

Riverside Energy Park

Applicant's update on Environmental Permit Determination

VOLUME NUMBER:

08

PLANNING INSPECTORATE REFERENCE NUMBER:

EN010093

DOCUMENT REFERENCE:

8.02.83

September 2019 | Revision 0 (Deadline 8) | APFP Regulation 5(2)(q)

Planning Act 2008 | Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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1 Introduction

1.1 Purpose of this Document

- 1.1.1 This document provides an update to the Examining Authority (ExA) on the status of the determination of the application for an Environmental Permit (EP) for Riverside Energy Park (REP). The EP application was submitted by the Applicant to the Environment Agency (the EA) on 17 December 2018.
- 1.1.2 This document expands on the **Environmental Permit and Air Quality Note (8.02.06, REP2-057)** submitted at Deadline 2, and provides an update of EP related matters since its submission.

2 Update on Environmental Permit Determination Process

2.1 Environmental Permit Submission

- 2.1.1 As explained in the **Environmental Permit and Air Quality Note (8.02.06, REP2-057)** submitted at Deadline 2, an application for an EP for the proposed waste processing aspects of REP (the Energy Recovery Facility (ERF) and the Anaerobic Digestion facility) was received by the EA on 17 December 2018. The application was subsequently accepted as Duly Made by the EA on the same date.
- 2.1.2 Since the application was Duly Made, the EA has been progressing with their determination process.

2.2 Environmental Permit Determination

- 2.2.1 The Applicant has maintained regular communications with the EA to respond to any comments raised by the EA through the determination process.
- 2.2.2 As part of the determination, the EA's technical specialists have undertaken technical review of the various aspects of the EP application, including air quality, compliance with relevant regulatory legislation, noise impacts, fire prevention strategy, suitability of waste types and quantities accepted, residue management, ground conditions as well as review of whether the technical solution complies within the latest requirements for Best Available Techniques (BAT) for the abatement of emissions and control of the waste treatment processes.
- 2.2.3 The Applicant expects that the EA will complete the determination process after Deadline 8. Therefore, the Applicant requested a statement to be provided by the EA on the determination process to inform the ExA. This statement is provided as **Appendix A** to this document.
- 2.2.4 The EA states in item 2 of its statement that "*Having reviewed the general content of the Environmental Statement for the proposed development, the Environment Agency is satisfied and agrees that the proposed development is of a type and nature that can be in principal regulated under the EPR [the Environmental Permitting Regulations], dependent on the outcome of a full technical Environmental Permit application assessment.*"
- 2.2.5 Item 4 of the statement provides a description of the EA's statutory duty to ensure that human health and the environment is protected, by assessing a range of matters within its determination scope.
- 2.2.6 Whilst the EP determination process is currently ongoing, as stated in item 5 of the statement "*Only when we [the EA] have completed our assessment of the Permit application fully can we say whether or not we will be able to issue*

the Permit, however at this stage we have not found any reason to refuse the application" [emphasis applied by the Applicant].

- 2.2.7 It is therefore evident that the EA considers that there is no impediment to issuing an EP for REP, which would protect human health and the environment in accordance with all relevant permitting legislation.
- 2.2.8 A **Statement of Common Ground (8.01.11, REP5-013)** has also been signed with the EA. In addition, the EA and the Applicant have agreed Protective Provisions to be included in the **draft Development Consent Order** (Part 4, Schedule 10) (**3.1, Rev 4**) that will be submitted at Deadline 8a.
- 2.2.9 Finally, as set out in **Paragraph 1.2.2** of the SoCG, "*The Parties agree that the ES forms the full and complete Environmental Impact Assessment (EIA) for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, as amended (the EIA Regulations) and it is further agreed that the ES contains sufficient environmental information to enable the Secretary of State to make their determination.*"

Appendix A Letter from the EA on the EP Determination Process

Mr Richard Wilkinson
Cory Environmental Ltd
2 Coldbath Square
London
EC1R 5HL

Our ref: SL/2018/117950/06-L01

Date: 11 September 2019

Dear Mr Wilkinson

Environment Agency statement on the Environmental Permit Application for the Riverside Energy Park.

We have been asked to provide a statement on the Environmental Permit application for the Riverside Energy Park that the applicant can refer to in the Deadline 8 Submission for the Development Consent Order examination.

We can confirm the following:

1. The proposed development will be subject to the Environmental Permitting regime under the Environmental Permitting (England and Wales) Regulations 2016 (“EPR”)
2. Having reviewed the general content of the Environmental Statement for the proposed development, the Environment Agency is satisfied and agrees that the proposed development is of a type and nature that can be in principal regulated under the EPR, dependent on the outcome of a full technical Environmental Permit application assessment.
3. The Environment Agency has received the Applicant’s Environmental Permit (“Permit”) application and is in the process of carrying out a full technical assessment of this proposal.
4. Before we issue a Permit for an incinerator we will make sure that:
 - human health and the environment is protected
 - it is designed and operated to meet stringent controls
 - the standards used in the design, maintenance and operation of the incinerator are those that prevent or minimise pollution, can be implemented effectively, are economically and technically viable and as good as or better than European standards,
 - all residues and their impacts of them are kept to a minimum and recycled where possible,

- energy generated by waste incineration is recovered as much as possible.
5. Only when we have completed our assessment of the Permit application fully can we say whether or not we will be able to issue the Permit, however at this stage we have not found any reason to refuse the application.

If you have any questions please contact me.

Yours sincerely

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Planning Specialist

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