

Application by WTI/EFW Holdings Ltd for Wheelabrator Kemsley K3 and WKN
The Examining Authority's further written questions and requests for information (ExQ2)
Issued on 6 May 2020
Environment Agency responses

ExQ2A	Question to:	Question:
Q2A.1.	Participation in the Examination	
<i>Please provide the ExA with an indication of your anticipated level of participation during the rest of the Examination. This information will help the ExA to plan appropriately. Formal notifications of a request to speak or observe any Hearings (if necessary) will be requested later.</i>		
Q2A.1.1.	All Interested Parties	How would you want the remainder of the Examination to be undertaken? By means of written submissions
Q2A.1.2.	All Interested Parties	How much do you anticipate participating in the rest of the Examination? We may make further written submissions

Q2A.1.3.	All Interested Parties	<p>Which topics at an Issue Specific Hearing, if held, are you likely to want to observe?</p> <ul style="list-style-type: none">i. Principle of development, recovery capacity and waste hierarchyii. Transport networks and trafficiii. Other environmental matters (please specify)iv. Draft Development Consent Orderv. None of the above <p>We are not proposing to attend any hearing at this time.</p>
----------	------------------------	--

ExQ2A	Question to:	Question:
Q2A.1.4.	All Interested Parties	Which topics at an Issue Specific Hearing, if held, would you or your nominated speaker(s) like to participate in as a speaker and if so why? <ul style="list-style-type: none"> i. Principle of development, recovery capacity and waste hierarchy ii. Transport networks and traffic iii. Other environmental matters (please specify) iv. Draft Development Consent Order v. None of the above We are not proposing to attend any hearing at this time.
Q2A.1.5.	All Interested Parties	If you selected a topic above, please provide reasons as to why you would like to speak at such an Issue Specific Hearing(s)? N/A

The Examination Library

References to questions in Table ExQ2 set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010083/EN010083-000533-Kemsley%20K3%20-%20Examination%20Library%20\(pdf%20version\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010083/EN010083-000533-Kemsley%20K3%20-%20Examination%20Library%20(pdf%20version).pdf)

It will be updated as the Examination progresses.

Citation of Questions

Questions in Table ExQ2 should be cited as follows:

Question reference: issue reference: question number, eg ExQ2.1.1 – refers to question 1 in this table.

ExQ2	Question to:	Question:
Q2.3.2.	Applicant SDC EA	<p>The information currently in the draft CEMP [APP-012] is at a very high-level and appears substantially no more than in ES Chapter 5 [REP2-020]. Reference is made to the IAQM dust guidance, referring to the avoidance of site runoff, bonfires and burning of waste materials and some information provided on wheel washing. Requirement 22 of dDCO states the CEMP must accord with the ES and the draft CEMP.</p> <p>ES Chapter 5 and the draft CEMP state a Dust Management Plan will be developed and implemented. Do you consider it necessary or helpful to provide a draft Dust Management Plan for consultation with IPs as part of the stated air quality mitigatory measures in paragraph 5.3.1 [APP-012]? Do you consider reference to it should be made in the dDCO and are you satisfied that the draft CEMP provides sufficient detail?</p> <p>Environment Agency comments: The Environmental permit will address these matters in detail as part of the operation and monitoring of the site. As such, details will be required during the permitting stage.</p>

ExQ2	Question to:	Question:
Q2.5.4.	MMO EA	<p>What is your view of the Applicant's statement that no DCO Requirement or environmental permit is needed in respect of operation as only clean surface water will be discharged from the outfalls?</p> <p>If only clean uncontaminated water is to be discharged then it is likely a permit will not be required. The Environment Agency will make a detailed assessment of this at permit application stage for the facility.</p> <p>The Environmental permit will cover in more detail the operating and monitoring of this facility to ensure there is no detriment to the surrounding environment.</p>
Q2.8.	Habitats Regulations Assessment (HRA)	
Q2.8.2.	Applicant SDC EA NE	<p>The WKN CEMP states that the listed measures will be implemented, <u>not</u> that they are examples and is light on detail in section 5.3. The measures listed in HRAR 6.6 are described as expected to be included in the CEMP, however only one of those (Water Env, para 5.6.1 - wheel washing) is included.</p> <p>Are you content that there is sufficient detail in the HRA/CEMP to ensure that the necessary mitigation would be secured through the DCO and if not please explain what further detail might in your view be provided?</p> <p>Environment Agency response: As previously advised the Environmental permit will cover in more detail the operating and monitoring of this facility to ensure there is no detriment to the surrounding environment.</p>