Pinsent Masons

BY EMAIL

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Your Ref EN010061
Our Ref: 150328358.5\681133.07015

[redacted]
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19 December 2024

PLANNING ACT 2008 ("the 2008 Act")

THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011 ("the 2011 Regulations")

REGULATION 4 – APPLICATION TO MAKE A NON-MATERIAL CHANGE ("NMC") TO THE FERRYBRIDGE MULTIFUEL 2 POWER STATION ORDER 2015 (SI 2015/1832) AS CORRECTED BY THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (CORRECTION) ORDER 2016 (SI 2016/737) AND AS AMENDED BY THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (AMENDMENT) ORDER 2018 (SI 2018/1016)

Dear Kerry Crowhurst-Kozlova,

1. **BACKGROUND**

1.1 We act for Enfinium Limited ("**Enfinium**") in relation to this matter.

1.2 On 28 October 2015 the Secretary of State granted The Ferrybridge Multifuel 2 Power Station Order 2015 ("**the 2015 Order**") pursuant to the Planning Act 2008 ("**2008 Act**"). The 2015 Order came into force on 19 November 2015

1.3 The 2015 Order, as granted, gave development consent for the construction and operation of a multifuel power station with a generating capacity of up to 90 MWe, fuelled by waste derived fuels from various sources, on land at the existing Ferrybridge Power Station site, north-west of Knottingley, West Yorkshire ("**the Development**").

1.4 The original 2015 Order was subsequently corrected and amended on two occasions as follows:

1.4.1 The Ferrybridge Multifuel 2 Power Station (Correction) Order 2016; and

1.4.2 The Ferrybridge Multifuel 2 Power Station (Amendment) Order 2018.

The substantive amendments made by these two orders have no material bearing on the present matter and they are, accordingly, not considered further in this letter.

1.5 The 2015 Order authorised the Development subject to Requirements, set out in Schedule 2 to the 2015 Order. These include Requirement 3 which provides that:

> *"3.—(1) Only fuel of a type specified in the environmental permit may be combusted in the boilers of the authorised development.*
>
> *(2) Except for purposes of the start-up or support firing of a boiler, only waste derived fuel may be combusted in the boilers of the authorised development.*"

1.6 Article 2(1) of the 2015 Order defines "*waste derived fuel*" as "*fuel derived from (i)* ***processed municipal solid waste****, (ii) commercial and industrial waste or (iii) waste wood*" [**emphasis** added].

1.7 The Development is also regulated by the Environment Agency ("**EA**") under the Environmental Permitting (England and Wales) Regulations 2016 (as amended) ("**the Permitting Regulations**").

1.8 An environmental permit has been granted by the EA under the Permitting Regulations (reference EPR/XP3833DK) ("**the EP**"). Schedule 2 of the EP outlines the waste types, raw materials and fuels permitted to be used for the purposes of combustion in the Development.

1.9 The Development is currently permitted to use waste sources falling under the definition of EWC 20 – "*municipal wastes (household waste and similar commercial, Industrial and institutional wastes) including separately collected fractions*".[1]

1.10 Those waste sources permitted in the original EP are:

- EWC 20 01 (Separately collected fractions (except 15 01))
- EWC 20 01 01 (Paper and cardboard)
- EWC 20 01 08 (Biodegradable kitchen and canteen waste)
- EWC 20 01 10 (Clothes)

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[1] As defined by the European Waste Catalogue ("**EWC**") contained within the Annex to *Commission Decision 2000/523/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste*, as amended by:

- *Commission Decision 2001/118/EC of 16 January 2001 amending Decision 2000/532/EC as regards the list of wastes*;
- *Commission Decision 2001/119/EC of 22 January 2001 amending Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste*;
- *Commission Decision 2001/573/EC of 23 July 2001 amending Commission Decision 2000/532/EC as regards the list of wastes*; and
- *Commission Decision 2014/955/EC of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council.*

- EWC 20 01 11 (Textiles)
- EWC 20 01 25 (Edible oil and fat)
- EWC 20 01 38 (Wood other than those mentioned in 20 01 37)
- EWC 20 01 39 (Plastics)

1.11 Municipal solid waste contained within bin bags taken directly from households/commercial premises ("**black bag waste**") also falls under the definition of EWC 20, specifically EWC 20 03 01 (mixed municipal waste). This code was not included in the original EP.

1.12 Enfinium has already been in discussions with the Environment Agency regarding the proposed acceptance and combustion of this type of fuel i.e. black bag waste. Following that engagement, the EA approved a Minor Variation to the EP to amend Schedule 2 to add EWC 20 03 01 (mixed municipal waste) as a permissible fuel source.

1.13 This means that the combustion of black bag waste has already been approved by the EA.

2. THE APPLICATION

2.1 Enfinium hereby applies to the Secretary of State pursuant to section 153 of and paragraph 2 of Schedule 6 to the 2008 Act to make changes to the 2015 Order (as previously amended) that are not material in order to clarify that the acceptance from local authorities of black bag waste constitutes a permitted waste derived fuel for the purposes of Requirement 3(2) (referred to hereafter as the "**NMC Application**").

2.2 The NMC Application is subject to the 2011 Regulations and has been prepared with reference to the Department of Communities and Local Government document '*Guidance on Changes to Development Consent Orders*' (December 2015).

2.3 This letter sets out the proposed NMC to the 2015 Order sought by Enfinium and the rationale for doing so, together with details of the consultation process being undertaken. It also sets out why the changes sought in the NMC Application will not result in any materially new or materially different environmental effects, given that the changes proposed are technical and would not result in any development beyond that already consented through the 2015 Order which has already been subject to Environmental Impact Assessment.

2.4 The following documents are also included as appendices to support the NMC Application:

2.4.1 Draft amendment Order (Word version) (**Appendix 1**);

2.4.2 Draft amendment Order (PDF version) (**Appendix 2**);

2.4.3 Email confirming successful validation of the draft amendment Order (**Appendix 3**);

2.4.4 Summary of residual likely significant effects reported in the environmental statement accompanying the application for the 2015 Order (**Appendix 4**);

2.4.5 Regulation 7(3) consultee decision from the Secretary of State (**Appendix 5**);

2.4.6 Regulation 6 Notice for publication in local newspapers (**Appendix 6**);

2.4.7 Pro forma consultee notification letter (**Appendix 7**); and

2.4.8 Main Application Document which accompanied the application to the EA for the approved Minor Variation to the EP (**Appendix 8**).

2.5 For the avoidance of doubt, this NMC Application is entirely separate from and unrelated to Enfinium's forthcoming carbon capture project development consent order application, which was the subject of a recent direction from the Department under section 35 of the 2008 Act.

3. THE CONSULTATION PROCESS

Approved consultee list: regulation 7(3)

3.1 Under the 2011 Regulations, on making an NMC Application the applicant must notify and consult those persons specified in the 2011 Regulations, being:

3.1.1 all those who were notified in accordance with section 56 of the 2008 Act when the application for the original 2015 Order was accepted by the Secretary of State; and

3.1.2 any other person who may be directly affected by the changes proposed in the NMC Application.

3.2 Regulation 7(3) of the 2011 Regulations also provides that an applicant need not consult a person or authority specified in the Regulations if he has the written consent of the Secretary of State not to do so.

3.3 A letter of 5 August 2024 from this firm to the Department requested written consent from the Secretary of State under regulation 7(3) of the 2011 Regulations that only the following persons should be consulted on the NMC Application, given the nature of the changes sought and the absence of any anticipated materially new or materially different environmental effects:

3.3.1 the EA, given their involvement in the permitting process, and so Enfinium acknowledges that they would be interested in the 'read-across' to the DCO position; and

3.3.2 Wakefield Metropolitan District Council, in its capacity as the host local planning authority for the Development.

(together, the "**Proposed Consultees**").

3.4 In identifying the list of Consultees, consideration was given to those stakeholders who may have a continuing interest in the Development and its environs, alongside infrastructure asset owners and other users who are considered to have a clear interest in the nature of the proposed change. No other parties who may be directly affected by the changed proposed in the NMC Application have been identified.

3.5 Following a request by the Department, the 5 August letter was supplemented by a further letter dated 15 October 2024 which set out further details of Enfinium's rationale in identifying the Proposed Consultees.

3.6 On 23 October 2024, the Secretary of state confirmed that the consultee list should be limited to:

3.6.1 the Proposed Consultees; and

3.6.2 certain additional consultees, as follows:

(a) North Yorkshire County Council (now succeeded by North Yorkshire Council following local government reorganisation)

(b) Selby District Council (now succeeded by North Yorkshire Council following local government reorganisation)

(c) The Canal & River Trust

(d) West Yorkshire Fire and Rescue Service

(e) Yorkshire Wildlife Trust

(f) West Yorkshire Ecology Service

(g) Natural England

(h) Public Health England (now succeeded by the UK Health Security Agency)

(i) The Health and Safety Executive

(together, the "**Additional Consultees**").

3.7 The Secretary of State agreed that it is not necessary for other consultees from the 2015 Order or from the local area to be included in the reduced consultee list, as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.

3.8 Accordingly, the Secretary of State gave written consent under regulation 7(3) of the 2011 Regulations that only the Proposed Consultees and the Additional Consultees need be consulted on the NMC Application.[2]

Consultation publicity: regulations 6 and 7

3.9 Regulations 6 and 7 of the 2011 Regulations set out the process for publicising and consulting respectively on an NMC Application. In summary, the following has been or is being undertaken by Enfinium to comply with these requirements:

3.9.1 Enfinium notified DESNZ of its intention to submit an NMC Application on 5 August 2024.

3.9.2 Enfinium is publicising the NMC Application by publishing a notice in each of the following newspapers for two successive weeks:

[2] A copy of the Secretary of State's letter dated 23 October 2024 is reproduced at Appendix 5 of this letter.

- Selby Times
- Pontefract & Castleford Express

The proposed dates of publication are 16 and 23 January 2025.[3]

3.9.3 The project email address **FM2@planninginspectorate.gov.uk** has been included in the notice publicising the NMC Application so that members of the public can make a formal response to PINS in relation to the NMC Application.

3.9.4 Following receipt of notice from the Secretary of State pursuant to Regulation 7(3) on 23 October 2024, the Proposed Consultees and Additional Consultees have also been contacted directly regarding the NMC Application.[4]

3.10 The NMC Application will be available to view on the PINS website at:

https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010061

3.11 Hard copies of the NMC Application have been deposited at **Pontefract Library, Shoemarket, Pontefract, WF8 1BD** where they can be inspected free of charge during the library's usual opening hours, which are set out in the Regulation 6 notice.

3.12 Hard copies can also be obtained free of charge by contacting Enfinium at **communications@enfinium.co.uk** or by telephone on **0800 915 3603**.

3.13 Consultees are invited to provide comments on the NMC Application until the closing date for the consultation which is Friday 21 February 2024. This provides additional time over and above the minimum 28 day period prescribed by the 2011 Regulations in recognition of the Christmas and Hogmanay holiday season.

3.14 Pursuant to Regulation 7A of the 2011 Regulations, Enfinium will submit a separate Consultation and Publicity Statement confirming its compliance with Regulations 6 and 7 of the 2011 Regulations in due course.

4. THE PROPOSED NON-MATERIAL CHANGE

4.1 In light of the EA's existing approval to the inclusion of black bag waste as a permissible fuel source through the grant of the Minor Variation to the EP, Enfinium proposes to amend the definition of "*waste derived fuel*" in article 2(1) to confirm that black bag waste – as municipal solid waste – is a permissible fuel type for the purposes of Requirement 3(2).

4.2 The proposed content of the NMC is to insert a new definition into article 2(1) of the 2015 Order as follows:

> *""processed municipal solid waste" includes waste falling within class 20 03 01 of the Annex to Commission Decision 2000/532/EC [2000] OJ L226/3 as amended by Commission Decision 2001/118/EC [2001] OJ L47/1, Commission Decision 2001/119/EC [2001] OJ L47/32, Council Decision*

[3] A copy of the Regulation 6 Notice is reproduced at Appendix 6 of this letter.
[4] A copy of the pro forma consultation notification letter sent to the Proposed Consultees and the Additional Consultees is reproduced at Appendix 7 of this letter. The consultee letters include a full hard copy of the application documents save for Appendix 1 of this letter which can only be provided in electronic format.

2001/573/EC [2001] OJ L203/18 and Commission Decision 2014/955/EU [2014] OJ L370/44;"

4.3 The result of this amendment is that such wastes will be able to be combusted in the boilers of the authorised development.

4.4 It has been determined that this is the appropriate approach because black bag waste does not require specific processing (in terms of sorting and shredding) prior to import to the site and so would not fall within the existing definition of 'waste derived fuel' within article 2(1).

4.5 Copies of a draft amendment order in both Word and PDF formats, together with an email confirming successful validation of the draft amendment order, are provided at Appendices 1 to 3 of this letter.

5. CONSIDERATION OF MATERIALITY

5.1 The environmental statement which accompanied the original application for the 2015 Order ("**ES**") addressed the following detailed topic areas:

5.1.1 Transport and Access

5.1.2 Air Quality

5.1.3 Noise and Vibration

5.1.4 Land Use and Socio-Economics

5.1.5 Landscape and Visual Amenity

5.1.6 Water Resources and Flood Risk

5.1.7 Ground Conditions

5.1.8 Ecology

5.1.9 Archaeology and Cultural Heritage

5.1.10 Waste and Resource Management

5.1.11 Sustainability

5.1.12 Health Impact Summary

5.1.13 Cumulative and Combined Effects

5.2 A copy of the summary of residual likely significant effects reported in the ES is reproduced at Appendix 4 of this letter, but in outline the following potential significant effects were identified:

5.2.1 adverse noise effects on nearby properties during evening and night-time construction works;

5.2.2 beneficial effects on the local and regional economy generated by construction employment;

5.2.3 adverse effects on views from residential properties around the northern end of Darkfield Lane, Pontefract during construction and operation, due to the visibility of tower cranes, and the tallest structures and stack; and

5.2.4 beneficial effects due to the carbon savings associated with the use of waste derived fuel in comparison to disposal of that waste directly to landfill.

5.3 Enfinium has undertaken a further review in order to confirm that the proposed NMC will not give rise to any materially new or materially different environmental effects compared to those reported in the ES. This includes consideration of the technical reports which accompanied the application for the Minor Variation to the EP.[5]

5.4 The table below summarises the position by reference to the ES topic areas:

(1)	*(2)*	*(3)*
Topic area	***New or materially different environmental effect?***	***Comments***
Transport and Access	No	The ES did not identify any significant effects arising from the Development during the construction or operational phases. The NMC Application proposes no change to the current transport and access arrangements or numbers of HGV movements and will therefore not give rise to any material change in transport and access impacts.
Air Quality	No	The ES did not identify any significant effects arising from the Development during the construction or operational phases. The NMC Application will not give rise to any material change in air quality impacts (as there will no change to the emissions dispersion profile, or traffic movements) and the EA has already confirmed that the principle of using black bag waste as a waste derived fuel for the Development is acceptable.

[5] A copy of the Main Supporting Document which accompanied the application for the Minor Variation to the EP is provided at Appendix 8.

(1) ***Topic area***	*(2)* ***New or materially different environmental effect?***	*(3)* ***Comments***
Noise and Vibration	No	The ES did not identify any significant effects arising from the Development during the operational phase. The only identified significant effects related to noise from construction activities and construction traffic. The NMC Application does not require any new construction to take place, and no new equipment or processes will be required in order to accept black bag waste as a waste derived fuel for the Development. Furthermore, there will be no increase in traffic movements as a result of the NMC. The NMC Application will not give rise to any material change in noise and vibration impacts.
Land Use and Socio-Economics	No	The ES identified a moderate beneficial impact during construction of the Development linked to economic benefit from the creation of construction industry jobs. The NMC Application will not give rise to any material change in land use and socio-economic impacts as there would be no construction required, and operational jobs will not change as a result of the NMC.

(1) ***Topic area***	*(2)* ***New or materially different environmental effect?***	*(3)* ***Comments***
Landscape and Visual Amenity	No	The ES identified a moderate adverse impact during construction as a result of the visibility of tower cranes, structures and a stack from a single identified viewpoint on Darkfield Lane, Pontefract. The ES also identified a moderate adverse impact during operation as a result of the visibility of the boiler/turbine halls and stack from that viewpoint. The NMC Application will not entail any changes to the built development on the site and, accordingly, will not give rise to any material change in landscape and visual amenity impacts.
Water Resources and Flood Risk	No	The ES did not identify any significant effects arising from the Development during the construction or operational phases. The NMC Application proposes no change to water use or management, and will not give rise to any material change in flood risk impacts.
Ground Conditions	No	The ES did not identify any significant effects arising from the Development during the construction or operational phases. The NMC Application proposes no change to ground conditions, requires no new construction or engineering works to take place and therefore no new or materially different impacts are expected to arise.

(1) ***Topic area***	*(2)* ***New or materially different environmental effect?***	*(3)* ***Comments***
Ecology	No	The ES identified a minor adverse / neutral impact during construction of the Development as a result of the loss of woodland, amenity grassland, an amphibian breeding pond and habitats for birds. After mitigation, comprising the creation of new habitats and management of landscape to improve biodiversity, the residual impact became moderate beneficial. No significant effects were identified during the operational phase of the Development. The NMC Application proposes no physical changes to the site or its surroundings and will not give rise to any other new or materially different impact in terms of ecology.
Archaeology and Cultural Heritage	No	The ES did not identify any significant effects arising from the Development during the construction or operational phases. The NMC Application proposes no change to the physical development on the site and therefore will not give rise to any material change in archaeology and cultural heritage impacts.
Waste and Resource Management	No	The ES did not identify any significant effects arising from the Development during the construction or operational phases. The NMC Application proposes no change to the waste and resource management arrangements for the Development and will not give rise to any material change in these impacts.

(1) ***Topic area***	*(2)* ***New or materially different environmental effect?***	*(3)* ***Comments***
Sustainability	No	The ES did not identify any significant effects during the construction phase of the Development. The ES identified a significant beneficial impact during the operational phase arising from significant carbon savings through the use of waste derived fuel in comparison to disposal of waste directly to landfill. The NMC Application proposes to include black bag waste as a permitted processed municipal solid waste for the purposes of the Development which will maintain and further the beneficial sustainability impact attributable to the Development.
Health Impact Summary	No	The ES did not identify any significant effects arising from the Development during the construction or operational phases. The NMC Application proposes no change to the practical operational arrangements for the Development and will not give rise to any material change in health impacts.
Cumulative and Combined Effects	No	The ES did not identify any significant cumulative effects arising from the Development during the construction or operational phases. The NMC Application proposes no change to the physical development on the site or the emissions profile and therefore there can be no change in cumulative or combined effects as a result.

5.5 Accordingly, if approved by the Secretary of State, the NMC is not anticipated to give rise to any materially new or materially different environmental effects. Nor are any additional mitigation measures required.

5.6 In relation to the other factors which may affect materiality referred to in the Guidance, Enfinium notes that:

5.6.1 no additional land is required for the NMC Application, and specifically no additional compulsory acquisition is required;

5.6.2 the NMC Application would not necessitate the need for any new protected species licences;

5.6.3 the NMC Application would have no effect on the conclusions of the Habitats Regulations documentation produced for the Development in association with the grant of the 2015 Order; and

5.6.4 it is considered that the change will have no impact to local businesses or residents, as there would be no change to the design or practical impacts of the operation of the Energy from Waste facility, i.e. traffic movements.

5.7 As a result of the above, it is considered clear that the change proposed by the NMC Application should be determined to be non-material.

6. SUMMARY AND CONCLUSIONS

6.1 In summary:

6.1.1 Enfinium has proposed an NMC to the 2015 Order so as to confirm that black bag waste may be utilised as a permissible source of waste derived fuel for the purposes of Requirement 3(2). This fuel type has already been approved by the EA through the grant of a Monir Variation to the EP.

6.1.2 This NMC will not increase the permitted annual waste throughput consumed by the Development, which will continue to be limited to 725,000 tonnes per annum.

6.1.3 The waste derived fuel delivery and unloading operations will also remain unchanged, with no changes to the type, number or character of vehicle movements required to service the Development and import the fuel.

6.1.4 Most of the operational procedures will continue to be implemented as at present. The key process change will comprise additional mixing of the fuel within the storage bunker prior to being fed to the combustion process to improve and maintain the homogeneity of the fuel.

6.1.5 No additional equipment is required to be installed and no physical change is required to any aspect of the Development as already consented.

6.1.6 As the throughput and nature of the fuel used at the Development will remain unchanged, the emissions to air, water and land will remain unchanged, as will the current permitted emission limit values in the EP. Therefore, additional emissions abatement measures are not required to be installed.

6.1.7 Monitoring of emissions will continue to be undertaken in accordance with the EP and the odour management plan for the Development has been reviewed to ensure any potential additional odour impacts from the black bag waste will be managed appropriately.

6.2 The NMC itself effects only a minor amendment to article 2(1) of the 2015 Order by inserting a new definition to confirm that *processed municipal solid waste* includes *mixed municipal waste*.

6.3 No changes to the other provisions of the 2015 Order, physical development or other controls regulating the construction, operation, maintenance or decommissioning of the authorised Development are proposed.

6.4 The proposed NMC would not require additional compulsory acquisition of land, nor would it have new or different effects on local residents or businesses or any additional implications in respect of habitats, ecology, emissions or the receiving environments and environmental features.

6.5 Given the information presented in this letter, as summarised above, it is submitted that the proposed amendment to the 2015 Order is an NMC for the purposes of section 153 of the 2008 Act and the 2011 Regulations. Accordingly, the proposed amendment as outlined at paragraph 4.2 of this document can be granted by the Secretary of State as an NMC.

6.6 If you have any questions or require any further information, please do not hesitate to contact us.

Yours sincerely

Pinsent Masons LLP

As this letter is sent electronically, no signature is provided.

APPENDIX 1

DRAFT AMENDMENT ORDER (WORD VERSION)

[Please refer to the separate Word file which accompanies this letter.]

APPENDIX 2

DRAFT AMENDMENT ORDER (PDF VERSION)

STATUTORY INSTRUMENTS

2025 No.

INFRASTRUCTURE PLANNING

The Ferrybridge Multifuel 2 Power Station (Amendment) Order 2025

Made - - - -	***
Coming into force - -	***

An application has been made, under paragraph 2 of Schedule 6 to the Planning Act 2008(**a**), to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(**b**) for a non-material change to the Ferrybridge Multifuel 2 Power Station Order 2015 ("the 2015 Order")(**c**).

The Secretary of State, having considered the application [together with the responses to the publicity and consultation required by regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011], has decided to amend the 2015 Order.

Therefore, the Secretary of State, in exercise of the powers conferred by paragraph 2 of Schedule 6 of the Planning Act 2008, makes the following Order:

Citation and commencement

1. This Order may be cited as the Ferrybridge Multifuel 2 Power Station (Amendment) Order 2025 and comes into force on [date].

Amendment to the Ferrybridge Multifuel 2 Power Station Order 2015

2. The 2015 Order is amended in accordance with article 3 of this Order.

3. In article 2(1) of the 2015 Order, after the definition of "planning authority" there is inserted—

> ""processed municipal solid waste" includes waste falling within class 20 03 01 of the Annex to Commission Decision 2000/532/EC [2000] OJ L226/3 as amended by Commission Decision 2001/118/EC [2001] OJ L47/1, Commission Decision 2001/119/EC [2001] OJ L47/32, Council Decision 2001/573/EC [2001] OJ L203/18 and Commission Decision 2014/955/EU [2014] OJ L370/44;"

(**a**) 2008 c.29. Paragraph 2 of Schedule 6 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c.23), by paragraphs 1 and 72 of Schedule 13 to the Localism Act 2011 (c.20), and by section 28 of the Infrastructure Act 2015 (c.7). There are other amendments to the Act that are not relevant to this Order.
(**b**) S.I. 2011/2055. Regulations 6 and 7 were both amended by S.I. 2012/635 and S.I. 2015/760.
(**c**) S.I. 2015/1832, as amended by S.I. 2016/737 and S.I. 2018/1016.

Signed by authority of the Secretary of State

Name
Address Title
Date Department

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Ferrybridge Multifuel 2 Power Station Order 2015 ("the 2015 Order"), a development consent order under the Planning Act 2008, which has previously been amended by the Ferrybridge Multifuel 2 Power Station (Correction) Order 2016 and the Ferrybridge Multifuel 2 Power Station (Amendment) Order 2018.

This Order follows an application under paragraph 2 of Schedule 6 to the Planning Act 2008 for a non-material change to clarify that mixed municipal waste constitutes a type of processed municipal solid waste for the purposes of the 2015 Order.

This Order, in article 3, provides for the insertion of a new definition into article 2(1) of the 2015 Order to that effect.

The changes to the 2015 Order take effect from the date specified in this Order.

APPENDIX 3

EMAIL CONFIRMING SUCCESSFUL VALIDATION OF THE DRAFT AMENDMENT ORDER

Subject: FW: [EXTERNAL] Internet - VALIDATION SUCCESS: SI Validation for Ferrybridge2NMCdraftamendmentorder.doc (7 Warnings)

Dear Colleague,

Thank you for submitting your document 'Ferrybridge2NMCdraftamendmentorder.doc' for validation.

The document has validated successfully.

Please note: Your document contains 7 warnings which may indicate an error, it is good practice to check and correct these.

Please check the warnings and resubmit the document. To view your online validation report please click https://publishing.legislation.gov.uk/validation/2024-12-11/74. For documents of 25 pages or less an interactive web version of the report is available in addition to the PDF report.

This is a system-generated email sent on behalf of the SI Support Team.

Support reference: https://publishing.legislation.gov.uk/validation/2024-12-11/74

APPENDIX 4

SUMMARY OF RESIDUAL LIKELY SIGNIFICANT EFFECTS REPORTED IN THE ENVIRONMENTAL STATEMENT ACCOMPANYING THE APPLICATION FOR THE 2015 ORDER

Ferrybridge Multifuel 2 (FM2)

Document Ref No: 6.2

PINS Ref: EN010061

Ferrybridge Multifuel 2 (FM2)

Ferrybridge Power Station Site, Knottingley, West Yorkshire

Environmental Statement (ES) – Volume I (Main Report)

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) Regulation 5(2)(a)

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

Applicant: Multifuel Energy Limited

July 2014

Glossary of Abbreviations and Definitions

AADT	Annual Average Daily Traffic Flow
AAWT	Annual Average Weekly Traffic
ACC	Air Cooled Condenser
ACS	American Cancer Society
Acute effect	An effect that occurs within a short time after exposure
ADD	Average Daily Dose
ADMS	Atmospheric Dispersion Modelling System – a proprietary model for the assessment of effect of emissions to air from point sources and road sources
AEP	Annual Exceedance Probability
Air pollutant	A substance present in the atmosphere at concentrations that are elevated, usually by human activities. Most air pollutants occur naturally in the atmosphere at low concentrations
ALA	Acquisition of Land Act 1981.
Ambient concentrations	Concentrations of airborne substances in outdoor air
ANO	Air Navigation Order.
AOD	Above Ordnance Datum, i.e. meaning a level above mean sea level.
APFP Regulations	The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Sets out detailed procedures that must be followed for submitting and publicising applications for Nationally Significant Projects.
Applicant	Multifuel Energy Limited (MEL). A joint venture between SSE Generation Ltd and Wheelabrator Technologies Inc.
Application	The Application for a Development Consent Order made to the Secretary of State under Section 37 of the Planning Act 2008 in respect of the Proposed Development, required pursuant to Section 31 of the Planning Act 2008 because the Proposed Development is a Nationally Significant Infrastructure Project under Section 14(1)(a) and Section 15 of the Planning Act 2008 by virtue of being an onshore generating station in England or Wales of 50 Megawatts electrical capacity of more.
Application Site	The land corresponding to the Order Limits that is required for the construction; operation and maintenance of the Proposed Development.
AQMA	Air Quality Management Area
Associated Development	Defined under Section 115(2) of The Planning Act 2008 as development which is associated with the principal development and that has a direct relationship with it. Associated development should either support the construction or operation of the principal development, or help address its impacts. It should not be an aim in itself but should be subordinate to the principal development.
ATC	Automatic Traffic Count
Average daily dose	The estimated mean dose received by an individual over the course of a day
Averaging time	A reference time period e.g. an average daily dose is reported for an averaging time of one day
BAP	Biodiversity Action Plan.
BAT	Best Available Techniques
BGL	Below Ground Level
BGS	British Geology Survey
Bioaccumulation	The process by which chemicals are taken up into an organism either directly by exposure or indirectly through consumption of contaminated material. Concentrations can accumulate higher up the food chain to levels significantly higher than the original exposure concentration
Book of Reference	A reference document providing details of all landownership interests within the Order Limits as shown on the Land Plan.
BPEO	Best Practicable Environmental Option

BREEAM	Building Research Establishment Environmental Assessment Method, a benchmark for appraising the sustainability of building design, construction and operation
BREF	European BAT Reference Document
BS	British Standard.
C&I	Commercial & Industrial Waste.
C&RT	Canal and River Trust.
CAA	Civil Aviation Authority.
CAFE	Clean Air for Europe Programme
Carbon Capture and Storage (CCS)	Carbon Capture and Storage. An emerging technology that enables carbon dioxide produced by burning fossil fuels to be captured and permanently stored, usually in deep geological formations, removing up to 90% of the carbon dioxide that would otherwise be released to the atmosphere.
Carbon Capture Ready (CCR)	Carbon Capture Ready. A power station is Carbon Capture Ready where it has been demonstrated that: sufficient space is available on or near the site to accommodate carbon capture equipment in the future; retrofitting carbon capture technology is technically feasible; that a suitable area of deep geological storage exists for the storage of captured CO_2; transporting CO_2 to the storage location is technically feasible and CCS is likely to be economically feasible.
Carcinogenic Slope Factor	An upper bound on the increased cancer risk from a lifetime of oral (ingestion) exposure to a substance based on the dose-response relationship of the substance
CCG	Clinical Commissioning Group.
CDA	Critical Drainage Area
CDM	Construction Design and Management
CEMP	Construction Environmental Management Plan.
CfD	Contract for Difference.
CFMP	Catchment Flood Management Plan
Chemicals of Potential Concern	Substances identified through the risk assessment process as being of concern to human health
CHP	Combined Heat and Power. A technology that puts to use the residual heat of the combustion process after generation of electricity that would otherwise be lost to the environment.
CHPQA	CHP Quality Assurance.
CHPQI	CHP Quality Index.
CHP-R	CHP-Ready.
Chronic effect	An effect that occurs over a long time period or following a long period of exposure
Chronic bronchitis	A daily cough with production of sputum for 3 months, two years in a row
CIBSE	The Chartered Institute of Building Services Engineers.
CIE	Commission Internationale de l'Eclairage.
Climate change	A change in the average state of the climate and/or the variability of its properties, considered by many scientists to be exacerbated by anthropogenic emissions of greenhouse gases such as carbon dioxide.
CMS	Construction Method Statement
CO_2	Carbon dioxide
Cohort study	A study in which a particular health effect, is compared using groups of people who are alike in most ways but differ by a defined characteristic, such as exposure to a source of pollution for example
COMEAP	Committee on the Medical Effects of Air Pollution
Commercial and Industrial (C&I) waste	Waste generated from businesses, such as factories, utility and transport companies, shops, offices, hotels, restaurants, schools and hospitals. It also includes public sector organisations, such as local authorities, and construction and demolition (C&D) companies. It would be delivered to Site after processing to satisfy recycling requirements.

Competent Authority	The decision-making authority within the context of the Conservation of Habitats and Species Regulations 2010. It is the role of the competent authority to make judgements required by the Regulations, following consultation with Natural England. The competent authority is entitled to require the applicant/proponent of the project or plan to supply the information that it requires to make those judgements.
Concentration – response function	An equation that represents, for example, the relationship between the predicted concentration of a pollutant in the air and the exposed population response
Congeners	Substances with molecules that share slightly different chemical structures
Consents and Licences required under Other Legislation	A supporting document setting out the other consents and licences that are required for the construction and operation of the Proposed Development that are not being included within the Development Consent Order.
Construction Traffic Management Plan (CTMP)	A CTMP outlines the proposed approach to controlling the flow of general traffic, construction traffic and access for pedestrians, equestrians and cyclists during the works, limiting as far as possible disruption and delays.
COPC	Compound of Potential Concern
Core Strategy	The key development plan document for each local planning authority, which sets out an overall vision, strategic objectives, delivery strategy and management & monitoring arrangements.
COT	Committee on Toxicology
Critical Level	Concentrations of pollutants in the atmosphere above which direct adverse effects on receptors, such as human beings, plants, ecosystems or materials, may occur according to present knowledge.
Critical Load	The deposition rate of either nitrogen or acid above which scientific studies identify that adverse effects on a given species or habitat has been known to occur. The Critical Load for a given habitat or species will differ depending upon a range of factors. Critical Loads are usually given as a range rather than a single value. Deposition rates above the Critical Load may or may not result in an adverse effect in practice depending on the specific situation.
CSF	Cancer Slope Factor
CSU	Consents Services Unit
Cumulative effects	Effects that may arise from a combination of the project's effects with those of other existing or planned developments in the area.
Curfew	The time after which stricter requirements (for the control of obtrusive light) will apply; often a condition of use of lighting applied by a government controlling authority, usually the local government.
DAS	Design and Access Statement.
DCLG	Department for Communities and Local Government.
DCO	A Development Consent Order made by the relevant Secretary of State pursuant to The Planning Act 2008 to authorise a Nationally Significant Infrastructure Project. A DCO can incorporate or remove the need for a range of consents which would otherwise be required for a development. A DCO can also include rights of compulsory acquisition.
DCO Site	The site for which the DCO is sought. The Application Site.
DCO Site Boundary	The boundary of the DCO Site, also referred to as the Order Limits. The DCO Site Boundary incorporates land required for all components of the Proposed Development and covers an area of 32 hectares (ha).
DECC	Department for Energy and Climate Change.
Deaths brought forward	This does not constitute new/additional deaths but represents a reduction in life expectancy for those whose health is already seriously compromised, where one death brought forward represents a cumulative two to six month loss of life expectancy for the population exposed
Decommissioning	A process to remove something from active status.
Development Plan	A statutory document or a set of documents prepared and adopted by a planning authority which set the local policies governing development

	within its administrative area.
Development Plan Document (DPD)	One of the local documents that comprise part of the development plan.
DH	District Heating.
Dioxins/Furans	This is the abbreviated name for a family of toxic substances that share a similar chemical structure and a common mechanism of toxic action. They include the congeners polychlorinated dibenzo dioxins (PCDDs) and polychlorinated dibenzo furans (PCDFs).
Dose	The USEPA define 'Dose' as, the amount of a substance available for interaction with metabolic processes or biologically significant receptors after crossing the exchange boundary of an organism. An equivalent definition is, the amount of a substance taken up by an exposed individual following inhalation, ingestion or absorption across the skin
Dose-response relationship	The relationship between the dose and the proportion of exposed individuals observed to demonstrate effects
E	Illuminance – The quantity of light, or luminous flux falling on a unit area of a surface in Lux (lx). One Lux is equivalent to one lumen per square metre.
EA	Environment Agency.
EAL	Environmental Assessment Level
EC	European Commission
EfW	Energy from waste. A power station that generates energy in the form of electricity or heat from the incineration or pyrolysis of waste products.
EH	English Heritage.
Eh	Horizontal Illuminance in Lux (lx).
EIA Regulations	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 setting out how the EIA of Nationally Significant Infrastructure Projects must be carried out and the procedures that must be followed.
ELV	Emission Limit Value
Emissions	The substances or mass of a substance emitted into the atmosphere
EN	European.
EN-1	Overarching National Policy Statement for Energy.
EN-3	National Policy Statement for Renewable Energy Infrastructure.
EN-5	National Policy Statement for Electricity Networks Infrastructure.
Environmental Impact Assessment (EIA)	Environmental Impact Assessment. The assessment of the likely significant environmental effects of a development undertaken in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.
Environmental Statement (ES)	Report in which the process and results of an Environment Impact Assessment are documented.
EPA	Environmental Protection Act 1990.
EPR	Environmental Permitting Regulations
Epidemiology	The study of populations in order to determine the frequency and distribution of disease and to measure risks
EU	European Union
European Site	A term used in this report to refer collectively to Special Areas of Conservation, Special Protection Areas or Ramsar sites, which are internationally protected ecology sites.
Ev	Ev = Vertical Illuminance in Lux (lx).
Exception test	A test which may allow a site to be developed in Flood Zones 2 or 3 where it can be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk.
Excess Lifetime Risk	The probability that an individual will develop cancer over a lifetime as a result of exposure to specific carcinogenic chemicals through multiple

	exposure pathways
Explanatory Memorandum	A document that explains the intended purpose and affect of a DCO and the authorisations and powers that it seeks.
Exposed population	The population exposed to a meaningful change in air pollutant concentrations
Exposure	The US EPA define 'exposure' as, the condition of a chemical contacting the exchange boundary of an organism. A broader definition is, the amount of a substance inhaled, ingested or present at the skin surface
Exposure (Direct)	Inhalation of air containing substances at predicted concentrations
Exposure (Indirect)	Results from contact of human and ecological receptors with soil, plants or water bodies on which emitted chemicals have been deposited
Exposure Duration	The length of time that a receptor is exposed via a specific pathway
Exposure Frequency	This is the amount of time a receptor is exposed to COPCs by all pathways. The HHRAP assumes that receptors are exposed 350 days a year, with a 2 week period away from the relevant exposure location
Exposure Pathway	This is the route that a chemical takes from its source, through the environment to the individual being exposed
Exposure Scenario	The combination of relevant exposure pathways to which an individual receptor may be exposed to specific substances
Ferrybridge Power Station site	The overall site of Ferrybridge Power Station, incorporating the existing Ferrybridge 'C' Power Station, FM1 and the Application Site.
FGD	Flue Gas Desulphurisation.
FGT	Flue Gas Treatment
Fine particulate Matter	Size fractions of particulate matter smaller than PM_{10}. In this report represented by $PM_{2.5}$
Finished Floor Level (FFL)	The height above Ordnance Datum (AOD) at which the ground floor of the buildings will be built.
Flood Risk Assessment (FRA)	The formal assessment of flood risk issues relating to the Proposed Development. The findings are presented in an appendix to the Environmental Statement.
Flood Zone 1	Land with an Annual Exceedance Probability of less than 0.1% risk from fluvial flooding.
Flood Zone 2	Land with an Annual Exceedance Probability of between 0.1% and 1% risk from fluvial flooding.
Flood Zone 3b	An area defined as the functional floodplain, that the area where water has to flow or be stored in the event of a flood. Land which would flood with a 1 in 20 (5%) annual probability or greater in any year, or is designed to flood in a 0.1% event should provide the starting point for designation of Flood Zone 3b.
Fluvial	The processes associated with rivers and streams and the deposits and landforms created by them.
FM1	Ferrybridge Multifuel 1 Power Station, which is currently under construction to the south of the Application Site.
FM2	Ferrybridge Multifuel 2 Power Station (the Proposed Development).
FMfSW	Flood Map for Surface Water
Formal Consultation	Statutory consultation in accordance with Section 42, 46, 47 and 48 of the PA 2008.
FRMS	Flood Risk Management Strategy
Fuel	Waste derived fuel (WDF) used in the Proposed Development to generate electricity (any other 'fuels' used in the process are described separately, e.g. diesel
GCV	Gross Calorific Value.
GHG	Greenhouse Gas
Glare	A sensation that is produced by bright areas within the field of vision and may be experienced either as discomfort glare or disability glare. Glare

	caused by reflections in specular surfaces is usually known as veiling reflections or reflected glare.
GP	General Practitioner
GWP	Global Warming Potential
Ha	Hectares. A metric measurement of area.
HA	The Highways Agency.
Habitat Regulations Assessment	A term used in this report to refer to the entire process required to determine compliance of a plan or project with the Conservation of habitats and Species regulations 2010 and Habitats Directive.
Hazard	Something (e.g. an object, a property of a substance, a phenomenon or an activity) that can cause adverse effects
Hazard Index (HI)	The total chronic hazard attributable to exposure to all COPCs through a single exposure pathway
Hazard Quotient	The comparison of oral and inhalation exposure estimates to reference dose and reference concentration values
HDPE	High-density Polyethylene
Heavy Goods Vehicle (HGV)	Vehicles with a gross weight in excess of 3.5 tonnes.
HHRA	Human Health Risk Assessment
Host local authority	The local authority whose area the Application Site lies within. In this case, Wakefield Metropolitan District Council.
HSE	The Health and Safety Executive.
HTP	Human Toxicity Potentials
Human Health Risk Assessment Protocol (HHRAP)	A structured approach to quantifying the risks to human health associated with exposure to compounds of potential concern
HQ	Hazard Quotient
I	Light Intensity in Candelas (cd).
ILP	The Institute of Lighting Professionals.
IED	Industrial Emissions Directive, EU Directive 2010/75/EU
IEMA	Institute for Environmental Management and Assessment
IHT	Institute of Highways and Transportation
Ingestion	The act of eating or drinking a substance that may then result in the substance being taken up via the digestive system
Inhalation	The act of breathing in a substance that may then result in the substance being taken up via the respiratory system
Industrial Risk Assessment Program	A commercially available computer program developed to calculate excess life time risk and hazard index values following the requirements from the 2005 U.S. EPA-OSW Human Health Risk Assessment Protocol
Industrial Emissions Directive	A directive of the European Union, the requirements of which will replace requirements of the Waste Incineration Directive (WID) by 2013
Informal Consultation	Non-statutory consultation in accordance with Section 42, 46, 47 and 48 of the PA 2008.
Infrastructure Planning Commission (IPC)	An independent body established on 1 October 2009 under the Planning Act 2008 to streamline the planning system for nationally significant infrastructure projects (NSIPs). Its role was to examine applications for Nationally Significant Infrastructure Projects. The Localism Act 2011 abolished the IPC and transferred its functions to the Planning Inspectorate. A National Infrastructure Directorate has been formed within the Planning Inspectorate, to examine applications for Nationally Significant Infrastructure Projects and to make recommendations to the Secretary of State who is the decision-maker.
International Toxic Equivalent	This weighs the toxicity of the less toxic compounds as a fraction of the toxicity of a reference compound. In the case of dioxins the toxicity of each individual congener is weighted to 2,3,7,8-TCDD, which is given a reference value of 1
IOM	Institute of Occupational Medicine

IRAP	Industrial Risk Assessment Program
IRR	Internal Rate of Return.
ITAs	Integrated Transport Authorities.
km	Kilometres.
kV	Kilovolts.
L	Luminance in Candelas per square metre (cdm-2).
Land Plan	A plan showing all of the land that is required for the Proposed Development over which rights are to be sought as part of the DCO.
Landscape Character Area (LCA)	Areas of homogenous landscape or townscape character. Typical components defining character include landform, land cover, settlement pattern, form and enclosure.
LAT	Local Area Team.
LCA	Life Cycle Assessment.
LCP	Large Combustion Plant
LDF	Local Development Framework
LEC	Levy Exemption Certificate.
LG	Lighting Guide.
Lifetime	In estimating the average lifetime exposure of individual receptors or populations to substances, a lifetime is taken to be 70 years
Life Table	A way of summarising mortality rates for the age classes within a population
Likely Significant Effect	A particular stage in the assessment process covered by the Conservation of Habitats and Species Regulations 2010 and the Habitats Directive. The judgement is made with reference to the interest features of the European site and its conservation objectives. A project for which the 'likely significant effects', either alone or in combination with other plans or projects, cannot be dismissed and must be taken forward to the Appropriate Assessment stage.
Limits of deviation	The lateral limits shown on the Works Plan(s) and the vertical limits (upwards and downwards) determined by reference to the section plan(s) submitted as part of the Application and within which the Proposed Development may occur.
Lipophilic	A substance is considered lipophilic if it is readily dissolved in fat-like solvents
Listed Building	A building that has been placed upon the Statutory List of Buildings of Special Architectural or Historic Interest. Under this status a building may not be demolished, extended or altered without listed building consent from the local planning authority or the Secretary of State.
Local Development Framework	The system of plan making introduced by the Planning and Compulsory Purchase Act 2004. It is a suite of local development documents produced by the local planning authority, which collectively form the spatial planning strategy for its area.
Local Nature Reserve	A non-statutory site of local importance for wildlife, geology, education or public enjoyment.
Local Plan	Local Plans provide a detailed framework of spatial and strategic policies against which development applications can be assessed in a local planning authority area.
Local Wildlife Site (LWS)	A non-statutory designation covering a discrete area of land which is considered to be of local significance for its wildlife features.
Lower Respiratory System (LRS)	The human respiratory system below the larynx
LTP3	Third West Yorkshire Local Transport Plan
Lv	Veiling Luminance – A measure of the loss of visibility caused by the disability glare from the obtrusive light installation.
m	Metres.
MBT	Mechanical Biological Treatment
MCC	Manual Classified Turning Count

Media	For the purposes of this assessment, media are parts of the wider environment that a substance could be contained within. This includes soil, water, air, biota etc
MEL	Multifuel Energy Limited, a joint venture that has been formed between SSE Generation Limited and Wheelabrator Technology Inc (the Applicant).
Metals	The 12 metals, in their elemental form or contained within compounds, for which emission limit values are defined within the Waste Incineration Directive
Mitigation measures	A term used in EIA to describe measures proposed to prevent, reduce and where possible offset any significant adverse environmental effects.
MJ/kg	megajoules per kilogram
Multifuel power station	The thermal power station that will generate electricity through the combustion of various waste derived fuel.
Morbidity	The incidence or prevalence of disease/ill health in a population
Mortality	The incidence of death or the number of deaths in a population
MRF	Materials Recycling Facility
Municipal solid waste (MSW)	Waste from households and the household-like component of commercial and industrial waste.
MW	Megawatts, equal to one million Watts, a measure of the power capacity.
MWe	Megawatts of electrical energy. A measurement of the amount of electricity that will be exported to the national transmission system.
MWh	Megawatt hour of electricity produced.
MWth	Megawatt of thermal energy, which is the energy input or output including both electricity and heat.
National Planning Policy Framework (NPPF)	The National Planning Policy Framework which came into effect on 27 March 2012 (with some transitional arrangements) replaces the majority of national planning policy other than NPSs. The NPPF is part of the Government's reform of the planning system intended to make it less complex, to protect the environment and to promote sustainable growth. It does not contain any specific policies on Nationally Significant Infrastructure Projects but its policies may be taken into account in decisions on DCOs if the Secretary of State considers them to be both important and relevant.
National Policy Statement (NPS)	National Policy Statements are produced by Government under the Planning Act 2008 and provide the policy framework for Nationally Significant Infrastructure Projects. They include the Government's view of the need for and objectives for the development of Nationally Significant Infrastructure Projects in a particular sector such as energy and are used to determine applications for such development.
Nationally Significant Infrastructure Project (NSIP)	Nationally Significant Infrastructure Projects are defined by the Planning Act 2008 and cover projects relating to energy (including generating stations, electric lines and pipelines); transport (including trunk roads and motorways, airports, harbour facilities, railways and rail freight interchanges); water (dams and reservoirs, and the transfer of water resources); waste water treatment plants and hazardous waste facilities. These projects are only defined as nationally significant if they satisfy a statutory threshold in terms of their scale or effect.
NCV	Net Calorific Value [of a fuel], in units of MJ/kg.
NE	Natural England.
NERC ACT S41	Natural Environment And Rural Communities Act Section 41.
NGET	National Grid Energy Transmission plc.
Nitrogen Dioxide (NO_2)	A molecule composed of one nitrogen atom and two oxygen atoms, present in outdoor air as a gas
NOx	Nitrogen Oxides, comprising primarily nitric oxide (NO) and nitrogen dioxide (NO_2). NO_2 has defined air quality objectives for ambient air for the protection of human health and designated ecological receptors.
NPL	Northern Powergrid Limited.

NPV	Net Present Value.
NRSWA	New Roads and Street Works Act 1991.
NSIP	A Nationally Significant Infrastructure Project that must be authorised by the grant of a DCO under The Planning Act 2008.
NYCC	North Yorkshire County Council.
ONS	Office of National Statistics
Order	The Ferrybridge Multifuel 2 (FM2) Order, being the DCO that would be made by the Secretary of State authorising the Proposed Development, a draft of which has been submitted as part of the Application.
Order Limits	The limits of the land to which the Application for the DCO relates and shown on the Land Plan and Works Plans within which the Proposed Development must be carried out and which is required for its construction and operation. The Application Site.
OS	Ordnance Survey
Oxides of nitrogen (NO_x)	A collective term for all gases composed of nitrogen and oxygen, including nitrogen dioxide
PA	Planning Authority (within the Biodiversity Strategy).
PA	Planning Act (within the Lighting Strategy).
PAH	Polycyclic aromatic hydrocarbon
PA 2008	The Planning Act 2008 setting out legislation in relation to applications for NSIPs, including pre-application consultation and publicity, the examination of applications and decision making by the Secretary of State.
Particulate Matter	Solid particles, aerosols or liquid droplets suspended or carried in the air and includes the same matter after it has deposited onto a surface. For the purposes of this application the term includes all size fractions of suspended matter, such as dust, PM_{10} and $PM_{2.5}$.
Pathway	A term used to represent a series of sequential physical or chemical actions by which a substance is transported from a source, through the environment to a receptor. Typically described using a label that relates to the mechanism that receptors are exposed by, e.g. inhalation pathway
PCDD	Polychlorinated di benzo(p)dioxin
PCDF	Polychlorinated di benzo furans
PEC	Predicted Environmental Concentration, that is the combination of the Process Contribution (PC) and the Ambient Concentration (AC)
PEI	Preliminary Environmental Information.
PES	Primary Energy Savings.
Photocell	A light sensing device used for switching/controlling luminaires.
PICADY	Model development by TRL, used for predicting capacities, queues, delays and accident risk at priority intersections
PINS	The Planning Inspectorate. A Government agency responsible for receiving and administering the acceptance and examination of applications for NSIPs on behalf of the Secretary of State.
Polycyclic aromatic hydrocarbons	A group of several hundred chemically related persistent organic compounds of various chemical structures and toxicity. Benzo[a]pyrene is used in National air quality regulations as a marker species for reporting concentrations of PAH in ambient air
PM_{10}	Mass per cubic metre of particles passing through the inlet of a size selective sampler with a transmission efficiency of 50% at an aerodynamic diameter of 10 micrometres
$PM_{2.5}$	Mass per cubic metre of particles passing through the inlet of a size selective sampler with a transmission efficiency of 50% at an aerodynamic diameter of 2.5 micrometres
PM_1	Mass per cubic metre of particles passing through the inlet of a size selective sampler with a transmission efficiency of 50% at an aerodynamic diameter of 1 micrometre
Population	All people living in a defined area

Power Station Former Golf Course	Part of the area of land upon which the Proposed Development will be built. The Power Station Golf Course was taken out of use by the FM1 project, and replacement facilities are to be provided to satisfy a planning condition of that project (i.e. it is already no longer a golf course).
Power Station site	All of the land comprised within the Ferrybridge Power Station site, including the Ferrybridge 'C' coal fired Power Station, the FM1 site and the majority of the Application Site.
PPE	Personal Protective Equipment
PPG	Pollution Prevention Guidelines
Predicted concentrations	Mass of pollutant per volume of air. Normally expressed as mean values over a defined time period, as calculated using dispersion models
Preliminary Environmental Information Report (PEI) Report	A report which is a requirement of Regulations 2 and 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 which is prepared during the pre-application process to support consultation on the project proposal. It presents initial environmental information on the Proposed Development.
PFRA	Preliminary Flood Risk Assessment
Process Contribution	An indication of the expected contribution of emissions from a given development to ground level concentrations and deposition of pollutants at a particular location.
Proposed Development	The development to which the Application relates and which requires a DCO and as listed at Schedule 1 of the draft Order.
PSCCS	Proposed Stakeholder and Community Consultation Strategy.
PTEs	Passenger Transport Executives.
Q1-4	Quarters 1-4. 3 month periods of each calendar year, with Q1 equating to the months of January to March inclusive and so on.
Queue length	Maximum average queue length in cars
Ramsar Site	Wetlands of international importance, designated under the Ramsar Convention.
Receptors	People (both individually and communally) and the socio-economic systems they support.
Reference concentration (RfC)	An estimated daily concentration of a chemical in air, the exposure to which over a specific exposure duration poses no appreciable risk of adverse health effects, even to sensitive populations
Reference Dose (RfD)	A daily oral intake rate that is estimated to pose no appreciable risk of adverse health effects, even to sensitive populations, over a 70 year lifetime
Relative risk	The likelihood of the event in an exposed group relative to those who have not been exposed
Replacement Ferrybridge Golf Course facilities	The replacement facilities to be provided under FM1 to mitigate loss of the former golf course of the Ferrybridge 'C' power station. A number of options are under consideration for replacement facilities, one of which may be a new golf course located to the north west of the A1(M). A separate application for planning consent has been granted to Ferrybridge MFE Limited alongside consideration of other options.
Requirements	The 'requirements' at Schedule 2 of the draft Order that, amongst other matters, are intended to control the final details of the Proposed Development as to be constructed and also to control its operation, amongst other matters (e.g. control of noise levels and delivery hours) to ensure that it accords with the EIA and does not result in unacceptable impacts.
Residual effect	The environmental effect of a proposed development which remains after mitigation measures have been incorporated into the design.
RFC	Ratio of flow to capacity (where 1.0 would represent a flow at capacity)
RGL	Rating Glare Limit – A metric used for the assessment of glare.
RHI	Renewable Heat Incentive.
Risk	An estimation of the probability that an adverse health impact may occur as a result of exposure to chemicals in the amount and by the pathways

	identified
RO	Renewable Obligation.
ROC	Renewable Obligations Certificate.
Rochdale Envelope	The approach applied to the EIA of a development whereby some flexibility needs to be retained in specific aspects of the design of the development at the consenting stage, which involves defining the maximum and minimum parameters of the development and assessing these to ensure that the environmental effects of the development in its final built form have been adequately and robustly assessed as per the PINS Guidance Note 9.
Runoff	The water flow that occurs when soil is infiltrated to full capacity and excess water from rain, melt water, or other sources flows over the land.
Scheduled Monument	A nationally important archaeological site or historic building that is legally protected against disturbance, damage or unlicensed metal detecting.
SCI	Statement of Community Involvement.
SDC	Selby District Council.
SEGI	Site Of Ecological Or Geological Interest.
Sensitivity analysis	A procedure by which numerical estimates are tested to aid the interpretation of predicted values
Sequential Test	A planning principle that seeks to identify, allocate or develop areas of land in Flood Zone 1 before other areas in Flood Zones 2 and 3.
Site Waste Management Plan (SWMP)	A SWMP sets out how building materials, and resulting waste, is to be managed during the project.
SLL	Society of Light and Lighting.
SNCR	Selective Non-Catalytic Reduction, a secondary abatement technique for the control of emissions of nitrogen oxides from a stationary combustion source
SoCC	Statement of Community Consultation, a requirement to support applications under the Planning Act 2008, setting out the nature of community consultation to be undertaken under Section 47 of the PA 2008.
SoCG	Statement of Common Ground.
SGV	Soil Guidelines Values
SoS	The Secretary of State. The decision maker for DCO applications and head of Government department. In this case the SoS for the Department of Energy and Climate Change.
Source Protection Zone (SPZ)	An area defined by the Environment Agency around a groundwater abstraction to limit activities within that area and protect the abstraction.
Special Area of Conservation (SAC)	High-quality conservation sites that are protected under the European Union Habitats Directive, due to their contribution to conserving those habitat types that are considered to be most in need of conservation.
SPA	Special Protection Areas
SRF	Solid Recovered Fuel
SSE	SSE Generation Limited, 50% of the Applicant, Multifuel Energy Limited.
SSSI	Nationally designated Sites of Special Scientific Interest, an area designated for protection under the Wildlife and Countryside Act 1981 (as amended), due to its value as a wildlife and/or geological site.
Statement of Reasons	A statement setting out the reasons and justification for the compulsory acquisition of land or rights in land within the Order Limits.
STOR	Short Term Operating Reserve
SFRA	Strategic Flood Risk Assessment
Sulphur Dioxide (SO_2)	A molecule composed of one sulphur and two oxygen atoms, present in outdoor air as a gas
Sustainable Drainage Systems (SuDS)	Surface water drainage methods that take account of quantity, quality and amenity issues.
TA	Transport Assessment

TC	Traffic Contribution to ambient air concentrations of pollutants arising from vehicles associated with the construction or operation of the Proposed Development
TDI	Tolerable Daily Intake
TDS	Total Dietary Study
TEF	Toxic Equivalency Factor
TEMPRO	Trip End Model Presentation Program, software used to predict traffic growth
The Site	The site of the Proposed Development located at Stranglands Lane, Knottingley, West Yorkshire, England, WF11 8SQ. National Grid Reference: 447206, 425301. The Application Site or Order Limits.
Threshold	The dose or exposure level below which no appreciable effects on human health are observed
Tolerable Daily Intake	A World Health Organisation definition of the dose of a substance that an individual could be exposed to on each day of an entire lifetime, at which appreciable health risks do not occur. See similar 'reference dose' term used by USEPA
tpa	Tonnes per annum
Transport Assessment (TA)	The formal assessment of traffic and transportation issues relating to the proposed development. The findings are usually presented in a report, which accompanies the planning application. A summary is often included within an ES, particularly where it provides context for consideration of other issues, e.g. traffic noise and emissions.
Travel Plan (TP)	A Travel Plan is a document which includes a series of measures and initiatives which will be introduced to enhance the range of transport opportunities that are available, ultimately aiming to increase the use of sustainable transport modes.
Unit Risk Factor (URF)	The upper bound excess lifetime cancer risk estimated to result from continuous exposure to a substance at a concentration of 1µgm-3 in air
UDP	Unitary Development Plan
URL	Upward Lighting Ratio of the installation – the maximum permitted percentage of luminaire flux that goes directly into the sky. This metric is often used as a measure of 'sky-glow'.
US EPA	United States Environmental Protection Agency
Waste	Used to refer to waste generate by the Proposed Development (not waste derived fuel, which is referred to as 'fuel'.
Waste Incineration Directive (WID)	A directive of the European Union (ref: 2000/76/EC) that defines the minimum standard of environmental performance that must be achieved by installations burning waste or waste derived fuels. Now consolidated into the Industrial Emissions Directive (2010/75/EU).
WBCDS	World Business Council for Sustainable Development
WDF	Waste Derived Fuel. Processed from sources of municipal solid waste, commercial and industrial waste and waste wood.
WEEE	Waste Electric and Electronic Equipment
WHO	World Health Organisation
WMDC	Wakefield Metropolitan District Council, the host local planning authority.
WNA	Wakefield Nature Area.
Works Plan	Plan(s) showing the numbered works referred to at Schedule 1 of the Order and submitted with the Application.
WRATE	Waste and Resources Assessment Tool for the Environment.
WRI	World Resources Institute.
WTI	Wheelabrator Technologies Inc. 50% of the Applicant, Multifuel Energy Limited.
WYAAS	West Yorkshire Archaeology Advisory Service.
WYGT	West Yorkshire Geology Trust.
Years of life lost	A statistical measure of mortality effects at the population level
YW	Yorkshire Water.

Contents

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20. SUMMARY OF SIGNIFICANT EFFECTS

20.1. Introduction

20.1.1. Chapters 7 to 19 of this Environmental Statement (ES) have considered the potential environmental impacts and effects of the Proposed Development. This chapter provides a summary of those adverse and beneficial environmental effects that are considered to be significant (i.e. moderate and major effects).

20.1.2. In addition, this chapter presents details of proposed mitigation measures for any effects assessed as potentially significant as well as embedded mitigation measures that have been taken into account in the assessments in order to reduce predicted effects to be insignificant. Embedded mitigation includes measures taken into account within the design of the Proposed Development. Where mitigation is embedded into the design or secured by requirements of the draft DCO, this is specified.

20.2. Significant Environmental Effects and Proposed Mitigation Measures

20.2.1. Table 20.1 summarises the significant environmental effects of the Proposed Development, following implementation of the embedded mitigation or impact avoidance measures included in the design of the Proposed Development. The table also summarises any additional mitigation measures that have been identified in the technical assessments contained in the ES. In-combination and cumulative effects are included separately at the end of the table.

20.2.2. Table 20.2 sets out the mitigation identified within the ES that will be secured by DCO requirements, including embedded mitigation, measures implemented through design, and mitigation measures specifically required to address identified significant effects.

20.2.3. As outlined in **Chapter 6 Assessment Methodology and Significance Critieria**, for the purposes of this ES an effect is considered to be 'significant' if it is assessed to be moderate (adverse or beneficial) or major (adverse or beneficial). Minor and neutral effects are only referenced in this chapter where a 'significant' effect has been reduced to an 'insignificant' effect through mitigation.

20.2.4. To provide further clarification on the nature of the effects, each has been identified as

- short term (St) – effects occurring only over a short period of time, *e.g.* an effect that only lasts for the duration of the construction period, or one that lasts for only part of the operational phase;
- medium term (Mt) – effects occurring for the duration of the development's operation, but which cease when operations cease; or
- long term (Lt) – effects occurring beyond the operation of the proposed scheme, for example the permanent change to archaeology;
- temporary (T) – effects that are not permanent because the effect would no longer occur if the impact was removed within the relevant timescale (for example the visual amenity impact of construction structures would be described as St, T as the impact goes when the structures are removed);
- permanent (P) – effects that are permanent and cannot be readily reversed within the relevant timescale (for example an environmental feature that is lost and cannot be replaced until after decommissioning would be Mt, P. In the event that it could not be replaced at all, this would be Lt, P); and
- direct (D) – effects that result from a direct impact, for example , the loss of ecological habitat; or

- indirect (In) – also known as secondary effects, are effects that result indirectly, for example, increased traffic could indirectly impact on air quality or creation of construction jobs can indirectly impact upon the local area through increased use of services/ goods.

Table 20.1 Summary of significant effects

Development stage	Environmental effect (following scheme design and impact avoidance measures)	Effects prior to mitigation	Additional mitigation/ enhancement (if identified)	Residual effect after additional mitigation	Nature of effect(s)
Chapter 7: Transport and Access					
Construction	No significant effects identified				
Operation	No significant effects identified				
Chapter 8: Air Quality					
Construction	No significant effects identified				
Operation	No significant effects identified				
Chapter 9: Noise and Vibration					
Construction	Evening and night-time noise effect at nearby noise sensitive receptors due to construction activities	Moderate adverse	Employment of best practicable means working practices. Limitation of night time activities to exclude those that could generate substantial noise. A noise limit of 55 dB during night time hours will be set at the Order Limits, to be measured by a continuous noise monitor.	Negligible	St, T and D
	Potential for night-time construction traffic noise effects on Kirkhaw Lane	Moderate adverse	Agreed delivery times and routes for construction deliveries. Out of hours deliveries only subject to agreement with WMDC. Provision for vehicle holding areas off the public highway. Control of temporary parking near noise sensitive receptors. The use of clear signage regarding routes.	Minor adverse	St, T, and D
Operation	No significant effects identified				

Table 20.1 Summary of significant effects

Development stage	Environmental effect (following scheme design and impact avoidance measures)	Effects prior to mitigation	Additional mitigation/ enhancement (if identified)	Residual effect after additional mitigation	Nature of effect(s)
Chapter 10: Land Use and Socio-economics					
Construction	Economic benefit from creation of construction industry jobs	Moderate beneficial	None required –the Applicant and its contractor will seek to maximise local employment opportunities through Meet the Buyer events	Moderate beneficial	St, T, D and In
Chapter 11: Landscape and Visual Amenity					
Construction	Visibility of tower cranes, tallest structures and stack from Viewpoint F (Darkfield Lane, Pontefract)	Moderate adverse	None	Moderate adverse	St, T and D
Operation	Visibility of boiler/ turbine halls and stack from Viewpoint F (Darkfield Lane, Pontefract)	Moderate adverse	None	Moderate adverse	Lt, P and D
Chapter 12: Water Resources and Flood Risk					
Construction	No significant effects identified				
Operation	No significant effects identified				
Chapter 13: Ground Conditions					
Construction	No significant effects identified				
Operation	No significant effects identified				
Chapter 14: Ecology					
Construction	Loss of woodland, amenity grassland, amphibian breeding pond and habitats for birds	Minor adverse/ neutral	Creation of new habitats and management of landscape to improve biodiversity through the Biodiversity Strategy for the Proposed Development (Application Document Ref. No. 5.14)	Moderate beneficial	Lt, P, D
Operation	No significant effects identified				

Table 20.1 Summary of significant effects

Development stage	Environmental effect (following scheme design and impact avoidance measures)	Effects prior to mitigation	Additional mitigation/ enhancement (if identified)	Residual effect after additional mitigation	Nature of effect(s)
Chapter 15: Archaeology and Cultural Heritage					
Construction	No significant effects identified				
Operation	No significant effects identified				
Chapter 16: Waste and Resource Management					
Construction	No significant effects identified				
Operation	No significant effects identified				
Chapter 17: Sustainability					
Construction	No significant effects identified				
Operation	Significant carbon savings through the use of waste derived fuel in comparison to disposal of waste directly to landfill	Significant beneficial	None	Significant beneficial	Lt, P and D
Chapter 18: Health Impact Summary					
Construction	No significant effects identified				
Operation	No significant effects identified				
Chapter 19: Cumulative and Combined Effects					
Construction	No significant effects identified				
Operation	No significant effects identified				

Note: Lt = long term, Mt = medium term, St = short term, P = permanent, T = temporary, D = direct and In = indirect.

Table 20.2 Summary of mitigation measures secured by DCO requirements

Impact/ Issue	Mitigation	DCO requirement
Chapter 7: Transport and Access		
Additional traffic on road network during construction and operation	Travel plans for construction and operation phases will aim to reduce the volume of traffic to and from the Site, especially during peak hours, and define transport routes. The contractor will be required to prepare a Traffic Management Plan to identify appropriate and safe routes to and from Site including pedestrian and cycle access, including routes for abnormal traffic and the management of traffic during any incidents affecting traffic on the local road network, during the construction phase. Specified times for construction hours and HGV deliveries have been proposed. A sustainable fuel transport management plan – similar to that developed for FM1 – will be used to select the most sustainable transport method for contracted fuel.	10 (Highway accesses) 19 (Construction traffic routing and management plan) 20 (Construction hours) 31 (Operational traffic routing and management plan) 32 (Travel plan for operational staff) 33 (Operational deliveries) 34 (Sustainable fuel transport management plan)
Chapter 8: Air Quality		
Emission of dust during construction	Standard dust control measures will be adopted as normal working practice at the Site during the construction phase, as outlined in the construction environmental management plan (CEMP). These may include: • no bonfires on site; • machinery and dust causing activities will be located away from sensitive receptors where possible; • trained and responsible manager on site during working times to maintain logbook and carry out inspections; • regular vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; • all loads entering and leaving site to be covered; • minimise movement of construction traffic around site; • hard surfacing and/ or effective cleaning of haul routes and appropriate speed limit around site; and • use of water as dust suppressant where appropriate during dry weather.	18 (Construction environmental management plan) 25 (Control of dust emissions) 29 (Accumulations and deposits) 35 (Enclosure of loads)

Impact/ Issue	Mitigation	DCO requirement
Emission of air pollutants during operation	The design of the Proposed Development will be in accordance with Best Available Techniques (BAT) by incorporating the following measures: • control of combustion conditions (e.g. maintaining the flue gases above the minimum temperature specified in the European Industrial Emissions Directive (IED) for a sufficient time and with adequate mixing); • rapid cooling of the flue gases to reduce the formation of dioxins and furans; • operation of the plant to achieve a nitrogen oxides (NOx) Emissions Limit Value (ELV) that is tighter than the statutory IED limit, at 180 mg/Nm3; • injection of ammonia solution or urea to remove oxides of nitrogen from the flue gases (if required); • injection of lime or equivalent reagent for control of acid gases, including SO2; • injection of activated carbon for control of mercury and dioxins and furans; • a bag filter system for removal of particulate matter; and continuous monitoring of emissions and combustion performance to optimise process conditions and maintain compliance with emission limit values; • the Applicant will specify the use of heavy goods vehicles that can meet the EURO VI emissions standard for all contracted fuel deliveries and residue removal from the start of commercial operation of the Proposed Development; • specification of a main stack height of 136 mAOD (nominally 119m stack height above site ground level) to ensure adequate dispersion of emissions; • ambient air quality monitoring programme to be agreed and implemented; • Odour Management Plan to be implemented.	4 (Detailed design) 24 (Control of odour emissions) 25 (Control of dust emissions) 26 (Control of smoke emissions) 27 (Control of steam emissions) 29 (Accumulations and deposits) 36 (Air quality – emissions reduction) 37 (Air quality monitoring) DCO Article 5
Chapter 9: Noise and Vibration		
Emission of noise during construction	The following measures to control and mitigate noise impacts during construction will be implemented, which will be managed through the construction environmental management plan (CEMP): • normal construction working hours (including arrival and departure of associated HGVs) will be 0700 to 1900 on weekdays (excluding Bank Holidays) and 0700 to 1300 Saturdays; • construction noise will be limited to 55 dB LAeq1h at the Order Limits (as measured by a continuous noise monitor) and only activities that do not exceed this limit will be undertaken outside normal	18 (Construction environmental management plan) 20 (Construction hours) 23 (Control of noise during construction)

Impact/ Issue	Mitigation	DCO requirement
	working hours; • the following plant/ activities will be restricted to normal working hours only: - impact wrenches, - sheet piling, - concrete scabbling, - external earthworks and - concrete jack hammering; • consultation with WMDC will be undertaken regarding construction traffic movements outside of normal working hours; • use of reversing alarms at night will be prohibited including white noise; • unnecessary revving of engines will be prohibited; • contractors will comply with the recommendations in British Standard (BS) 5228; (Ref 20-1); • vehicles and mechanical plant employed for any activity associated with the construction works will, where reasonably practicable, be fitted with effective exhaust silencers and will be maintained in good working order and operated in a manner such that noise emissions are controlled and limited as far as reasonably practicable; • provision will be made for vehicle holding areas off the public highway where vehicles can wait for clearance of any blockages at the Site or on the local road network; and • a dedicated contact number will be provided for local residents for potential queries or complaints.	
Generation of noise during operation	The design of the Proposed Development incorporates measures to control noise, including: • locating the main plant towards the north-east of the Site to increase the separation distance to the nearest residential receptors; • Fixed position of north-west corner of air cooled condenser; and orientating the main plant to screen the nearest residential receptors from noise generated by the air cooled condenser of both the Proposed Development and FM1.	4 (Detailed design) DCO Article 5
Chapter 10: Land Use and Socio-Economics		
None	None	

Impact/ Issue	Mitigation	DCO requirement
Chapter 11: Landscape and Visual Amenity		
Impact of operational Proposed Development buildings on landscape character and visual amenity	Landscaping will be undertaken within the Site to aid low level screening from locations on or very close to the Site boundary, to increase the amenity value to site workers and visitors and enhance the biodiversity value of the Site. Measures relating to building finishes, massing of component parts and use of lighting will be incorporated during the detailed design stage in order to minimise the impact on both landscape character and visual amenity. Requirements have been included for the restoration of the land used for construction and for the eventual decommissioning of the Proposed Development at the end of its operational life.	4 (Detailed design) 7 (Provision of landscaping) 8 (Implementation and maintenance of landscaping) 9 (External lighting) 22 (Construction – A1(M)) 30 (Restoration of land used temporarily for construction) 42 (Decommissioning)
Air safety	Aviation lighting will be installed on the proposed main stack and any crane of height greater than 60 m and information will be supplied to chart the Proposed Development for civil aviation purposes.	43 (Aviation warning lighting) 44 (Air safety)
Chapter 12: Water Resources and Flood Risk		
Prevention of pollution of water resources during construction	Standard impact avoidance measures will be implemented and managed through the CEMP, including: • measures set out in the Environment Agency Pollution Prevention Guidelines (PPG) documents; • compliance with Control of Substances Hazardous to Health (COSHH) Guidelines; • provision of spill kits in areas of fuel/oil storage; • temporary/ protected stockpiles to be placed away from watercourse and drainage systems; • plant and machinery to be placed away from waterbodies; • drip trays to be installed beneath oil tanks/engines etc.; • discharge/ disposal plans for contaminated water to be agreed with relevant bodies; • temporary drainage facilities to be provided and details to be developed in consultation with the Environment Agency, which may include - swales/ silt fences/ settlement tanks/ oil interceptors; - site access points will be regularly cleaned to prevent build-up of dust and mud;	5 (Design of fuel storage bunker) 6 (Pre-development groundwater table level survey) 13 (Surface and foul water drainage) 15 (Contaminated land and groundwater) 18 (Construction environmental management plan) 21 (Piling)

Impact/ Issue	Mitigation	DCO requirement
	- a valve to isolate the settlement tank/ ponds in the event of a polluted discharge; - all potentially polluted waters to have separate drainage and to be tankered away from the Site; and - methods of construction of foundations and services to prevent migration pathways forming for contaminants. • Piling will not be undertaken until a piling method statement has been prepared and approved. The fuel bunker will not be constructed until the depth of the water table has been determined through 12 months of monitoring of existing boreholes and until a BAT appraisal of the design of the bunker has been approved.	
Flood risk to the Site during construction	The following measures will be implemented: • subscription to the Environment Agency's Flood Warning Service in the area; • containment of material storage areas to ensure material is not washed into watercourses; and • pollution prevention guidelines will be followed by the contractor (e.g. locating stockpiles in Flood Zone 1 wherever possible).	14 (Flood risk mitigation)
Increase in impermeable area following completion of the Proposed Development	Drainage design include: • attenuation and surface water discharge restrictions to achieve greenfield runoff rate; and • SuDS techniques (e.g. swales, permeable paving, soakaways) where possible.	13 (Surface and foul water drainage) 14 (Flooding)
Residual flood risk to Proposed Development during operation	The following measures will be implemented: • subscription to Environment Agency's Flood Warning Service in the area; • flood resilience measures to be incorporated into the Proposed Development to minimise the damage that could be caused by flooding on site and reduce recovery time, for example: - placement of main plant and flood sensitive equipment above the River Aire 1 in 100 year flood level plus an allowance for climate change, - finished floor level raised above adjacent ground levels, - containment of storage areas to ensure material is not washed into watercourses, - flood proofing including the use of flood resistant building materials; and - inclusion of the Proposed Development in the Ferrybridge 'C' Power Station's emergency response procedures including the recommendation of at least one Flood Warden.	14 (Flood risk mitigation)

Impact/ Issue	Mitigation	DCO requirement
Chapter 13: Ground Conditions		
Potential disturbance of contaminated land and associated risks to sensitive receptors during construction and/or operation	Although the risk of ground contamination is low on the Site, contingency procedures to be implemented to evaluate and mitigate suspected or actual ground contamination, which will be managed through the CEMP.	15 (Contaminated land and groundwater) 18 (Construction environmental management plan)
Chapter 14: Ecology		
Loss of existing habitats within the Site during construction	Restoration and enhancement of ecological habitats within the Site, including replacement of former golf course pond and creation of local BAP priority habitats. Management of habitats for biodiversity benefit.	17 (Biodiversity management plan)
Potential impacts on Local Wildlife Site during construction	In addition to the dust control measures listed under Chapter 8: Air Quality, the construction site layout to be planned, if possible, to locate dust causing activities away from sensitive ecological receptors (i.e. Fryston Park woodland).	18 (Construction environmental management plan) 25 (Control of dust emissions)
Potential disturbance of nesting birds during construction	Mitigation measures to ensure compliance with legislation protecting the nests of all species of wild bird from damage and direct disturbance will be implemented included: • where possible vegetation clearance works will be undertaken outside the main breeding bird season (March to August inclusive); and • where vegetation clearance is necessary outside the above period, then an ecologist would inspect the relevant habitat no more than two days before the required works for any bird nests, and any requirements for mitigation identified by the ecologist will be implemented as required.	18 (Construction environmental management plan)
Potential for light spill onto Fryston Park Local Wildlife Site	Impact avoidance through design of lighting to be directed away from Fryston Park woodland.	9 (External lighting)
Chapter 15: Archaeology and Cultural Heritage		
Potential disturbance of archaeological resources during construction	Scheme of trial trenching to be agreed and implemented in the north-east part of the Site.	16 (Archaeology)

Impact/ Issue	Mitigation	DCO requirement
Chapter 16: Waste and Resource Management		
Construction and operational waste management	A Site Waste Management Plan will be developed and implemented in accordance with the agreed frameworks to minimise the volume of waste requiring disposal to landfill and to optimise the beneficial re-use of materials.	41 (Waste management – construction and operational waste)
Chapter 17: Sustainability		
Waste hierarchy	The Proposed Development will be operated in accordance with the waste hierarchy, to be managed through the site operator's Environmental Management System (EMS).	40 (Waste hierarchy scheme)
Chapter 18: Health Impact Summary		
Minimising health impacts from the operation of the Proposed Development	The Proposed Development will be operated in accordance with the requirements of the Industrial Emissions Directive, to be managed through an Environmental Permit. This covers the design and operation of the plant in accordance with BAT including control of stack and fugitive emissions. Ambient air monitoring will be undertaken by requirement in a similar way to that being undertaken for FM1.	24 (Control of odour emissions) 25 (Control of dust emissions) 26 (Control of smoke emissions) 27 (Control of steam emissions) 28 (Control of insects and vermin) 29 (Accumulations and deposits) 36 (Air quality – emissions reduction) 37 (Air quality monitoring)

20.2.5. In addition to the mitigation measures outlined in Table 20.2 above, the Proposed Development will be operated in accordance with the requirements of the Environmental Permit and the operator's Environmental Management System.

20.3. Conclusions

20.3.1. The ES has concluded that the Proposed Development will result in significant (moderate) beneficial socio-economic effects by the creation of jobs during the construction phase. There are also predicted to be minor beneficial effects through creation of jobs and economic influx during the operational phase.

20.3.2. The carbon assessment has concluded that whilst the exact composition of fuel to be used by the Proposed Development is not known, the Proposed Development presents significant carbon savings when compared to the baseline (of the equivalent composition material going to landfill) for the likely range of fuel composition, and that the Proposed Development will outperform the average existing power stations within the UK on a tonnes CO_2 per GWh basis.

20.3.3. The Proposed Development is set within the existing Ferrybridge Power Station site, and will be designed in keeping with the surrounding infrastructure, and in line with the design and finishes agreed for FM1. Substantial effort has been made to develop the concept design of the Proposed Development so as to minimise significant adverse environmental effects through embedded mitigation, resulting in many potentially significant effects being designed out or reduced prior to assessment in the EIA. This has helped to minimise the potential for significant adverse effects arising from the Proposed Development.

20.3.4. Whilst there will be an increase in traffic as a result of the construction and operation of the Proposed Development, it is not anticipated that the increase would result in a significant effect on the users of the roads or in terms of noise or air quality. The transport effects arising from the Proposed Development are not anticipated to be significant.

20.3.5. The noise assessment has concluded that the operational noise effect will be negligible at sensitive receptors. During construction there is potential for a moderate effect from night time construction works, though implementation of noise controls and mitigation measures will reduce this effect to be insignificant. Similarly, without mitigation, out of hours (night-time) construction traffic on Kirkhaw Lane is anticipated to have a moderate adverse effect, which reduces to a minor adverse effect after the implementation of mitigation.

20.3.6. The air quality assessment has modelled the dispersion of pollutants from the stack and the potential emissions associated with transport. The air dispersion modelling has informed the height selected for the stack to ensure sufficient dispersion is achieved. The assessment has concluded a negligible or minor impact (not significant) on all receptors. However, given the location of the Site within an Air Quality Management Area, additional embedded mitigation measures have been employed to reduce the predicted air quality impact of the Proposed Development, including use of a higher stack height, tightening of the emission limit for nitrogen oxides and use of HGVs that meet the 2014 new engine EURO VI emissions performance.

20.3.7. A significant (moderate) adverse visual effect has been identified during the construction and operational phases in the area of one viewpoint assessed (Viewpoint F – Darkfield Lane, Pontefract) due to the visibility of tower cranes, tallest structures and stack. Due to the size and massing of the structures, no specific mitigation measures are proposed although landscaping will be undertaken within the Site to aid low level screening and enhance the biodiversity value of the Site.

20.3.8. The existing drainage pond within the former golf course is likely to be lost to the Proposed Development, and therefore mitigation is proposed through the implementation of replacement habitat. This will either be through enhancement of a new attenuation

pond to be installed on the Site to enhance biodiversity potential, or through the development of a separate, dedicated biodiversity pond, depending on the final design of the Proposed Development. Additional biodiversity enhancement measures are also proposed within the Site boundary in order to maximise the potential of the soft landscaped areas in line with relevant planning policy. This is set out in further detail in the Biodiversity Strategy (Application Document Ref 5.14) and the Landscaping Strategy (Application Document Ref 5.13).

20.3.9. All other environmental assessments have concluded that no significant adverse effects will result from the Proposed Development when taking into account embedded design and mitigation measures and best practice site management measures.

20.4. References

Ref 20-1 British Standards Institute (2009) *BS 5228 - Noise and Vibration Control on Construction and Open Proposed Developments*, BSI, London.

APPENDIX 5

REGULATION 7(3) CONSULTEE DECISION FROM THE SECRETARY OF STATE

Department for Energy Security & Net Zero

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SW1A 2AW
energyinfrastructureplanning@energysecurity.gov.uk
www.gov.uk/desnz

Matthew Fox
Pinsent Masons LLP
30 Crown Place
London
EC2A 4ES

23 October 2024

Dear Mr Fox,

THE FERRYBRIDGE MULTIFUEL 2 POWER STATION ORDER 2015

PROPOSED NON-MATERIAL CHANGE APPLICATION

REQUEST FOR CONSENT TO REDUCE THE NUMBER OF PARTIES THAT NEED TO BE CONSULTED ON A NON-MATERIAL CHANGE APPLICATION

1. Thank you for your letter of 5 August 2024 on behalf of Enfinium Limited ("the Applicant"), which sets out proposed changes to the Ferrybridge Multifuel 2 Power Station Order 2015 ("the Order"). The letter requests the Secretary of State's consent under Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations") to a reduced list of consultees.

2. Paragraph 15 of the 5 August 2024 letter states that the change to the Order which comprises the proposed Non-Material Change Application is to modify *"the definition of "waste derived fuel" in article 2(1) to confirm that black bag waste – as municipal solid waste – is a permissible fuel type for the purposes of Requirement 3(2)."*

3. The list of consultees proposed by the Applicant are:

    1) the Environment Agency ("the EA");
    2) Wakefield Metropolitan District Council.

4. In paragraph 24 of the letter of 5 August 2024, the Applicant explains the reasons for its proposed reduced consultee list explaining that, *"[i]n light of the fact that the EA has already approved the necessary minor variation to the [environmental permit] and that any environmental effects anticipated from the inclusion of black bag waste within the permitted fuel types are expected to be negligible, and that there are no physical or emissions changes to the Development, Enfinium considers that the consultation for this NMC can be limited, as there will be no impacts from the NMC to external parties, the public, or receiving environments that are the responsibility of statutory bodies. Furthermore, no third-party land interests are affected by the proposed NMC."*

5. The Secretary of State agrees that the two consultees proposed by the Applicant for consultation as listed at paragraph 3 above should be consulted. However, the Secretary of State considers that in addition to these two consultees, the Applicant should further consult the following parties for comments on the proposed change:

    - North Yorkshire County Council
    - Selby District Council
    - The Canal & River Trust
    - West Yorkshire Fire and Rescue Service
    - Yorkshire Wildlife Trust
    - West Yorkshire Ecology Service
    - Natural England
    - Public Health England
    - The Health and Safety Executive

6. The Secretary of State considers that the Applicant has not provided specific reasons why these parties should not be consulted. The Secretary of State considers that these parties may have representations to make in relation to the proposed change.

7. The Secretary of State is satisfied that is it is not necessary for other consultees from the Order or from the local area to be included in the reduced consultee list, as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.

8. Accordingly, under the 2011 Regulations, the Secretary of State consents to the reduced list of consultees as specified in this letter.

9. In taking this decision, the Secretary of State acknowledges that notice of the Application will be provided by the Applicant, in line with the requirements in Regulation 6 of the 2011 Regulations.

10. The Secretary of State's written consent in this matter should not be taken as indicating approval for any other aspects of the proposed changes to the Order, which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,

John Wheadon

Head of Energy Infrastructure Planning Delivery

On behalf of the Secretary of State for Energy Security and Net Zero

APPENDIX 6

REGULATION 6 NOTICE FOR PUBLICATION IN LOCAL NEWSPAPERS

ENFINIUM LIMITED

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER:

THE FERRYBRIDGE MULTIFUEL 2 POWER STATION ORDER 2015 (SI 2015/1832) AS CORRECTED BY THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (CORRECTION) ORDER 2016 (SI 2016/737) AND AS AMENDED BY THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (AMENDMENT) ORDER 2018 (SI 2018/1016)

Notice is hereby given that an application has been made by Enfinium Limited (company number 07593865) of 123 Victoria Street, London, England, SW1E 6DE (the "**Applicant**") to the Secretary of State for Energy Security and Net Zero to make a non-material change to **THE FERRYBRIDGE MULTIFUEL 2 POWER STATION ORDER 2015** (as corrected by **THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (CORRECTION) ORDER 2016** and as amended by **THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (AMENDMENT) ORDER 2018)** (the "**Amended Order**") under the Planning Act 2008 (the "**NMC Application**").

The Amended Order granted development consent for the construction and operation of a multifuel power station with a generating capacity of up to 90 MWe, fuelled by waste derived fuels from various sources, on land at the existing Ferrybridge Power Station site, north-west of Knottingley, West Yorkshire (the "**Development**").

The Amended Order authorised the Development subject to Requirements, set out in Schedule 2 to the Amended Order. These include Requirement 3 which provides that:

"3.—(1) Only fuel of a type specified in the environmental permit may be combusted in the boilers of the authorised development.

(2) Except for purposes of the start-up or support firing of a boiler, only waste derived fuel may be combusted in the boilers of the authorised development."

Article 2(1) of the 2015 Order defines "*waste derived fuel*" as "*fuel derived from (i) processed municipal solid waste, (ii) commercial and industrial waste or (iii) waste wood*".

The Development is also regulated by the Environment Agency ("**EA**") under the Environmental Permitting (England and Wales) Regulations 2016 (as amended) (the "**Permitting Regulations**"). An environmental permit has been granted by the EA under the Permitting Regulations (reference EPR/XP3833DK) (the "**EP**").

Schedule 2 of the EP outlines the waste types, raw materials and fuels permitted to be used for the purposes of combustion in the Development. These include waste class EWC 20 03 01 (mixed municipal waste), which includes household waste and similar commercial, industrial and institutional wastes – sometimes referred to as 'black bag' waste. This category of waste is therefore authorised for the purposes of Requirement 3(1) of the Amended Order.

The NMC Application seeks to make a non-material change to the Amended Order in order to clarify that the acceptance from local authorities of mixed municipal waste constitutes a permitted waste derived fuel for the purposes of Requirement 3(2), to reflect the fact that this type of waste has been authorised by the EA under the EP.

This NMC Application will not increase the permitted annual waste throughput consumed by the Development, which will continue to be limited to 725,000 tonnes per annum. The waste derived fuel delivery and unloading operations will also remain unchanged, with no changes to the type, number or character of vehicle movements required to service the Development and import the fuel.

Most of the operational procedures will continue to be implemented as at present. The key process change will comprise additional mixing of the fuel within the storage bunker prior to being fed to the combustion process to improve and maintain the homogeneity of the fuel. However, additional equipment is not required to be installed and no physical change is required to any aspect of the Development as already consented.

As the throughput and nature of the fuel used at the Development will remain unchanged, the emissions to air, water and land will remain unchanged, as will the current permitted emission limit values in the EP. Therefore, additional emissions abatement measures are not required to be installed.

Monitoring of emissions will continue to be undertaken in accordance with the EP and the odour management plan for the Development has been reviewed to ensure any potential additional odour impacts from the mixed municipal waste will be managed appropriately.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the project page on The Planning Inspectorate's National Infrastructure Planning website at:

https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010061.

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on the website), copies are available for inspection free of charge until **Friday 21 February 2025** at **Pontefract Library, Shoemarket, Pontefract, WF8 1BD** during the following hours:

Monday: 9.30am to 7.00pm

Tuesday: 9.30am to 5.00pm

Wednesday: 9.30am to 6.00pm

Friday: 9.30am to 5.00pm

Saturday: 9.30am to 4.00pm

NB Due to the Christmas and Hogmanay period, the library will be closed from 5.00pm on Christmas Eve (Tuesday 24 December 2024), re-opening at 9.30am on Friday 3 January 2025.

You can also request that a hard copy be sent to you free of charge by contacting the Applicant by email to **communications@enfinium.co.uk** or by telephone on **0800 915 3603**.

Any representations about the NMC Application must be made in writing to The Planning Inspectorate by email to **FM2@planninginspectorate.gov.uk** or by post to **National Infrastructure Planning, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN**. Consultation responses will be published by the Planning Inspectorate on the project page of the National Infrastructure Planning website.

Please quote reference **EN010061** on any correspondence.

Any representations must be received by the Planning Inspectorate by no later than **11.59pm** on **Friday 21 February 2025**.

ENFINIUM LIMITED

APPENDIX 7

PRO FORMA CONSULTEE NOTIFICATION LETTER

[insert contact details]

19 December 2024

Dear Sirs

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER:

THE FERRYBRIDGE MULTIFUEL 2 POWER STATION ORDER 2015 (SI 2015/1832) AS CORRECTED BY THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (CORRECTION) ORDER 2016 (SI 2016/737) AND AS AMENDED BY THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (AMENDMENT) ORDER 2018 (SI 2018/1016)

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

We are writing to you in relation to an application that has been made by Enfinium Limited (company number 07593865) of 123 Victoria Street, London, England, SW1E 6DE (the "**Applicant**") to the Secretary of State for Energy Security and Net Zero to make a non-material change to **THE FERRYBRIDGE MULTIFUEL 2 POWER STATION ORDER 2015** (as corrected by **THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (CORRECTION) ORDER 2016** and as amended by **THE FERRYBRIDGE MULTIFUEL 2 POWER STATION (AMENDMENT) ORDER 2018)** (the "**Amended Order**") under the Planning Act 2008 (the "**NMC Application**").

We act for the Applicant in relation to the NMC Application.

The proposed non-material change

The Amended Order granted development consent for the construction and operation of a multifuel power station with a generating capacity of up to 90 MWe, fuelled by waste derived fuels from various sources, on land at the existing Ferrybridge Power Station site, north-west of Knottingley, West Yorkshire (the "**Development**"). The Amended Order authorised the Development subject to Requirements, including Requirement 3 which sets out the permitted fuel sources which may be combusted.

As explained in the enclosed documents, the Development is regulated by the Environment Agency ("**EA**") under the Environmental Permitting (England and Wales) Regulations 2016 (as amended) (the "**Permitting Regulations**"). An environmental permit has been granted by the EA under the Permitting Regulations (reference EPR/XP3833DK) (the "**EP**").

Schedule 2 of the EP outlines the waste types, raw materials and fuels permitted to be used for the purposes of combustion in the Development. These include waste class EWC 20 03 01 (mixed municipal waste), which includes household waste and similar commercial, industrial and institutional wastes – sometimes referred to as 'black bag' waste.

The NMC Application seeks to make a non-material change to the Amended Order in order to clarify that the acceptance from local authorities of mixed municipal waste constitutes a permitted waste derived fuel for the purposes of Requirement 3 of the Amended Order, to reflect the fact that this category of waste has been authorised by the EA under the EP.

[paragraph relevant to the consultee's area of expertise]

Consultation

Before a decision can be made by the Secretary of State, the Applicant must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the "**2011 Regulations**").

On 23 October 2024 the Secretary of State issued a notice under Regulation 7(3) of the 2011 Regulations. That notice identified you as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations.

Please find enclosed a hard copy of the application documents submitted to the Secretary of State, except Appendix 1 which can only be provided in electronic format. Appendix 6 contains details of how you can access the application documents electronically and how to respond to the consultation.

Any representations about the NMC Application must be made in writing directly to The Planning Inspectorate by email to **FM2@planninginspectorate.gov.uk** or by post to **National Infrastructure Planning, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN**.

Please quote reference **EN010061** on any correspondence.

As set out in the enclosed documents, the consultation ends on **Friday 21 February 2025**. Therefore, the deadline for receipt of your views about the application is **11:59pm** on that date.

Yours faithfully

Pinsent Masons LLP

On behalf of
ENFINIUM LIMITED
123 Victoria Street
London
SW1E 6DE

Enclosures:

(i) Copy of application documents submitted to the Secretary of State

APPENDIX 8

MAIN APPLICATION DOCUMENT WHICH ACCOMPANIED THE APPLICATION TO THE EA FOR THE APPROVED MINOR VARIATION TO THE EP

Ferrybridge 2 (EPR/XP3833DK/V006)

Environmental Permit Variation Application
Main Supporting Document

enfinium Ferrybridge 2 Limited

Project number: 60685994
60685994-EP-002

6th October 2022

Delivering a better world

Quality information

Prepared by	Checked by	Verified by	Approved by
Aakanksha Sinha Principal Environmental Permitting Consultant	Helen Watson Associate Director	Richard Lowe Director of Power and Industrial Consents	Helen Watson Project Manager

Revision History

Revision	Revision date	Details	Authorized	Postion
1	26th September 2022	Draft for client	Helen Watson	Project Manager
2	6th October 2022	Final	Helen Watson	Project Manager

Prepared for:

enfinium Ferrybridge 2 Limited

Prepared by:

Aakanksha Sinha
Principal Environmental Permitting Consultant
[redacted]aecom.com

AECOM Infrastructure & Environment UK Limited
5th Floor, 2 City Walk
Leeds LS11 9AR
United Kingdom

[redacted]

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Tables

1. Non-Technical Summary

AECOM Ltd (AECOM) has been commissioned by enfinium Ferrybridge 2 Limited ('F2') to prepare an application to vary the Environmental Permit (reference: EPR/XP3833DK) for the Ferrybridge 2 Energy from Waste (EfW) plant ("the Installation") to allow acceptance and combustion of municipal solid waste (MSW) contained within bin bags ("black bag waste") in addition to refuse derived fuel (RDF) to generate power. The Installation is regulated by the Environment Agency (EA) under the Environmental Permitting (England and Wales) Regulations 2016 (as amended) ('the EP Regulations'). The Installation is located in Knottingley, West Yorkshire, WF11 8SQ; the location of the Installation is shown in Figure 1 (Appendix A).

Schedule 2 of the Environmental Permit outlines the waste types, raw materials and fuels permitted to be used in the Installation. The Installation is currently permitted to use some waste sources falling under the definition of EWC 20 – "*municipal wastes (household waste and similar commercial, Industrial and institutional wastes) including separately collected fractions*"; including EWC codes – EWC 20 01 (Separately collected fractions (except 15 01)), EWC 20 01 01 (Paper and cardboard), EWC 20 01 08 (Biodegradable kitchen and canteen waste), EWC 20 01 10 (Clothes), EWC 20 01 11 (Textiles), EWC 20 01 25 (Edible oil and fat), EWC 20 01 38 (Wood other than those mentioned in 20 01 37) and EWC 20 01 39 (Plastics). The proposed black bag waste stream falls under the definition of EWC 20 03 01 - *mixed municipal waste*. F2 therefore propose to amend Schedule 2 of the Environmental Permit to add EWC 20 03 01.

This minor variation will not increase the permitted annual waste throughput to the Installation, which will continue to be limited to 725,000 tonnes per annum (tpa). The waste fuels delivery and unloading operations will also remain unchanged. Most of the operational procedures will continue to be implemented as at present. The key process change will comprise additional mixing of the waste within the storage bunker prior to being fed to the combustion process to improve and maintain the homogeneity of the fuel. However, additional equipment is not required to be installed.

As the throughput and nature of the fuel used at the Installation will remain unchanged, the emissions from the Installation to air, water and land will remain unchanged, as will the current permitted Emission Limit Values. Therefore, additional emissions abatement measures are not required to be installed at the Installation. Monitoring of emissions will continue to be undertaken as per the existing Environmental Permit.

The Odour Management Plan for the Installation has been reviewed to ensure any potential additional odour impacts from the black bag waste will be managed appropriately.

Due to the limited changes proposed to be made to the Environmental Permit by this application, a detailed impact assessment on the sensitive receptors in the vicinity of the Installation is not required. Furthermore, no additional land will be added to the Environmental Permit boundary, and no new listed activities are proposed to be added to the Permit, therefore, the baseline for the ground conditions will also remain the same

2. Introduction

This document supports an application submitted by enfinium Ferrybridge 2 Limited ('F2') under the Environmental Permitting (England and Wales) Regulations 2016 (as amended) ('the EP Regulations'), to vary the Environmental Permit (reference: EPR/XP3833DK) for the Ferrybridge 2 Energy from Waste (EfW) plant ("the Installation"). This minor variation is submitted to enable the acceptance and combustion of municipal solid waste (MSW) contained within bin bags ("black bag waste") in addition to the refuse derived fuel (RDF) already utilised at the Installation to generate power. The Installation is located in Knottingley, West Yorkshire, WF11 8SQ; the location of the Installation is shown in Figure 1 (Appendix A).

This document presents the main supporting document for the minor Environmental Permit variation application for the Installation. The layout of the Installation is presented in Figure 2 (Appendix A).

2.1 Background

The Installation comprises a waste incineration plant, the operation of which is covered under Schedule 1 Part 2 Section 5.1 A(1)(b) – "*The incineration of non-hazardous waste in a waste incineration plant or waste co-incineration plant with a capacity exceeding 3 tonnes per hour*" of the EP Regulations. The Installation is permitted to combust up to 725,000 tonnes of non–hazardous waste annually, including refuse derived fuel (RDF), waste wood and commercial and industrial waste. The Installation generates approximately 90 MWe of electricity.

2.2 Proposed Operations

Schedule 2 of the Installation's Environmental Permit outlines the waste types, raw materials and fuels permitted to be used in the Installation. This includes the list of waste codes as per the European Waste Catalogue (EWC), including EWC 19 12 10 – "*combustible waste (refuse derived fuel)*" which currently forms the primary fuel source for the Installation.

The Installation is also currently permitted to use some waste sources falling under the definition of EWC 20 – "*municipal wastes (household waste and similar commercial, Industrial and institutional wastes) including separately collected fractions*"; at present this includes the EWC codes shown in Table 2-1.

Table 2-1: EWC 20 Codes Permitted for the Installation

EWC Code	Description
EWC 20 01	Separately collected fractions (except 15 01)
EWC 20 01 01	Paper and cardboard
EWC 20 01 08	Biodegradable kitchen and canteen waste
EWC 20 01 10	Clothes
EWC 20 01 11	Textiles
EWC 20 01 25	Edible oil and fat
EWC 20 01 38	Wood other than those mentioned in 20 01 37
EWC 20 01 39	Plastics

The operator proposes to add 'black bag waste' covered under EWC code 20 03 01 - *mixed municipal waste*, to the list of wastes permitted to be used in the Installation in Schedule 2; and is therefore applying for the Environmental Permit to be varied.

It should be noted that the operator does not intend to increase the fuel throughput to the Installation, or to change any operational aspects of the Installation, as outlined within the current Environmental Permit. Therefore, the operator does not anticipate there being any changes to the emissions from the Installation due to the proposed changes. There will also be no change to the Emission Limit Values specified in the current Environmental Permit.

This application is being submitted as a minor variation on the basis of a pre-application discussion with the Environment Agency (EPR Compliance Assessment Report (CAR): XP3833DK/0430328, dated: 27th July 2022). The relevant CAR is appended to the document (Appendix B).

Any changes in the operation of the Installation associated with the addition of the waste code EWC 20 03 01 to the permit are outlined in this document and the additional documents appended to it.

3. Site Condition Report

There will be no change to the condition of the site on which the Installation is located. No additional buildings and/ or structures will be built at the Installation as part of this variation. As such, the Installation boundary will remain unchanged by this variation. Therefore, the baseline condition of the Installation site does not require to be reviewed or updated. The existing Site Condition Report for the Installation therefore remains unchanged.

4. Operating Techniques

4.1 Technical Standards

The Installation will continue to operate in line with current Technical Standards, as identified in the original Environmental Permit application.

4.2 Process Description

A summary of the operation of the Installation is provided in the Environmental Permit. There will be no change in the manner in which waste is delivered to the Installation, the quantity of the waste received by the Installation or the combustion process as a result of this variation.

It is understood that the wastes stored within the waste bunker at the Installation could potentially require additional mixing to ensure the homogeneity of the fuel as a result of accepting the black bag waste. The operational procedures for the Installation will be updated to reflect this.

Other than the additional mixing, there is not expected to be any change in how the Installation will operate and manage the waste stream introduced by this application.

4.3 Management Systems

The management system of the Installation will be updated as required to reflect the waste stream under the additional waste code proposed to be accepted at the site. The management of the Installation will continue to be undertaken in accordance with the site's Environmental Management System (EMS) which has been developed in line with the requirements of ISO14001.

4.4 General Maintenance

The Installation will continue to be maintained as per existing procedures.

4.5 Raw Materials

Schedule 2 of the Environmental Permit, outlining the raw materials accepted by the Installation, will need to be updated to add the EWC code 20 03 01 - mixed municipal waste. Other than this, the nature of wastes accepted at the Installation will remain unchanged.

The nature in which wastes are delivered to the Installation will remain unchanged as all MSW fuel will continue to be delivered by walking bed trucks, and there will be no delivery by refuse lorries.

The total throughput to the Installation will remain unchanged and will not exceed 725,000 tonnes per year.

4.6 Waste

This application will not result in any additional wastes being generated by the Installation.

4.7 Energy

The variation to the Environmental Permit for the Installation will not result in any change to the energy use at the Installation. The energy efficiency of the Installation will also remain unchanged.

5. Environmental Emissions

5.1 Emissions to Air

Emissions to air will remain unchanged as a result of the variation, and will continue to be managed as per existing emissions discharge and abatement systems. Therefore, no additional emissions to air and consequently additional abatement measures are required for the combustion of black bag waste.

5.2 Emissions to Water

There will be no process discharge to controlled waters (groundwater, surface waters and sewers) due to the proposed change.

5.3 Emissions to Land

There will be no process discharge to land due to the proposed change.

5.4 Odour Emissions

The total quantity and nature of the waste handled by the Installation will not change by the proposed variation, however, a review of the Odour Management Plan for the Installation has been undertaken, on the basis of the pre-application advice received from the EA.

The Odour Management Plan has been prepared in line with the EA guidance - H4 Odour Management[1], and is included in Appendix C of this document.

5.5 Noise Emissions

There will be no change in the vehicular movement for delivery of waste/ fuel and the operation of the Installation due to the variation. There will therefore not be any additional noise emissions from the Installation, over and above that already permitted. Additional noise assessment is therefore not considered to be required to support this application.

6. Monitoring

6.1 Infrastructure

There will be no change in the infrastructure and consequently the infrastructure monitoring procedures on site. Existing monitoring measures will continue to be implemented.

6.2 Emissions to Air

There will be no change in the emissions to air from the Installation, and the current Emission Limit Values (ELVs) will continue to be applicable. Existing monitoring requirements outlined in Schedule 3 Tables S3.1 and S3.1(a) of the Environmental Permit, and measures in place for monitoring emissions to air will continue to be implemented.

6.3 Emissions to Water

There will be no change in the emissions to water from the Installation, which comprises only of uncontaminated surface water.

[1] Additional guidance for H4 Odour Management, How to comply with your environmental permit, EA, March 2011, accessed online at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/296737/geho0411btqm-e-e.pdf

6.4 Emissions to Sewer

There will be no emissions to sewer from the Installation, as per current operations. There are no monitoring requirements in the Environmental Permit at present, this is proposed to remain unchanged following this variation.

7. Environmental Risk Assessment

7.1 Impact Assessment

As this Environmental Permit variation results in no change in the emissions profile from the Installation, no change in the impact of the Installation is expected. A detailed environmental impact assessment is therefore not required to support this application. The Installation will continue to operate in line with the Best Available Techniques (BAT) Reference document (BRef) for Waste Incineration, and an extensive reappraisal of BAT is not considered to be required for this proposed change, as confirmed with the Environment Agency during the pre-application discussions.

An assessment of the fugitive emissions risks has been undertaken and is provided Appendix D.

7.2 Amenity and Accidents

The Odour Management Plan is included in Appendix C of this document.

The Installation has an Accident Management Plan, including an Emergency Response Plan, which will continue to be implemented.

7.3 Global Warming Potential

There will be no change in the Global Warming Potential of the Installation due to the proposed change to the operation.

Appendix A – Figures

Figure 1 – Site Location Plan
Figure 2 – Installation Layout

Revision: 1 Drawn: LC Checked: DF Approved: AS Date: 2022-09-12

Filename: \\na.aecomnet.com\lfs\EMEA\Leeds-UKLDS2\DCS\Projects\EGE\60685994_enfinium_Permit_Var\900_CAD_GIS\920_GIS\02_Maps\Ferrybridge 2\FB2_1_220912_Site_Location_Plan_v1.mxd

AECOM

PROJECT

Ferrybridge 2 Environmental Permit Variation Application

CLIENT

enfinium Ferrybridge 2 Limited

CONSULTANT

AECOM Limited
One Trinity Gardens
Newcastle
NE1 2HF
www.aecom.com

LEGEND

Installation Boundary

NOTES

ISSUE PURPOSE

PERMIT VARIATION APPLICATION

PROJECT NUMBER

60685994

FIGURE TITLE

Site Location

FIGURE NUMBER

Figure 1

AECOM

Legend

- Installation Boundary
- W Water
- A Air

Revision Details	By / Check	Date	Suffix

Drawn	Checked	Approved	Date
GB	AW	RL	22/03/18

Figure Number:

Figure 2

Figure Title:

Installation Boundary

Document Reference:

60685994

Ferrybridge 2

Scale:	Original Size:
1:2500	A3

Document Number:	Revision
60685994	01

Appendix B - Compliance Assessment Report

CAR XP3833DK/0430328

Environment Agency	**EPR Compliance Assessment Report**	Report ID: XP3833DK/0430328

This form will report compliance with your permit as determined by an Environment Agency officer

Site	Ferrybridge 2 - EPR/XP3833DK			Permit Ref	XP3833DK		
Operator/ Permit holder	enfinium Ferrybridge 2 Limited						
Date	26/07/2022			Time in	10:30	Out	11:30
What parts of the permit were assessed	Condition 2.2.1						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Mr. John Warren						
Officer's name	Chris P Gaughan			Date issued	27/07/2022		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit Conditions and Compliance Summary				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	A		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	N		
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	N		
	2. Land & Groundwater	N		
	3. Surface water	N		
	4. Sewer	N		
	5. Waste	N		
f) Amenity	**1**. Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates & litter	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
g) Monitoring and records, maintenance and reporting	**1**. Monitoring of emissions & environment	N		
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	N		
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	N		

KEY: **C1, C2, C3, C4** = CCS breach category **(* suspended scores are marked with an asterisk),**
A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored
MSA, **MSB**, **TCM** = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).

Number of breaches recorded	0	**Total compliance score** (see section 5 for scoring scheme)	0

If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

This compliance assessment report relates to a site visit undertaken on 26 July 2022 in order to undertake an enhanced pre-application discussion with the Operator.

The Operator is seeking advice on what type of variation is required in order to allow the site to take 'black bag waste' in addition to the refuse derived fuel (RDF) currently used.

The primary fuel used at this site is that classified under the European Waste Catalogue (EWC) code of 191210 - combustible waste (refuse derived fuel). In order to allow the use of 'black bag waste', EWC code 200301 - mixed municipal waste, the permit will need to be varied.

I have obtained advice and guidance from colleagues in the National Permitting team and I can now confirm that you will need to apply for a minor technical variation to the permit. We do not envisage there being any change to the emissions profile from the site as a result of taking in 'black bag waste'. It is noted that:

a) Wastes in the bunker may need additional mixing prior to being introduced to the feed hopper - Operational procedures will be required to be updated.
b) Other than this, there will be no change in the operation of the plant or the number and type of vehicles coming to site.
c) You are required to submit an odour management plan alongside the minor technical variation application.

The fees for the above can be found here:-
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1073214/Environment_Agency___EPR_and_Abstraction_Licensing__Charging_Scheme_2022.pdf

A minor technical variation application fee is £5,591 (Ref 1.6.2)

The odour management plan fee is £1,246 (Ref 1.19.6)

END.

Section 3- Enforcement Response	**Only one of the boxes below should be ticked**
You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence* and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below. **Non-compliance with **MSA**, **MSB** & **TCM** do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice*.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	**CCS Category**	**Action Required / Advised**	**Due Date**
See Section 1 above			

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence* and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.
- A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

A breach of permit condition **MSA, MSB & **TCM** is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit*.

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a **major** environmental effect	60
C2	A non-compliance which could have a **significant** environmental effect	31
C3	A non-compliance which could have a **minor** environmental effect	4
C4	A non-compliance which has **no** potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

MSB requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

TCM requires the submission of technical competence information.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official complaints procedure.

If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the Parliamentary and Health Service Ombudsman phone their helpline on 0345 015 4033.

Appendix C - Odour Management Plan

F2 ODOUR MANAGEMENT Procedure

2	11/10/2022	As Change Log	E Elcock 11/10/2022	J Warren 11/10/2022	D James 18/10/2022
1	15/06/2020	New F2 document	J Warren	S Tosney	C Drew
REV	**DATE**	**DESCRIPTION**	**ORIG**	**CHK**	**APPR**

Document Control No.	**Org**	**Area**	**Type**	**Doc No.**	**Rev**	**REVIEW DATE**
	F2	EMS	PR	004	2	30/09/2025

Change Log

REV	DATE	SECTION	CHANGE DESCRIPTION
2		All	Review and update to reflect change in company name and operational procedures.
1	15/06/2020	All	First issue
2	11/10/2022	All	Review and update to reflect change in company name and operational procedures.

Document Holds

Hold No.	Brief Description of HOLD	Location of HOLD

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1.0 INTRODUCTION

1.1 Purpose and Objective

The Environmental Risk Assessment carried out as part of the original site Environmental Permit application identified that odourous emissions may occur during the delivery of waste, reception of waste and the storage and handling of waste prior to combustion.

The purpose of this procedure is to outline how odour is controlled and monitored for normal plant operations and how any odour complaints are handled and investigated. This is to ensure that enfinium Ferrybridge 2 Limited complies with the terms of the Environmental Permit and demonstrate to the local community the commitment to be 'a good neighbour'.

1.2 Scope

To identify the control measures utilised on site to prevent, or where this is not practicable, to minimise any odour likely to cause pollution outside the site.

To specify the methods to be employed for monitoring compliance with the requirements of this procedure and where possible, identifying and implementing improvements.

To outline the process for handling and investigating complaints received regarding odour.

This procedure only addresses odours potentially arising from normal plant operation. Other odours arising from fault conditions (e.g. leakage of ammonia solution or gas oil) are addressed as part of the relevant emergency procedures.

1.3 References

Document Number	Title
FM2-EMS-PR-002	Environmental Aspects and Impacts Evaluation and Register
EPR/XP3833DK	Environmental Permit
FM2-EMS-PR-006	Complaints from External Parties
FM2-OPS-OI-FUE-ROU-001	Waste Acceptance Procedure

Table 1 - References

2.0 ABBREVIATIONS, TERMS AND DEFINITIONS

2.1 Abbreviations

Abbreviation	Description
F2	Ferrybridge 2 (energy from waste facility)

Abbreviation	Description
MSW	Municipal Solid Waste
OMP	Odour Management Plan
RDF	Refuse Derived Fuel

Table 2 - Abbreviations

2.2 Terms

Term	Description
COMPANY	enfinium Ferrybridge 2 Limited

Table 3 – Terms

2.3 Definitions

Definition	Description

Table 4 – Definitions

3.0 RESPONSIBILITIES

3.1 The Plant Manager

The Plant Manager is responsible for:

- Provision of appropriate staff as required to conduct or assist with investigations as required.
- Agreeing any actions that may be necessary to address legitimate complaints including plant modifications where required to avoid future occurrence.
- Provision of appropriate resource to implement agreed actions.
- The coordination of investigations and allocation of any actions in response to all odour complaints received irrespective of whether they are believed to originate from the F2 site or not.
- Highlight the significant aspects derived from periodic review of the Odour Management Plan (OMP) by the Environmental Manager (see below), to all relevant employees and contractors.

- Monitoring and managing all activities under the Company's control to improve environmental performance.

3.2 The Environmental Manager

The Environmental Manager is responsible for:

- The implementation and periodic review of this document.
- The collation and analysis of information from all odour reports including routine surveys, ad hoc reports and complaints as required.
- Providing summary reports of odour monitoring when required.
- Providing training regarding the implementation of this procedure.

3.3 Shift Team Leader

Responsible for ensuring the shift teams conduct regular odour surveys and receive external complaints in accordance with the requirements of this procedure.

3.4 Site Personnel

All site personnel shall receive role specific training on a range of environmental issues related to the site operations, including the responsibility to be aware of the need to manage odour emissions and the potential for statutory nuisance arising from activities at the facility. The training will include the requirement to report any potential issues or areas of improvement regarding potential odour emissions to the Plant Manager or the Environmental Manager.

4.0 REQUIREMENTS

EA guidance Note H4 Odour Management How to comply with your environmental permit (hereafter referred to as 'H4 Odour Guidance') issued by the Environment Agency (EA) describes how the IPPC Directive includes odour in the definition of pollution and requires that *"[…] all the appropriate preventive measures are taken against pollution […]".* This Directive was transposed into UK legislation by the Environmental Permitting Regulations (EP Regulations) and sites encompassed within these Regulations will have the following odour condition included within their permit:

Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in an approved odour management plan, to prevent or where that is not practicable to minimise the odour.

Appropriate measures necessary to prevent odour pollution or minimise it when prevention is not practicable must therefore be employed at the site. Appropriate measures have been determined in reference to the Waste Incineration Best Available Techniques (BAT) Reference Document, in order to take costs and benefits into account.

4.1 Waste Fuel – Control Measures

Waste fuel, (comprising RDF and MSW), is stored within a purpose-built concrete storage bunker with a capacity of 30,000 tonnes.

The actual stock of waste fuel within the bunker at any one time will be variable depending on several factors which include the day of the week, timing of planned outages and consideration of fuel delivery risk factors.

The fuel bunker is housed within a fully enclosed building next to the tipping hall. The tipping hall has two main access doors, one for entry and one for exit. The doors are fitted with fast-acting internal and external roller shutter doors which are normally closed except when allowing access for waste fuel deliveries.

Waste fuel is delivered to site in enclosed lorries. The lorries are only opened after they have entered the tipping hall and are ready to tip into the fuel bunker. The use of enclosed lorries along with an approved road transport route which avoids residential areas where possible minimises potential odour complaints in the immediate vicinity of the site.

The RDF waste fuel has been subject to pre-processing prior to delivery to site which removes or significantly reduces the compounds that produce odour in municipal waste. Deliveries of RDF waste fuel to site usually take place as soon as possible after the pre-processing stage – often on the same or following day.

MSW waste fuel, contained within black bin bags, is not processed prior to being delivered to the site, and is only collected/ bulked up, and delivered as is to the site for use as fuel.

All contracts for the supply of waste fuel and the site Waste Acceptance Procedure allow Ferrybridge 2 to reject any waste fuel which is, or is suspected to be outside agreed criteria, including excessive odour. Where necessary, Ferrybridge 2 staff can insist that deliveries are tipped and inspected inside the tipping hall prior to acceptance.

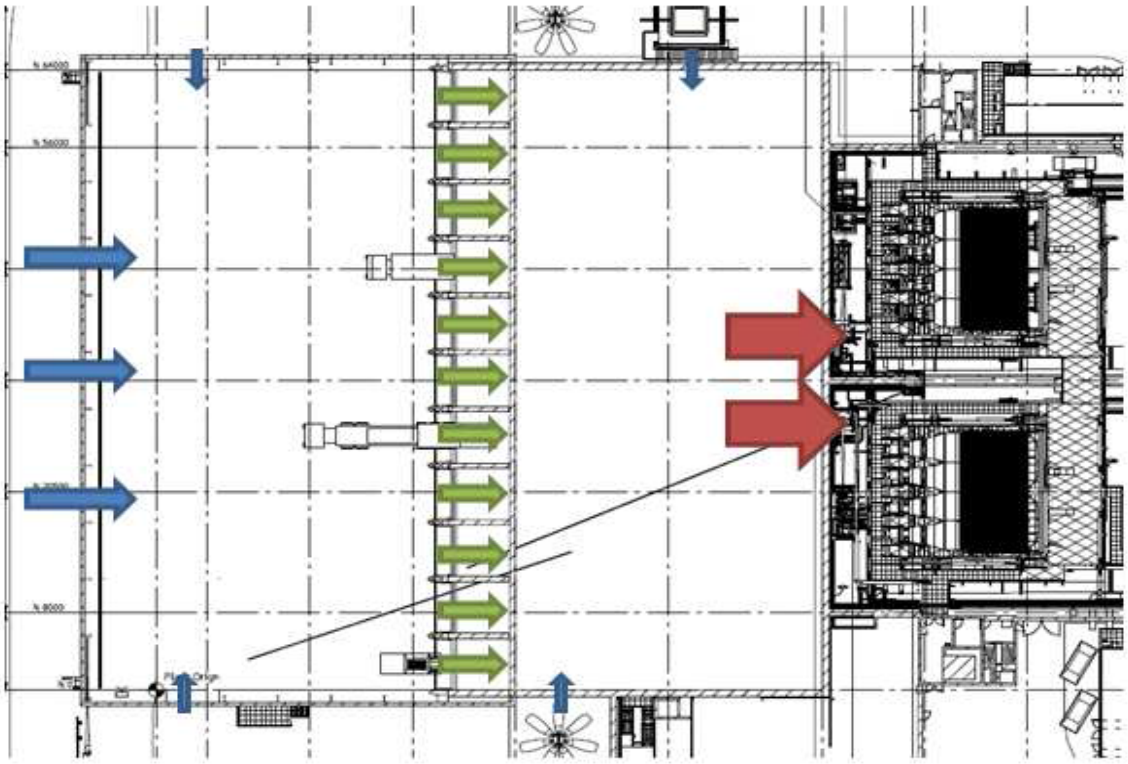
All waste fuel stored within the bunker is subjected to regular stock rotation and mixing using the installed petal grab cranes. As well as achieving a more homogenous material to aid stable combustion within the boiler, this stock rotation and mixing minimises the storage time and hence, decomposition period of the material and helps to maintain aerobic conditions. Installed

thermographic cameras monitor the temperature of the material which is used by the automatic crane controls to plan the mixing process. Anaerobic conditions and higher temperatures can lead to the generation of odorous chemicals.

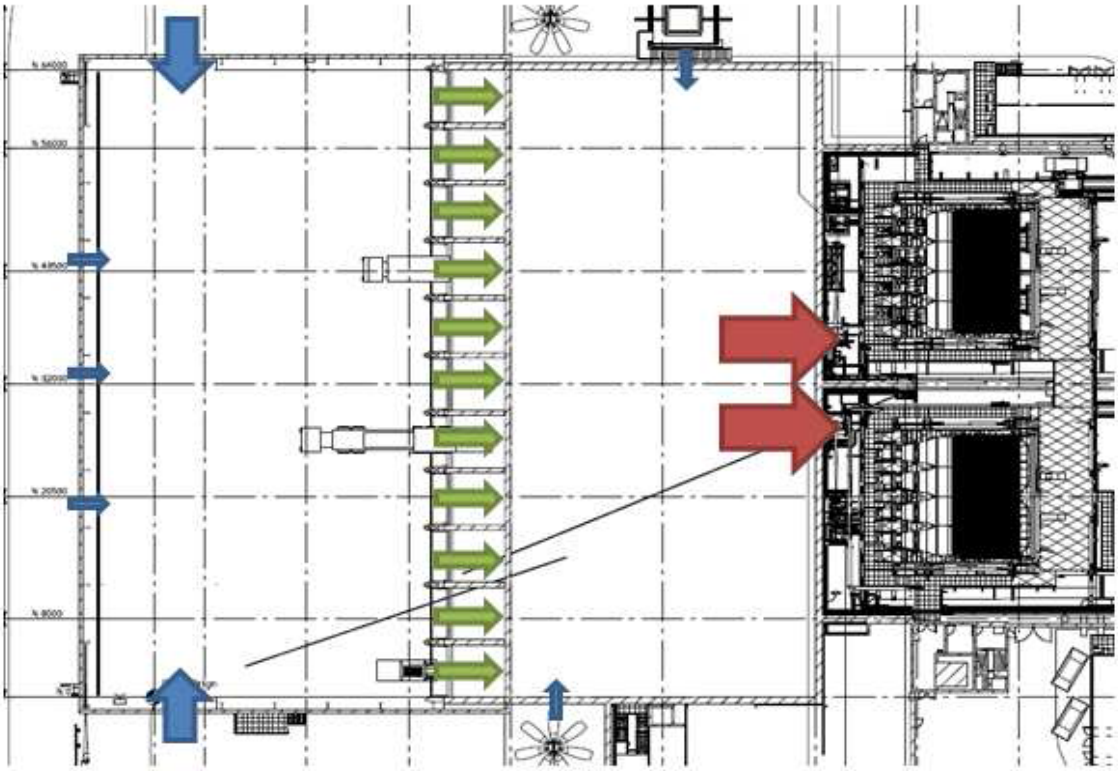
When the boilers are in operation, odour control is achieved by drawing the air which is required for combustion from the fuel bunker and tipping hall (Primary Air). Calculations completed as part of the plant design have confirmed that even on single boiler operation and after allowing for leakage air, a slight negative pressure will be maintained within the fuel bunker and tipping hall ensuring that odours cannot escape from the buildings.

Air enters the buildings via two main routes during operation:

- When the doors to the tipping hall are closed, air is drawn from louvres at the back of the tipping hall as shown in the diagram below.



- When the doors to the tipping hall are opened to allow lorry movements, air is drawn in via the open doors supplemented, where required, by smaller quantities of air drawn through the louvres at the back of the tipping hall.



The blue arrows indicate fresh air being drawn in from outside the plant – the size of the arrow indicates the magnitude of the flow. In addition to the flow via the louvres and the main doors, there is a small volume of leakage air via all building elements (except the floor) and via access hatches and hoppers. The green arrows show air being drawn into the fuel bunker via dedicated vents or via open tipping bay doors. The red arrows show the air extracted from the fuel bunker being fed into the furnace via the primary air system. This ensures that the negative pressure is greatest in the fuel bunker where odour is likely to be strongest.

The louvres are usually open but can be closed off if required, for example during a two boiler shut down.

Calculations carried out as part of the building design show that a negative pressure is created within both the bunker and tipping hall under the most extreme operational conditions (only 1 boiler line in service) and that as a result, escape of odour should be minimised. This reinforces the conclusion of the Environmental Risk Assessment which concluded that the risk of odour is low.

In addition to the negative pressure within the storage bunker and tipping hall, a Mist-Air Dust and Odour Suppression system is installed.

The Mist-Air system consists of a base unit which controls the system, a network of distribution pipework and several fan-assisted misting manifolds. The base unit supplies water at high pressure to the misting units which produce very fine fog particles which attract airborne dust and odours. The base unit also has electronic dosing equipment fitted for adding odour absorber or insecticide to the fog when required.

Odorous chemicals cannot have any impact unless they are released in the form of a gas. By providing a misting system, the evaporation of moisture from the waste material can be reduced as can the generation of dusts. Chemical additives can be added to the water in misting systems which are specifically designed to aid the absorption of odours. The addition of insecticide can also assist in controlling the population of flies which represent a nuisance both to staff working in the plant and neighbours.

Within the storage bunker building, there are 4 fan assisted misting units – one fitted at each corner of the bunker. These units are connected in two separately switched circuits covering the north and south ends respectively. In addition, there are a further two units – one fitted adjacent to each boiler feed hopper which are on independent circuits.

Each circuit can operate independently to the rest and are operated intermittently to suit the waste and conditions which exist within the building.

In the tipping hall, 6 fan assisted misting units are attached to the roof adjacent to the tipping bays. These can be operated as required to limit dust and odours in the tipping hall.

When neither boiler unit within the plant is operational, there will be no negative air pressure generated from drawing combustion primary air from the bunker. On a planned basis, it is anticipated that this would be the case for approximately 4 days per year.

For planned outage periods, deliveries of waste fuel will be reduced to control the bunker stock level and reduce potential for odour issues. However, this will not be possible in the event of unplanned total shutdowns.

Whilst the plant is shutdown, the main doors of the tipping hall will normally remain closed, ensuring that any remaining waste fuel within the bunker is fully contained.

The petal grab cranes will continue to mix any remaining waste fuel to ensure that aerobic conditions are maintained, and the temperature of the waste fuel minimised.

The Mist-Air system may be operated to ensure that evaporation of moisture from the remaining waste fuel in the bunker is minimised.

The Mist-Air system within the tipping hall can be operated as required if odour is detected.

It should be noted that if any deodorant is added to the Mist-Air system (i.e. a masking agent) this has the potential to create an odour issue which will require careful monitoring.

4.2 Monitoring of Odour

Regular surveys shall be carried out on site to monitor for odours. These surveys shall be carried out by shift operations staff. The frequency of these surveys shall be as follows:

- A minimum of 1 survey per day whilst at least one boiler line is operational on waste fuel
- A minimum of 1 survey per 12-hour shift whilst no boilers are operational on waste fuel

The site map in Appendix 2 - Site Odour Survey Points, shows the location of pre-determined survey points around the site perimeter from which to carry out odour monitoring. The survey points have been chosen to represent a route around the site perimeter fence with additional monitoring around the tipping hall doors.

These surveys shall take the form of 'sniff tests' based on the perception of the individual of any odour. Part of the sniff test will be to determine the intensity of any odour (how strong is it?) as well as the offensiveness of any odour.

A record of each survey shall be made on the 'daily walkover check sheet' kept in the Operations control room.

When odour is detected, the odour diary form, also kept in the Operations control room, shall be completed to record the event and actions taken where appropriate. An example odour diary form is included in Appendix 1.

Where odours have been detected by any person outside of routine surveys, the odour diary shall be completed to record the findings. This will be the case irrespective of where the odour is suspected to have originated (either on-site or off-site).

The results of all odour surveys will be collated and may be analysed by the Environmental Officer to produce a summary report when required.

If an odour is detected which is suspected to have originated on site, this shall be reported and investigated to identify the source(s) and any plant changes which may have occurred prior to detection.

If the source of odour is confirmed to be on-site, a plan of action to address the cause shall be agreed by the Management Team and implemented as soon as reasonably practicable. In the meantime, regular monitoring of the affected area(s) shall be carried out to determine the effectiveness of any actions taken until such time that odour is no longer detectable. Where considered necessary, further

monitoring beyond the site boundary to monitor the extent of detectable odour shall be carried out. Any additional monitoring shall take into consideration changes in weather conditions, wind speed and direction.

All odour complaints, investigations and actions taken shall be recorded in the Operations Log.

4.3 Odour Complaints

Any complaints received regarding odour shall be handled in accordance with procedure FM2-EMS-PR-006 Complaints from External Parties.

In addition to the above procedure, a form included in Appendix 3 – Odour Complaint Report Form has been produced as a prompt with useful information to obtain from any caller if required.

Details of plant conditions including any changes made in the period prior to receipt of the complaint shall be recorded to determine if these may be a contributory factor.

Where practicable, additional sniff test monitoring shall be carried out both on site and in the area to which the complaint refers to determine whether any odour has originated from the F2 site and if applicable, its extent.

Where odour originating from the Ferrybridge 2 site is confirmed, the Plant Manager and/or Operations Manager shall be informed and appropriate actions put in place to reduce the odour (e.g. closing doors / ensuring bunker suction is maximised / deploying misting systems).

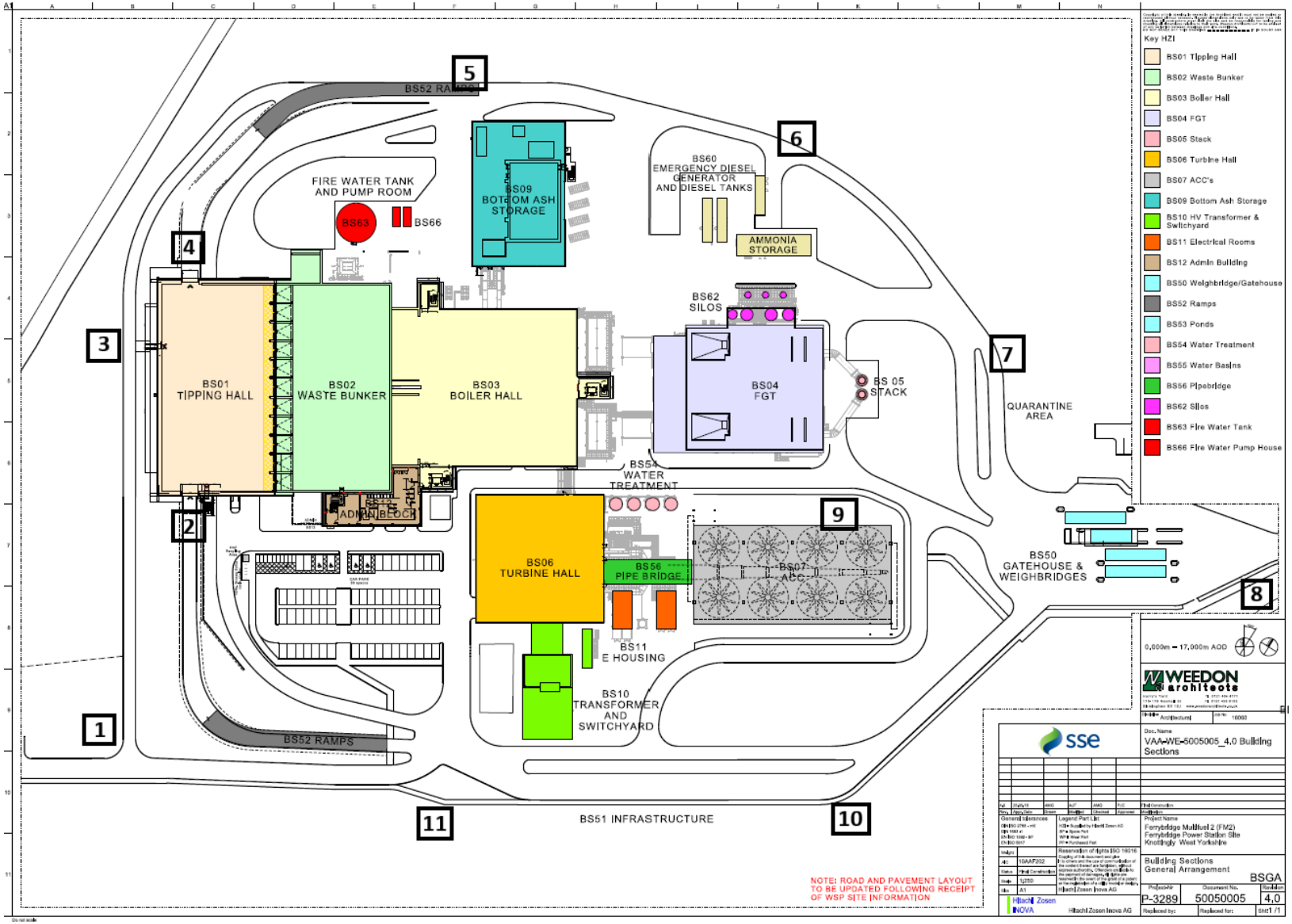
Where either no odour is confirmed or the cause is attributable to an external party, further monitoring may be carried out for a period to be agreed to ensure the odour is not of an intermittent nature.

A record of all odour complaints shall be recorded using the EcoOnline database.

Appendix 1 - Odour Diary

Odour Diary (to be completed only when odour has been detected)				
Name of person making the entry				
Date and time of odour				
Location / Survey point number				
Weather conditions				
Outside temperature (°C)				
Wind speed (m/s)				
Wind direction (DCS compass)				
Description of odour? What does it smell like? How unpleasant is it?				
Intensity 1 to 6? (1 very weak, 2 weak, 3 distinct, 4 strong, 5 very strong, 6 extremely strong)				
Duration?				
Constant or intermittent?				
Most likely source of odour?				
Actions taken or other comments?				

Appendix 2 - Site Odour Survey Points



Appendix 3 - Odour Complaint Report Form

Odour Complaint Report Form	
Date and Time of complaint:	Name and address of complainant:
Telephone number of complainant:	

Date of odour:	
Time of odour:	
Location of odour, if not at above address:	
Weather conditions (i.e. dry, rain, fog, snow)	
Temperature (°C)	
Wind Speed (m/s)	
Wind Direction (North, East, South, West)	
Complainants description of odour: • What does it smell like?	
• Intensity (see below)?	
• Duration (time)?	
• Constant or intermittent during this period?	
• Does the complainant have any other comments about the odour?	
Are there any other complaints which are related to this one (either previously or relating to the same time)?	
Any other relevant information:	
Is the odour likely to be from site:	
What was happening on site at the time of the odour complaint refers to:	
Operating conditions at the time the odour occurred (No. of lines in service, output, deliveries in progress etc)	
Actions taken (if any):	

Form completed by:	Date:	Signed:

Intensity
0 = No odour, 1 = Very weak odour, 2 = Weak odour, 3 = Distinct odour, 4 = Strong odour, 5 = Very strong odour, 6 = Extremely strong odour

Appendix D – Fugitive Risk Assessment

Hazard	Receptor	Pathway	Risk Management	Probability of Exposure	Consequence	Overall Risk
Material transport around the processes (e.g. conveyors, screws, etc)	• Public • Staff • Local environment	• Air • Water • Land	• All material transport plant and equipment will be serviced and maintained in accordance manufacturer's recommendations • High standards of housekeeping will be maintained • Transport of materials around the process takes place within process buildings • Enclosed conveyor systems • Negative pressure on main process due to downstream ID fan will minimise releases from the furnace and flue gas treatment ductwork. • Extraction of primary combustion air from the tipping hall and fuel bunker will reduce emissions from these areas	Fugitive vapours/ odour could reach sensitive receptors but appropriate containment and materials management will minimise the probability. Probability of exposure is therefore very low.	Complaints of odours/ smells in vicinity of local receptors.	Low
Plant spillage and leaks	• Public • Staff • Local environment	• Air • Water • Land	• All material transport plant and equipment will be serviced and maintained in accordance manufacturer's recommendations • High standards of housekeeping will be maintained • Silos and tanks designed in accordance with appropriate design, fabrication and safety standards • Silos and tanks will be equipped with local dust filter, level monitoring/alarms and over-pressure control	Fugitive releases could reach surface water and/ or groundwater but appropriate design and management actions should prevent this from happening. All bulk storage tanks will be bunded to provide sufficient containment in the event of a tank/ containment failure. Probability is therefore low.	Localised pollution of surface water and groundwater.	Low
Tanker filling during discharge of Flue Gas Treatment (FGT) residue	• Public • Staff • Local environment	• Air • Water • Land	• All discharge activities will be supervised • Silo and tankers designed in accordance with appropriate design, fabrication and safety standards • Silos and tankers will be equipped with local dust filter and over-pressure control • Load discharge in accordance with discharge procedures • Tankers will vent back into the silos during discharge to avoid dust generation and minimise venting	Fugitive releases could reach surface water and/ or groundwater but appropriate design and management actions should prevent this from happening. All bulk storage tanks will be bunded to provide sufficient containment in the event of a tank/ containment failure. Probability is therefore low.	Localised pollution of surface water and groundwater.	Low

Hazard	Receptor	Pathway	Risk Management	Probability of Exposure	Consequence	Overall Risk
Dust, particulates and litter during loading and unloading of vehicles	• Public • Staff • Local environment	• Air • Water • Land	• Loading and unloading of waste takes place in a fully enclosed reception hall – emissions are therefore retained inside • Reception hall has an inner fast-acting roller shutter door and an outer door to minimise the release of emissions from vehicles off-loading in the building • Tipping hall and waste bunker retained under a negative pressure due to extracting primary combustion air from these areas • All loads (incoming/despatch) will be fully covered to minimise the potential for material becoming airborne • Facility operators and drivers will be fully trained • Material clean-up via sweeping or vacuum will be utilised in the event of a spillage	Litter and other loose materials could potentially attract pests and cause nuisance issues. However, complete enclosure of fuel delivery areas and good housekeeping measures will minimise the likelihood of this. Probability is therefore low.	Nuisance complaints	Low
Windblown dust from external roads, pathways and other surfaces	• Public • Staff • Local environment	Air	• Road surfacing will be subject to routine inspection and maintenance – any accumulation of materials will be removed promptly • Water suppression to abate dust emissions will be available for use during dry periods if required • Speed limits on site will be restricted to 10mph to minimise the potential for dust being raised from roads	Windblown dust could potentially cause visual and nuisance issues. Application of management measures will prevent this. Probability is therefore low.	Nuisance complaints	Low
Silo (powdered reagents and FGT residue) overfills or dust release during discharge	• Public • Staff • Local environment	Air	• Silo design in accordance with appropriate design, fabrication and safety standards • Silos fitted with level alarm connected to the control system that will cause discharge into silo to be automatically stopped • Silos are equipped with local dust filter and over-pressure control • Load discharge in accordance with discharge procedures	Windblown dust could potentially cause visual and nuisance issues. Application of management measures will prevent this. Probability is therefore low.	Nuisance complaints	Low

Hazard	Receptor	Pathway	Risk Management	Probability of Exposure	Consequence	Overall Risk
			• System subject to plant inspection and maintenance • Filters will be self-cleaning (e.g. through pulsing)			
Dust from waste storage associated with storage of bottom ash	• Public • Staff • Local environment	Air	• Bottom ash will be quenched as it is removed from the process and will be stored in an enclosed bottom ash bunker	Windblown dust could potentially cause visual and nuisance issues as well as potential health concerns. Application of management measures will prevent this. Probability is therefore low.	Nuisance complaints	Low

Appendix E – List of Company Directors

Company name - enfinium Ferrybridge 2 Limited

Company number - 09685158

Registered office address - 123 Victoria Street, London, England, SW1E 6DE

Details of Listed Active Company Directors

Director Name (Last name, First name)	Date of Birth	Appointed on
Maudsley, Michael Craig	March 1968	21 January 2022
Roberts, William Brendt	December 1960	8 February 2016
Robertson, Wayne	December 1972	17 July 2020