health Protection Agency include how emissions from the stack could mix with the clay dust that is prevalent throughout the environment of the St.Dennis area and the impact of persistent organic pollutants.
44. In an area already over-burdened by existing pollution sources (e.g. china clay works, the calciner plant, the power station (which works on diesel fuel) and existing transportation, the local population is deeply concerned that little or no consideration has been given to the possible health implications of these pollutants from the plant and associated transport acting in concert with these other sources. They also continue to disregard the particular micro-climate of St.Dennis and how this might play a significant role in emission dispersion.
45. It is not in the public interest to permit this development and we maintain that the Environment Agency and the Health Protection Agency should adopt a precautionary approach in relation to the potential harmful effects that may occur to human and environmental health.

Concerns we would expect to be addressed include:

- HGV emissions in combination with plant emissions
- HGV & Plant emissions in combination with pre- existing emissions:
- Unacceptable bi-annual monitoring of emissions.

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- Self-monitoring of emissions by the Operator.
 - The lack of constant and independent monitoring of emissions.
46. Black bag waste content is unpredictable and is not a constant therefore monitoring should be constant.
47. The incineration process is not without risk.

Risks must be judged as necessary/unnecessary, acceptable/unacceptable. Greater leeway regarding acceptability may be considered by authorities in the absence of alternatives. We maintain that as there are alternatives to Mass Burn Incineration, the risks associated with this incinerator are unacceptable and a permit should be refused.

Resource Depletion

48. As well as the concerns regarding mass burn incineration in principal, there is the issue of the scale and proposed capacity of the plant. It remains our view that the treatment of waste should relate to the Waste Hierarchy, and that the incineration of up to 240,000 tonnes of waste each year cannot sensibly form part of a waste management strategy that seeks to achieve recycling/composting in excess of 50% by 2020, as set out in the National Waste Strategy.
49. We note that the Environment Agency has used their own monitoring data, which indicated that:

“In 2007 some 313,000 tonnes of household and commercial/industrial waste in Cornwall was land filled locally. Of this 313,000 tonnes about 230,000 tonnes was municipal waste from Cornish households at a current recycling rate of around 30 per cent. When Cornwall reaches the national target recycling rate for local authorities of 50 per cent the incinerator will take commercial waste to operate at full capacity.”

We note this data is now some three years old.

50. A comparison with Cornwall Council’s figures for 2009-2010 reveals how quickly things change in the world of waste.

187,343 tonnes of residual MSW were recorded in 2009-2010.

37% of household waste was recycled /composted.

51. This improvement has occurred when there are still no bio-waste collections, and no pre-sorting of the black bag waste from kerbside collections to remove further recyclable and bio-degradable material concealed within. We submit that far higher recycling rates are achievable were these provisions to be introduced.

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52. We note there would be no pre sorting of delivered materials prior to incineration.

SITA acknowledge that the materials contained within black bag waste, which would be incinerated include a large amount of material that could and should be re-used, recycled or composted – **“plastic, paper and cardboard textiles; food waste; wood; glass; inert substances and metals.”** The Cornwall County Council Waste Composition Study from 2007 further demonstrates that around 60% of the material in black bag waste was still either conventional dry recyclable or organic material.

53. The proposed capacity is considerably greater than the 187,343 tonnes of residual Municipal Solid Waste recorded in 2009-2010. This was a period when only 37% of household waste was recycled or composted, when there were no bio-waste collections, and no pre-sorting of the black bag waste collected from the kerbside in order to remove further recyclable and bio-degradable material.

54. That thousands and thousands of tonnes of waste, full of recyclable and bio-degradable material, should be incinerated is a waste of valuable resources. Burning such materials cannot be justified by the spurious notion that incineration is somehow better than landfill – it does not **“drive waste management up the hierarchy”** in favour of the more sustainable treatment methods. The Environment Agency should not appear to sanction such wanton destruction of valuable resources by permitting this incinerator.

55. We note there is no provision for magnetic screening and capture to remove metals prior to incineration. This material would be degraded by incineration and would then be beyond reclamation for re use or recycling. This is a significant waste of valuable resources.

56. We note that whilst this facility would not be **accepting** hazardous waste, it would however be **producing** hazardous waste.

57. The status of incinerator bottom ash cannot be guaranteed. Each batch will require chemical analysis to determine if it must be classed as hazardous or not. The status of fly ash (Air Pollution Control residues) however is in no doubt. It will be hazardous waste and some 11,000 tonnes would be produced. We note also that an unspecified amount of waste water would be required to be taken off-site by tanker, for disposal at a licensed facility.

58. We are not convinced by the methods described concerning preventing unauthorised waste from entering the bunker. It appears that a cursory examination will be carried out at the weigh bridge and any other inspection will rely on the crane driver situated some distance above the tipping floor in his control box. We have no confidence that operatives will be able to identify a hazardous item among thousands of other black bags and pick it out for further inspection. We are mindful that hazardous waste could release high loadings of pollutants from the stack. We also remain unconvinced that **“stirring with the grab”** would achieve a homogenous mix of feedstock.

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59. We note the continued reliance on meteorological data, gathered from Camborne, some 25 miles distant, when the experience of lifelong residents of St.Dennis and Treviscoe is that weather conditions in our locality often vary considerably from that experienced just a couple of miles away.
60. We question the Environment Agency's confidence in any historical meteorological data at a time when we are already experiencing extreme weather events, ascribed to climate change. It is already acknowledged that "**100 year events**" are now being reclassified as 20 year events. What assurances can be given that actual future weather patterns will not differ significantly from the historic data relied upon by the permitting officers in this case?
61. As meteorological data is required for air dispersion modelling, we are extremely concerned that this data was not obtained from a Meteorological Station in the immediate vicinity of the proposed incinerator. We do not understand why there was, apparently, only one year of data available from St.Dennis School. The outdated Waste Local Plan identified the Central Area of Search in 2002. Work to gather data should have commenced at that early stage.

The County Council was working up the proposal on the Appeal Site throughout 2005. An email from Cornwall County Council, dated September 2005, shows that much work had been carried out in terms of the St.Dennis site and that the Best and Final Offer, which was made on 31 October 2005, was worked up on the basis of the Appeal Site. The waste contract was signed in November 2006. The planning application was submitted in 2008. The planning application was heard in 2009 and the appeal in 2010.

We question why it was not possible to gather meteorological data from St.Dennis School throughout this period.

The Special Areas of Conservation exist in an area already over-burdened by existing pollution sources: the china clay works, the calciner plant, the power station and transportation.

We believe that the Environment Agency does not give sufficient consideration to the possible implications for these Special Areas of Conservation.

We fear that pollutants from the plant and associated transport will act in concert with these other sources.

We are deeply concerned that the Environment Agency also disregards the particular micro-climate of St.Dennis and how this might play a significant role in emission dispersion.

Our community places great value on the St.Austell Clay Pits, Goss and Tregoss Moors Special Areas of Conservation. They are precious community assets. We do not think the Environment Agency has done enough to ensure their protection.

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We have no confidence that the Camborne weather data is sufficient to model actual dispersion in the St.Dennis area and we wonder why the appellant was unable or, possibly, reluctant to ensure accurate data from St.Dennis was obtained.

Appropriate Assessment

62. We note that Cornwall Council has conducted a 'shadow' screening exercise and appropriate assessment. Is the Environment Agency aware of its conclusions?

“The shadow appropriate assessment was able to conclude that it could be ascertained that there would be no adverse impact on the integrity of the two SACs from water resources and quality, and from dust. By contrast, it concluded that it could not be ascertained that there would not be adverse impact from the scheme (alone and in combination) in respect of air quality. For the designated habitats and species in the Moors SAC this arose from Nitrogen and from Acid deposition; for the designated species in the Clay Pits SAC this arose from Nitrogen deposition”

(Source: Closing Submissions on behalf of Cornwall Council)

We submit this is a significant reason to refuse a permit.

We wonder whether the Environment Agency was made aware of this conclusion prior to reaching its “minded to” position.

We are disturbed by the comment from SITA consultants that they tried to avoid the need for an Appropriate Assessment by increasing the stack height to 120m, as they could not run the risk of an Appropriate Assessment.

(Source: email used in evidence at Public Inquiry)

We are also disturbed that the Environment Agency did not conduct its own Appropriate Assessment prior to issuing the draft permit for consultation.

Clearly expert opinion is divided on the need for an Appropriate Assessment therefore we would suggest that a cautious approach should prevail and that the agency ensure that an Appropriate Assessment is undertaken.

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More Concerns Regarding the Issued Draft Permit

With regard to the responses below it should be noted that the opinion of St.Dennis Parish Council and St.Dennis Anti Incinerator Group (STIG) is that an environmental permit to operate the proposed mass burn incinerator should **not** be granted. Any questions posed in the responses are therefore theoretically based.

Draft Permit Page 2 – 1.1 General management

1.1.1 The activities shall be managed and operated:

- (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and closure and those drawn to the attention of the operator as a result of complaints; and...

St.Dennis Parish Council & STIG Response

Would the Environment Agency advise on the management system or would it be left to SITA to implement a management system of their choosing? It is our opinion that the manner in which such a plant is managed should very much be under the direction of the Environment Agency.

Draft Permit Page 2 – 1.3 Energy efficiency

1.3.1 The operator shall:

- (b) review and record at least every 4 years whether there are suitable opportunities to improve the energy efficiency of the activities; and...

St.Dennis Parish Council & STIG Response

In a rapidly changing world of new technologies 4 years is far too long between reviews on energy efficiency.

Draft Permit Page 2 – 1.4 Efficient use of raw materials

1.4.1 The operator shall:

- (b) maintain records of raw materials and water used in the activities;
- (c) review and record at least every 4 years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and ...

St.Dennis Parish Council & STIG Response

Ref: (b) Would this information be available to the public?

Ref: (c) 4 years is far too long between reviews of water use efficiency and raw materials use efficiency.

Draft Permit Page 3- 1.5 Avoidance, recovery and disposal of wastes produced by the activities

1.5.1 The operator shall:

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- (a) take appropriate measures to ensure that waste produced by the activities is avoided or reduced, or where waste is produced it is recovered wherever practicable or otherwise disposed of in a manner which minimises its impact on the environment;
- (b) review and record at least every 4 years whether changes to those measures should be made; and
- (c) take any further appropriate measures identified by a review.

St.Dennis Parish Council & STIG Response

For the Environment Agency to suggest only minimising the impact of unrecoverable waste on the environment is unacceptable. The Environment Agency, recently on their website state:

“It’s our job to look after your environment and make it a better place”.

The Environment Agency should be preventing impact on the environment.

4 years is far too long between reviews of such matters.

Draft Permit Page 3 - 2.1 Permitted activities

2.1.2 Waste authorised by this permit shall be clearly distinguished from any other waste on the site.

St.Dennis Parish Council & STIG Response

How would the waste be clearly distinguished on site from any other waste?

Draft Permit Page 3 - 2.2 The site

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at Schedule 2 to this permit.

St.Dennis Parish Council & STIG Response

Does this mean that the possible off site ash handling facility mentioned at the Public Inquiry would not be part of the **“activities”** and would therefore require a separate operating permit? Are the Environment Agency aware of this possible change of arrangement?

Draft Permit Page 3 - 2.3 Operating techniques

2.3.1 (b) If notified by the Agency that the activities are giving rise to pollution, the operator shall submit to the Agency for approval within the period specified, a revision of any plan specified in schedule 1, table S1.2 or otherwise required under this permit, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Agency.

St.Dennis Parish Council & STIG Response

Please explain, ***“If notified by the Agency”***

Please define pollution in this context.

We interpret this to mean there would be other risks of pollution beyond those covered by the permit and that breaches are anticipated.

Response to The Environment Agency Draft Permit

How can this possibly give the public confidence in the process?

Draft Permit Page 4 - 2.3 Operating techniques

2.3.3 Waste shall only be accepted if:

- (a) it is of a type and quantity listed in schedule 3 table S3.2; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

St.Dennis Parish Council & STIG Response.

Six digit waste European Waste Codes exist to govern the handling, management and transfer of all waste. European Waste Codes have been translated in UK law as the List of Wastes regulations and as a duty of care under these regulations all producers and handlers of waste must use these codes to ensure waste is described accurately thus ensuring safe handling from the time waste is created until it is disposed.

Therefore SITA **must**

- Under 2.3.3 a of the draft permit, make sure that waste arriving at the plant has the appropriate code of permitted wastes in table S3.2 and
- Under 2.3.3 b of the draft permit, implement a duty of care to make sure that the waste really is what it says on the documentation.

In the Environment Agency publication Guidance for the Recovery and Disposal of Hazardous and Non-Hazardous Waste – Integrated Pollution Prevention and Control (IPPC) – Sector Guidance Note IPPC S5.06, it outlines how the producers and handlers of waste should meet the duty of care placed upon them.

Draft Permit Page 4 - 2.3 Operating techniques

2.3.4 The operator shall ensure that where waste produced by the activities is sent to a relevant waste operation, that operation is provided with the following information, prior to the receipt of the waste

- (a) the nature of the process producing the waste;
- (b) the composition of the waste;
- (c) the handling requirements of the waste;
- (d) the hazard classification associated with the waste; and
- (e) the waste code of the waste.

2.3.5 The operator shall ensure that where waste produced by the activities is sent to a landfill site, it meets the waste acceptance criteria for that landfill.

St.Dennis Parish Council & STIG Response.

Ref (b) How would SITA determine the information regarding the composition of the waste?

Is 2.3.5 covered in 2.3.4 and if not why not?

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Could this be anything other than top and bottom ash, waste water and diverted waste not incinerated?

Draft Permit Page 4 - 2.3 Operating techniques

2.3.8 The operator shall record the beginning and end of each period of WID abnormal operation.

St.Dennis Parish Council & STIG Response.

2.3.8 Would this be checked independently for accuracy or would the Environment Agency rely solely on the operators records?

Draft Permit Page 4 - 2.3 Operating techniques

2.3.10 Where during WID abnormal operation, any of the following situations arise, the operator shall, as soon as is practicable, cease the burning of waste until normal operation can be restored:

- (a) continuous measurement shows that an emission exceeds any emission limit value in schedule 4 table S 4.1 due to disturbances or failures of the abatement systems, or continuous emission monitor(s) are out of service, as the case may be, for a total of four hours uninterrupted duration;
- (b) the cumulative duration of WID abnormal operation periods over one calendar year exceeds 60 hours on an incineration line;
- (c) continuous measurement shows that an emission exceeds any emission limit value in schedule 4 table S 4.1 (a) due to disturbances or failures of the abatement systems;
- (d) the alternative techniques to demonstrate compliance with the WID abnormal operation emission limit value(s) for particulates, TOC and CO in schedule 4 table S4.1(a), as detailed in the application or as agreed in writing with the Agency, are unavailable.

St.Dennis Parish Council & STIG Response.

Ref 2.3.10 (b) We note there are **two** lines so this implies **120 hours** of abnormal emissions are permissible. This is simply unacceptable.

Draft Permit Page 5 - 2.3 Operating techniques

2.3.11 The operator shall interpret the end of the period of WID abnormal operation as the earliest of the following:

- (a) when the failed equipment is repaired and brought back into normal operation;
- (b) when the operator initiates a shutdown of the waste combustion activity, as described in the application or as agreed in writing with the Agency;
- (c) when a period of 4 hours has elapsed from the start of the WID abnormal operation;

Response to The Environment Agency Draft Permit

- (d) when, in any calendar year, an aggregated period of 60 hours WID abnormal operation has been reached for a given incineration line.

St.Dennis Parish Council & STIG Response.

Ref (b) Why does it say initiates instead of completes?

If Waste Incineration Directive (WID) abnormal operation hours are exceeded what exactly would the Environment Agency do about it?

Draft Permit Page 5 - 2.3 Operating techniques

2.3.12 Bottom ash and APC residues shall not be mixed.

St.Dennis Parish Council & STIG Response.

2.3.12 separation of fly/bottom ash

How would the Environment Agency police this to ensure full compliance with this condition is guaranteed?

Hazardous waste is expensive to deal with. A fraudulent operator might mix Air Pollution Control (APC) residue with bottom ash. What safeguards would be in place to prevent this?

Environment Agency Sector Guidance Note IPPC S5.06

Page 26 - 2.1.2 Acceptance procedures when waste arrives at the installation

Written information

The Duty of Care obligations require that the waste should be accompanied by information describing the physical and chemical composition, hazard characteristics, incompatible substances and handling precautions. Special waste should also be accompanied by consignment notes. Information specifying the original waste producer should also be included.

Environment Agency Sector Guidance Note IPPC S5.06

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Indicative BAT requirements for acceptance procedures when waste arrives at the installation

Sampling – checking – testing of wastes – storage

8. Other than pure product chemicals and laboratory smalls, no wastes should be accepted at the installation without sampling, checking and testing being carried out. Reliance solely on the written information supplied is not acceptable, and physical verification and analytical confirmation are required. All wastes, whether for on-site treatment or simply storage, must be sampled and undergo verification and compliance testing.

Environment Agency Sector Guidance Note IPPC S5.06

Page 29 – Sheet 3 of 6

20. The installation should have a designated sampling point or reception area. These should be in close but safe proximity to the laboratory/checking facility and the sampling point should be visible (or covered by CCTV), if sampling is not directly supervised by, for example, laboratory staff.

Response to The Environment Agency Draft Permit

21. The offloading, sampling point/reception and quarantine areas should have an impervious surface with self-contained drainage, to prevent any spillage entering the storage systems or escaping off-site....

Environment Agency Sector Guidance Note IPPC S5.06 Page 32 – Sheet 6 of 6

General

40. The Operator should ensure that the installation personnel who may be involved in the sampling, checking and analysis procedures are suitably qualified (HNC qualified chemist or higher) and adequately trained, and that the training is updated on a regular basis.

41. Analysis should be carried out by a laboratory with suitably accredited test methods.

St.Dennis Parish Council & STIG Response

This list of compliances gives rise to many concerns.

Can the Environment Agency confirm that if the facility was built Commercial and Industrial waste would not come direct from the creator of the waste but via the waste transfer stations?

Can the Environment Agency also confirm that if Commercial and Industrial waste does come via transfer stations it would be shredded, mixed, compacted and given the code 19.12.12 (other wastes including mixtures of materials from mechanical treatment of wastes other than those mentioned in 19 12 11*) [Hazardous].?

If this is the case the waste would have changed codes and been "treated".

Therefore:

Would the waste transfer stations be licensed for the treating of waste?

Would they be required to apply for a permit to operate?

Would they have dedicated offloading, sampling/reception and quarantine areas?

Would these areas have impervious surfaces with self contained drainage facilities?

Would there be a chemist qualified to HNC or higher on site at all times when deliveries of waste are made to carry out sampling and testing of waste?

Would there be a laboratory on site for the purpose of testing waste composition?

We note that, in the file entitled Response to EA -Request for Further Information dated 24-02-10, the reply appears to outline a very inadequate method of testing which does not involve laboratory analysis and in some cases only requires cursory inspection.

We also note that there is no provision for an on-site laboratory in the proposed facility planning application, which according to the Environment Agency guidance would appear to be a pre-requisite.

Once again an approach by SITA that does not provide any confidence that the proposed incinerator, if built, would even be operated in compliance with the Environment Agency guidance for the recovery and disposal of waste. A document itself that we consider to be very inadequate as it does not provide sufficient

Response to The Environment Agency Draft Permit

safeguards to protect the environment.

Draft Permit Page 5 – 3.1 Emissions to water, air or land

3.1.3 Wastes produced at the site shall, as a minimum, be sampled and analysed in accordance with schedule 4 table S4.4. Additional samples shall be taken and tested and appropriate action taken, whenever:

- (b) it is suspected that the nature or composition of the waste has changed such that the route currently selected may no longer be appropriate.

St.Dennis Parish Council & STIG Response

How exactly would SITA determine that the nature of the composition of the waste had changed?

Draft Permit Page 6 – 3.2 Fugitive emissions of substances

3.2.1 Fugitive emissions of substances (excluding odour, noise and vibration) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved fugitive emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

St.Dennis Parish Council & STIG Response

Emissions are emissions whether “*fugitive*” or not.

Emissions will cause pollution and harm so this in our opinion would be impossible to comply with.

Please define “*not practicable*” as this term is ambiguous.

Draft Permit Page 6 – 3.5 Monitoring

3.5.1 The operator shall, unless otherwise agreed in writing by the Agency, undertake the monitoring specified in the following tables in schedule 4 to this permit:

- (a) point source emissions specified in tables S4.1, S4.1(a) and S4.2;
- (b) process monitoring specified in table S4.3;
- (c) ash monitoring specified in table S4.4.

St.Dennis Parish Council & STIG Response

Please explain, “*unless otherwise agreed*”

Does this mean the operator will be allowed **NOT** to test as specified in Schedule 4?

What is the Environment Agency likely to allow **NOT** to be monitored?

The polluter would be testing their own pollution.

How can this give public confidence that the process is above suspicion?

Independent monitoring should be mandatory.

Response to The Environment Agency Draft Permit

Draft Permit Page 7- 4.1 Records

4.1.1 All records required to be made by this permit shall:

- (a) be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
- (d) be retained, unless otherwise agreed in writing by the Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.

St.Dennis Parish Council & STIG Response

Ref d (i) and (ii) Please clarify.

Would Records be made publicly available?

Draft Permit Page 8 – 4.3 Notifications

4.3.1 The Agency shall be notified without delay following the detection of:

- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or fugitive emission which has caused, is causing or may cause significant pollution;
- (b) the breach of a limit specified in the permit; or
- (c) any significant adverse environmental effects.

St.Dennis Parish Council & STIG Response

By issuing a permit the Environment Agency would fail to recognise that there will be continuous adverse environmental effects as there will be continuous stack emissions.

We note that the decision document states that: “***the net emissions of CO2 from the installation are estimated at 173,261 tonnes per annum. At this level emissions cannot be characterised as insignificant***”.

We submit this should be regarded as a valid and important reason to refuse a Permit.

Draft Permit Page 8 – 4.3 Notifications

4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 6 to this permit within the time period specified in that schedule.

4.3.3 Where the Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Agency when the relevant monitoring is to take place. The operator shall provide

Response to The Environment Agency Draft Permit

this information to the Agency at least 14 days before the date the monitoring is to be undertaken.

St.Dennis Parish Council & STIG Response

Here SITA tells the Environment Agency when testing is to happen.

Again public confidence is at stake.

There should be unannounced Environment Agency inspections of emissions.

We maintain that independent monitoring should be mandatory.

Draft Permit Page 9 – 4.3 Notifications

4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

St.Dennis Parish Council & STIG Response

Ref: 4.3.5 (a) and (b) why is there no condition that permission must be sought and obtained from the Environment Agency for any such proposals **before** any changes may be made?

This appears to give the operator a freehand to make any changes they choose, without reference to any public consultation process, as long as they notify the Environment Agency of what they intend.

An **“extension of the activities”** could have major implications for the host community. The public should be notified and the opportunity to object to any such changes should be provided.

Draft Permit Page 9 – 4.3 Notifications

4.3.7 Where the operator has entered into a climate change agreement with the Government, the Agency shall be notified within one month of:

- (a) a decision by the Secretary of State not to re-certify the agreement;
- (b) a decision by either the operator or the Secretary of State to terminate the agreement; and
- (c) any subsequent decision by the Secretary of State to re-certify such an agreement.

St.Dennis Parish Council & STIG Response

Is the government so badly joined up that this information would not be directly and immediately conveyed to the Environment Agency by the Secretary of State?

Response to The Environment Agency Draft Permit

Draft Permit Page 9 – 4.4 Interpretation

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “*without delay*”, in which case it may be provided by telephone.

St.Dennis Parish Council & STIG Response

Would there be a time limit on “*without delay*”?

It could be done by telephone and therefore be immediate.

Draft Permit Page 10 – Schedule 1 – Operations

Table S1.1 activities

Activity listed in Schedule 1 of the EP Regulations

Section 5.1 Part A(1)(c)

Description of specified activity

The incineration of non-hazardous waste in an incineration plant with a capacity of 1 tonne per hour or more.

Limits of specified activity and waste types

The incineration of non-hazardous waste including the operation of two incineration lines, boilers and auxiliary burners; facilities for the treatment of exhaust gases; on-site facilities for treatment, storage and disposal of residues, surface water and waste water; systems for controlling and monitoring incineration operations; and receipt, storage and handling of wastes and raw materials (including fuels).

St.Dennis Parish Council & STIG Response

Waste to be incinerated is described as non hazardous but when any waste is mass burn incinerated it becomes hazardous because there is hazardous fly ash and air pollution. In addition to this, huge amounts of CO₂ are produced during the process.

Given overarching concerns about climate change and the government's position on reducing carbon emissions this is not a 21st century way to deal with waste.

We submit the Environment Agency is ignoring primary legislation to counter climate change by continuing to permit Mass Burn Incinerators.

Draft Permit Page 11 – Schedule 1 – Operations

Table S1.3 Improvement programme requirements

Reference

IC1

Requirement

The operator shall submit a written proposal to the 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& A2, identifying the fractions within the PM₁₀, PM_{2.5} and PM_{1.0} ranges. The proposal shall include a timetable for approval by the Agency to carry out such tests and produce a report on the results. On receipt of written agreement by the Agency to the proposal and the timetable, the operator shall carry out the tests and submit to the Agency a report on the results.

Response to The Environment Agency Draft Permit

Date

Proposal to be submitted to the Agency within 6 months of completion of commissioning.

St.Dennis Parish Council & STIG Response

The Environment Agency should be prescriptive regarding how SITA is to determine size distributions.

The 6 months while SITA decides should not be required.

Draft Permit Page 11 – Schedule 1 – Operations

Table S1.3 Improvement programme requirements

Reference

IC5

Requirement

The Operator shall carry out an assessment of the impact of emissions to air of Arsenic and Chromium (VI) having regard to the 2009 report of the Expert Panel on Air Quality Standards – Guidelines for Metal and Metalloids in Ambient Air for the Protection of Human Health. The assessment shall predict the impact of Arsenic and Chromium (VI) against the guidelines during the first year of operation and air dispersion modelling. A report on the assessment shall be made to the Environment Agency.

Date

Within 12 to 15 months of completion of commissioning

St.Dennis Parish Council & STIG Response

How is this assessment to be carried out?

Why are arsenic and chromium chosen when they are already in the list of metals assayed?

Draft Permit Page 20 – Schedule 4 – Emissions and monitoring

Table S4.1 Point source emissions to air except during abnormal operation–emission limits and monitoring requirements

Note 2: The Continuous Emission Monitors used shall be such that the values of the 95% confidence intervals of a single measured result at the daily emission limit value shall not exceed 10%. Valid half-hourly average values shall be determined within the effective operating time (excluding the start-up and shut-down periods) from the measured values after having subtracted the value of the confidence interval (10%). Where it is necessary to calibrate or maintain the monitor and this means that data is not available for a complete half-hour period, the half-hourly average shall nonetheless be considered valid if measurements are available for a minimum of 20 minutes during the half-hour period. (The number of half-hourly averages so validated shall not exceed 8 per day). Daily average values shall be determined as the average of all the valid half-hourly average values within a calendar day. The daily average value will be considered valid if no more than five half-hourly average values in any day have been determined not to be valid. No more than ten daily average values per year shall be determined not to be valid.

Response to The Environment Agency Draft Permit

St.Dennis Parish Council & STIG Response

If 10 days per year of invalid daily averages was exceeded what action would the Environment Agency take?

This and the other invalid averages could mean many hours when pollution is being disregarded.

Will the public be made aware of these invalid averages?

NB

We note page 20 Table S4.1 refers to footnotes 11 and 12.

What would notes 11 and 12 say if they had been included?

We note page 22 Table S4.2 refers to W1 on site plan but it is missing.

Where is W1?

We also note page 15 Table S3.1 only includes oil fuel.

Why are all the other materials used in the process not listed?

Draft Permit page 28 - Schedule 6 - Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

St.Dennis Parish Council & STIG Response

Would this information be made available to the public?

Under what circumstances and why would confidentiality be allowed?

Would any of these events be withheld from public scrutiny?

Please provide examples of what might appear in the Description box of Part A (c)

Environment Agency Sector Guidance Note IPPC S5.06

Page 2 - 1.1 Understanding IPPC

IPPC and the Regulations

The essence of BAT is that the techniques selected to protect the environment should achieve an appropriate balance between environmental benefits and the costs incurred by Operators. However, whatever the costs involved, no installation may be permitted where its operation would cause significant pollution.

St.Dennis Parish Council & STIG Response

Why does the Environment Agency not consider net CO₂ emissions estimated at over 173,000 tonnes per annum to be a source of significant pollution?

Response to The Environment Agency Draft Permit

Why does the Environment Agency not consider the emissions or impacts for vehicle movements along the dedicated haul road, which will be required solely to access the site and would be another pollution source?

The incinerator could not function without this road.

The road would not be required without the incinerator.

They are inextricably linked and should be treated by the Environment Agency as such.

Environment Agency Sector Guidance Note IPPC S5.06

Page 12 - 1.5 Key Issues

Site restoration (prevention of emissions to land)

IPPC in common with Waste Management Licensing requires that, on completion of activities, there should be no pollution risk from the site...

St.Dennis Parish Council & STIG Response

There appears to be no Site Restoration Plan submitted for when the incinerator is decommissioned.

The Applicant has stated that the incinerator will be handed over to Cornwall Council when their contract expires therefore who is responsible for ensuring such a plan is provided?

Environment Agency Sector Guidance Note IPPC S5.06

Page ii - Executive Summary

What is IPPC

To gain a Permit, Operators will have to show that they have systematically developed proposals to apply the Best Available Techniques (BAT) and meet certain other requirements, taking account of relevant local factors.

St.Dennis Parish Council & STIG Response

There is no evidence to suggest that the Applicant has considered any **Non Thermal** technologies, which do not destroy resources but rather allow for maximum reclamation for re-use or recycling.

There are more benign alternatives such as:

- Energy From Waste Anaerobic Digestion

Could deal with Bio Waste with better environmental outcomes.

Small units could be located throughout the County, thus reducing waste miles and therefore road transport emissions.

Separate food waste collections would yield far higher rates of uncontaminated recyclables.

- Autoclave

Could separate and sterilise discards to allow for greater re-use and reprocessing, thus conserving finite resources.

Response to The Environment Agency Draft Permit

Environment Agency Sector Guidance Note IPPC S5.06

Page ii - Executive Summary

This Guidance and the BREF

This UK Guidance for delivering the PPC (IPPC) Regulations in this sector is based on the draft BAT Reference document BREF produced by the European Commission. The BREF is the result of an exchange of information between member states and industry...

St.Dennis Parish Council & STIG Response

We fear that too much reliance may be placed on the vested, profit driven interests of Industry.

We note that no reference is made to an exchange of information with environmental organisations such as Friends of the Earth or Greenpeace.

Further General Points

The Environment Agency took part in a public meeting at St.Dennis but evidently failed to listen to many of the concerns raised by the public or the facts presented by those present regarding mass burn incineration. The Environment Agency has failed to reply directly to concerns and questions from members of the public as they said they would and it is our view that the Environment Agency arranged public consultation surgery on the 9th September 2010 was no more than the Environment Agency attempting to comply with selective parts of the UNECE Aarhus* convention aims.

The Environment Agency it seems are mindful that the convention:

“Focuses on interactions between the public and public authorities in a democratic context.”

There are other aims of the convention which the Environment Agency have it seems taken no account of.

For example the convention:

“Acknowledges that we owe an obligation to future generations”

We interpret this as ensuring our children and grandchildren will not suffer from ill considered decisions made by all of us as custodians of our environment.

The Environment Agency are well aware of the polluting emissions from mass burn incineration and the thousands of tonnes of CO2 thrust into the atmosphere each year by such a facility, but with a **tick box** approach, fail to consider either of these as being detrimental to widely held aspirations for less pollution and reduction in carbon emissions or the health of residents in mid Cornwall, their future children and grandchildren. A situation that does not sit comfortably beside one of the Environment Agency claims displayed recently on their website stating that:

“It's our job to look after your environment and make it a better place”

Ref. - http://www.environment-agency.gov.uk/default_old.aspx

We cannot currently find this claim on the Environment Agency website, only a claim which reads, “creating a better place”. We question whether the Environment

Response to The Environment Agency Draft Permit

Agency no longer considers itself as fulfilling the role to “look after your environment”.

*The United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was adopted on 25th June 1998 in the Danish city of Aarhus at the Fourth Ministerial Conference in the 'Environment for Europe' process. www.unece.org/env/pp/

Decision Document

Page 93 B11.4 - Continuous emission monitoring for mercury and dioxins

St.Dennis Parish Council & STIG Response

We note that:

Incineration of municipal solid waste is estimated to contribute approximately 2 percent of the global mercury emissions to air. Europe is responsible for somewhat less than 30 percent of this. Mercury enters combustion or the high temperature industrial process covered in this study, as a minor constituent of the fuel, process raw material or waste and a variable fraction of this mercury will be emitted to air after combustion. A primary control measure is thus to reduce the amount of mercury in the fuel, process raw materials or waste before combustion takes place. Another general approach to reduce emissions is to increase the operating efficiency thereby decreasing the amount of fuel or raw materials used and thus the resulting emissions of mercury and other pollutants.

Origin of mercury and emissions from waste incineration

The main influences on the total emission of mercury to air from waste incineration is the Mercury content in the waste, the waste burning capacity of the incinerator, the type of incinerator (mass burn excess air or modular starved air), the way in which it is operated (e.g. whether it includes heat recovery) and the degree of abatement fitted to the plant. **Pre-treatment of the waste such as separating and removing mercury-containing material before the waste is introduced into the incinerator is the most important primary measure to reduce mercury emissions to air.**

Mercury can be present in household waste in highly variable concentrations in different countries, mainly depending on the occurrence of mercury in household products and the existence of systems for collection of mercury or if the products are disposed on in the regular waste stream. **Common product groups which may contain mercury are batteries, thermometers and fluorescent light sources.**

Since all mercury emitted to air from waste incineration originates from mercury in the waste, the most important primary measure is to reduce the input of mercury to the incinerator. This can be accomplished by sorting out mercury containing products from the waste stream prior to incineration.

Source Zero Draft report 2010-03-04 Study on mercury-emitting sources, including emissions trends and cost and effectiveness of alternative control measures United Nations Environmental Programme (UNEP) Paragraph 29 study

We note there are inherent dangers with emissions of mercury and dioxins.

Mercury is a potent neuro toxic substance whether inhaled or consumed.

We note there would be no pre-sorting of feedstock to remove mercury containing products prior to incineration

Response to The Environment Agency Draft Permit

Dioxins are highly toxic and can cause reproductive and developmental problems, damage the immune system, interfere with hormones and also cause cancer.

Due to the omnipresence of dioxins, all people have background exposure and a certain level of dioxins in the body, leading to the so-called body burden. Current normal background exposure is not expected to affect human health on average. However, due to the high toxic potential of this class of compounds, efforts need to be undertaken to reduce current background exposure.

Source: World Health Organization (WHO)

We suggest it is folly to continue to permit Mass Burn Incineration, which add to an already omnipresent Dioxin threat.

We note that using longer sample times for Dioxins might improve public confidence in the regulatory regime to some extent and suggest that, if the Environment Agency is determined to issue a permit, this is considered.

Page 108 - Article 9 - Residues

2.6.1 Article 9 requires residues from incineration plants to be minimised in their amount and harmfulness, and residues to be recycled where appropriate. Residues from the facility will comprise bottom ash (which will be non-hazardous and used as aggregate), boiler ash and APC residues (which will be hazardous, and will be sent to landfill at an appropriately licensed site). The responses in Section 9 of Volume 2 of the Application define how this will be carried out at the Installation and condition 1.5.1 requires that appropriate measures are taken.

St.Dennis Parish Council & STIG Response

Is 'boiler ash' also referred to as 'bottom ash'?

Page 117 - Responses received from Cornwall County Council – 22nd. December 2008

Noted no commitment for the reuse/disposal of the air pollution control residues (APCR and fly ash) and that as 11,000 tonnes of this waste forms a major emission from the installation it is felt that a decision on this matter should be made prior to issuing of the Permit. Furthermore the physio-chemical treatment of APCR would require permitting and so should form part of this application. It is considered that a decision and appropriate detail is provided regarding the reuse/disposal of the APCR prior to the permitting of the CERC...

St.Dennis Parish Council & STIG Response

Is APCR different to fly ash in this context?

Page 130 - Letter from St Dennis Parish Council dated 28/10/08 and additional questions from public meeting on 22/01/09

Q25 - Issues were raised about the combustion requirements being acceptable, particular as newspaper reports problems at a Sister site in Teesside.

We are satisfied that the combustion requirements will be met. We have questioned SITA's safety and environmental performance and they have provided us with a list of actions taken to help prevent this type of incident occurring again.

Response to The Environment Agency Draft Permit

We will actively enforce the requirements and conditions of the permit by:

- a. Requiring continuous monitoring of the main pollutants for which limits are set and periodic monitoring for the other substances.
- b. Carrying out audits of the operator's procedures and methods for emissions monitoring.
- c. Carrying out annual check monitoring by our own independent contractors or carrying out on-site auditing of operator monitoring.
- d. Regular announced and unannounced inspections.
- e. Adding or changing conditions in the permit if required.
- f. Requiring operators to inform us if they exceed any of the emission limits in the permit, or if they fail to comply with any operating conditions.
- g. Investigating non-compliance with any condition of the permit.
- h. Taking enforcement action if needed, including issuing notices, prosecuting serious breaches or potentially revoking the permit.

St.Dennis Parish Council & STIG Response

- (c) How likely is it that the Environment Agency will use their own independent contractors?

- (h) How many enforcement actions against Mass Burn Incinerator operators has the Environment Agency taken over the past 10 years and what is the breakdown of notices, prosecutions and revoked permits?

Response to The Environment Agency Draft Permit

Conclusion

We recognise that the current reliance on the use of landfill for the management of residual waste is unsustainable, and must be addressed as a matter of urgency.

Therefore there is a need. However we fundamentally disagree with SITA as to how the need is defined and how it is to be addressed.

It is our contention that need is concerned with moving waste away from Landfill not that the need is for a Mass Burn Incinerator.

This project would lead to major environmental harm, inflicted at a global level, as it would increase the amount of actual greenhouse gas emissions from waste treatment in Cornwall.

Climate change is the most pressing environmental concern of our time. Existing Mass Burn Incinerators already make a massive contribution to greenhouse gas emissions.

It is therefore absolute folly to permit more Mass Burn Incineration.

The Environment Agency must prevent greenhouse gas emissions from this completely avoidable source.

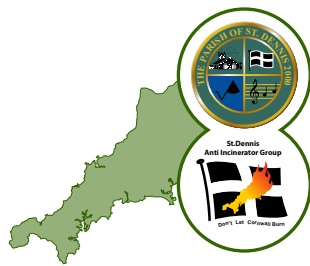
This proposal would increase greenhouse gas emissions and therefore is not compliant with the aims of the Coalition government to be the **“greenest government ever”**.

The requirement to reduce greenhouse gases, enacted in the Climate Change Act 2008 is recognition of the serious and urgent nature of climate change.

We would remind the Environment Agency that between now and 2050 “every tonne of carbon counts”.

With stringent cuts due, how will the Environment Agency police existing permitted facilities, let alone new ones and meet all its other commitments?

**St.Dennis Parish Council
and
St.Dennis Anti Incinerator Group**



Response to The Environment Agency Draft Permit