

Application by DS Smith Paper Limited for the Kemsley Mill K4 Combined Heat and Power Generating Station

The Examining Authority's Second Written Questions and Requests for Information (ExQ2) with Environment Agency responses.

Ref No.	Respondent:	Question:
Q2.1.5	Environment Agency	<p>In line with the Applicant's answer to Q1.1.16 [REP2-030] a Register of Environmental Actions and Commitments (REAC) has been provided as an Appendix to the outline CEMP [REP3-009]. This establishes the outline CEMP requirement, responsibility and date actioned.</p> <p>Does the REAC comprehensively address all the environmental actions required to deliver mitigation?</p> <p>Should the REAC be subject to any formal mechanism to ensure that the matters it addresses are satisfactorily discharged? For example the REAC establishes the need to develop a site specific Dust Management Plan whereas paragraph 4.2.2 also addresses compliance.</p> <p>ANSWER: Dust Management Plan would be best practice for construction. The potential operational impacts of the facility will be addressed through the environmental permit.</p>

<p>Q2.2.1</p>	<p>Environment Agency</p>	<p>The Applicant's Post Deadline 4 Covering Letter [AS-019] confirms that the height of the HRSG Stack would be between 70m AOD and 73m AOD. The ES has assessed a 70m stack. AS-019 goes on to state that typically increasing stack height has beneficial effects on ambient air quality and that the flexibility sought would not result in any materially new or different effects on air quality than those in the submitted ES but would in any event be pursuant to meeting the tests of the permitting regulations.</p> <p>Do the Environment Agency (EA) and Natural England (NE) wish to comment on the Applicant's statement about air quality effects including effects on ecology, taking account of the EA's response to Q1.1.8 [REP2-032]?</p> <p>ANSWER: The Environment Agency has not made a detailed review of the proposed additional contributions of additional air pollutants which would form part of our assessment of the Environmental Permit Application. It is anticipated overall mass emissions of NOx (as the principle pollutant of concern) from a power plant supporting paper production will decrease. Effective stack height allows the appropriate dispersion of pollutants to secure reduced ground level concentrations for both deposition on habitats sites and local air quality. The Environment Agency cannot predetermine our EPR assessment which will include a detailed audit of the applicant's model. Due to the modern nature of the technology proposed it is likely any requirement for reduced NOx contributions would come from stack height increases. Whilst none (NOx concentration reductions) have been predicted to date, however the Environment Agency is aware of additional proposals for an additional incineration line (Wheelabrator Kemsley North) to be located adjacent to the "K3" facility at the Kemsley Paper Mill. We understand the Planning Inspectorate will have been in discussion with Wheelabrator Technologies to discuss how this additional project fits into the "K3" Development Consent Order.</p> <p>If the concern is over amenity impacts of Stack Height, we would note there are higher stack present at the current CHP facility, at the K3 facility and in the area of Ridham Dock.</p> <p>The applicant has proposed twin tracking of the EPR application. Where we are able to we will share the results of our assessment of the applicant model with the Inspectorate. At this stage it would be beneficial to progress the applicant's proposals with some flexibility when considering stack height.</p>
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<p>Q2.2.2</p>	<p>Environment Agency</p>	<p>In their response to Q1.4.39 the Applicant stated that ‘as set out in the IAQM Position Statement on this topic the threshold for consideration of an effect is >1%, not ≥1%. As such, a PC of exactly 1% would not be considered significant’ [REP2-030] The IAQM advice appears to be inconsistent with the guidance of the EA which is set out in revised Appendix 5.4 of the ES [REP2-011] and indicates that no further assessment is needed as long as the Process Contribution (PC) is less than 1%. Paragraph 5.37 of the revised HRAR [AS-022] reflects the position that PCs for all pollutants were 1% or less of the Environmental Quality Standard (EQS) but the Matrix Evidence Notes (g or h) state that for all the European sites that the PC is greater than 1% and/or the Predicted Environmental Contribution (PEC) is less than the long term EQS. (Note that the cross-references to Changes have also been made to the content of Tables 4.4 and 4.6.</p> <p>ANSWER: The Environment Agency’s approach to screening out emissions from further assessment is based on indications that both the Long Term PC is <1% and the Short Term PC is <10%. Where these criteria is met, we consider the addition of small amounts of additional pollutants are small enough they can be considered insignificant. Where the criteria are not met applicant’s calculate their PEC and move to a second screening stage based on PC and PEC. Where pollutants do not fall out of this stage further modelling is required.</p> <p>The Environment Agency does not quality what is considered “significant” as this will depend on how stressed the environment is at any particular point. For example, a PC of 5% maybe considered insignificant if background concentrations are very low, whereas 1.5% PC maybe significant is there is a risk Air Quality Standards maybe exceeded.</p> <p>We believe the IAQM guidance attempts to provide a general framework to guide planning decisions as to what maybe acceptable in order to manage incremental deterioration in air quality. The Environment Agency will follow it’s published process for setting limits for emissions via a suitably sized stack so that no air quality standard is exceeded.</p> <p>With reference to Critical Load for deposition on European Sites, similar screening criteria apply for PC, to all European sites with a 15km radius. Those where Short Term PC is <10% and Long Term PC <1% screen out as insignificant. Those that do not are subject to a second stage screening based on calculated PEC. The applicant wouldn’t need to further consider impact on sites where the PC is >1%PC and PEC <70% of the long term standard.</p> <p>Our approach and the applicable standards are published on gov.uk https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit#screen-out-insignificant-pcs</p>
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<p>Q2.11.3</p>	<p>Environment Agency</p>	<p>In responding to Q1.1.6 the Applicant [REP2-030] and EA [REP2-032] made reference to the SoCG between the parties [REP1-which indicates that the EA does not currently have any concerns about permitting and based on the information provided see no reason why a varied permit should not be granted. Moreover, it is indicated that an environmental permit variation application will be submitted to the EA in 2019.</p> <p>Are the Applicant and EA able to provide an update as to progress with the environmental permit application?</p> <p>ANSWER: We understand work on the application will commence in January 2019 with the permit expected to be granted by April 2020, which they should fit in with commissioning of the K4 plant.</p>
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