

Response to REP2-006

UKWIN'S D3 COMMENTS ON APPLICANT'S D2 COMMENTS ON UKWIN'S D1 WR

Proposed Development:

Boston Alternative Energy Facility (BAEF)

Proposed Location:

Nursery Road, Boston, Lincolnshire

Applicant:

Alternative Use Boston Projects Limited

Planning Inspectorate Ref:

EN010095

Registration Identification Ref:

20028052

NOVEMBER 2021



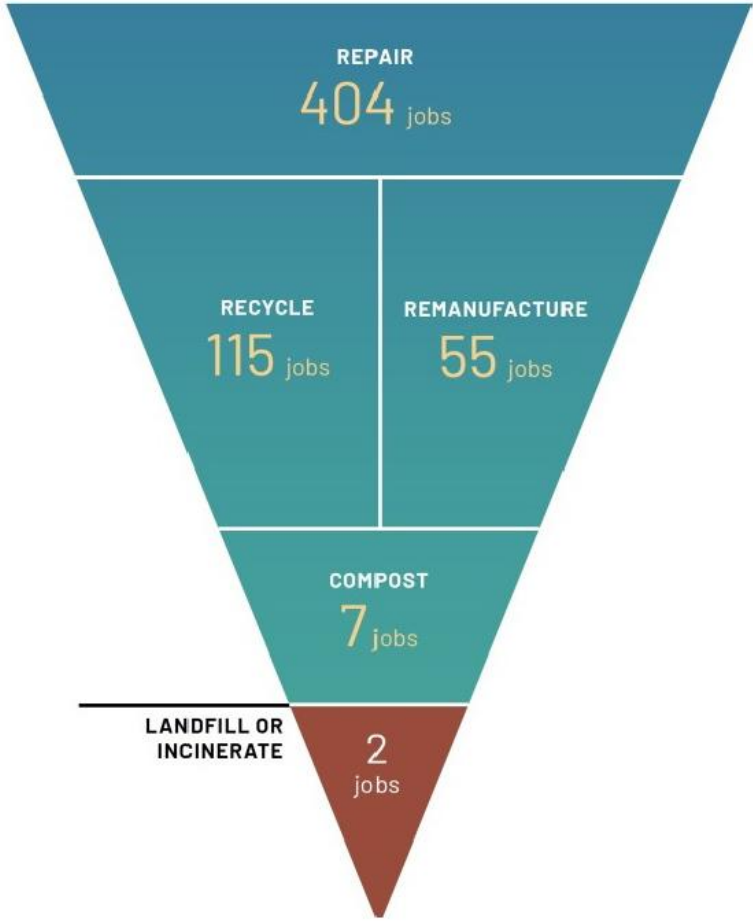
INTRODUCTION

1. The Applicant made a number of statements regarding UKWIN's Deadline 1 (D1) Written Representation (REP1-068) in Table 1-5 of their D2 submissions dated 11th November 2021 (Applicant's Reference 9.22, Inquiry Reference REP2-006).
2. In many cases the applicant's statements have been overtaken by events, because UKWIN's later representations (REP2-057 and REP2-058) found fault in the documents relied upon by the applicant as the basis for their REP2-006 comments on UKWIN's Written Representation.
3. Whilst there is little value in UKWIN repeated our D2 evidence, there are some matters about which UKWIN believes it would be helpful to the examination to offer further comment.
4. There are also a small number of claims made by the applicant in their Table 1-3 response to Kevin Blanchard that raise matters about which we also comment below.

RESPONSE TO THE APPLICANT'S TABLE 1-3 COMMENTS ON KEVIN BLANCHARD'S REPRESENTATION

ID	Applicant comment	UKWIN response
1.3.3	... Under National Policy Statement EN-1 the electricity generated is classed as renewable...	The applicant's is incorrect in their continued characterisation of the electricity generated as 'renewable' for the reasons set out in UKWIN's Written Representation (REP1-068) paragraphs 123-133.
1.3.3	...The economic benefits, locally and nationally, are linked with local employment, agreements between the Applicant and local authorities and service suppliers and others, and sizeable taxable revenue from this commercial operation....	<p>As the applicant claims that generating 'taxable revenue' is a potential benefit of the scheme, then - if one accepts the applicant's logic - it follows that the loss of landfill tax revenue and the loss of Landfill Communities Fund monies from waste diverted from landfill to the proposed facility would be a disbenefit.</p> <p>Given that the standard rate of landfill tax is currently £96.70/tonne and is expected to rise with inflation, this amounts to a potential loss of up to £116m (rising with inflation) of landfill tax and Landfill Communities Fund revenue per year. This disbenefit would far outweigh what the applicant refers to as the benefit of 'sizeable taxable revenue', resulting in a significant net tax revenue disbenefit of the scheme.</p> <p>With respect to providing employment opportunities, as far more jobs are created through recycling and repair than through incineration, the use of the site for the latter rather than the former would result in a net loss of jobs.</p> <p>This situation is summarised in the graphic overleaf, which is based on a literature review of job creation from different forms of waste and resource management.</p>

Waste hierarchy with mean job generation figure for 10,000 tonnes of waste processed a year ¹



¹ Zero Waste and Economic Recovery: The Job Creation Potential of Zero Waste Solutions (GAIA, February 2021)

RESPONSES TO APPLICANT'S TABLE 1-5 COMMENTS ON UKWIN'S REPRESENTATION

ID	Applicant comment	UKWIN response
Introduction		
1.5.3	At the present time, the exact status of UKWIN's Good Practice Guidance document, dated July 2021, is unclear. In particular, whether it has been peer-reviewed...	<p>The Good Practice Guidance has indeed been peer reviewed, including by climate change practitioners, and the Guide has been in the public domain since July 2021 and therefore open to public scrutiny. Many of the documents and figures included within the Guidance were themselves subject to some form of peer review.</p> <p>It is important to note that the Good Practice Guidance document primarily constitutes a synthesis report or 'meta review' drawing together numerous key examples of good practice from throughout the industry (including from ESA members) in an organised and systematic way, accompanied by comprehensive referencing to the source material, encompassing 130 footnotes linking readers to Government and other sources of the information used in the report.</p> <p>As the Good Practice Guidance document points out: "The recommendations are based on an extensive review of approaches being taken or recommended by climate change professionals to assess the direct or relative GHG impacts of waste incineration and other waste management options.</p> <p>Consideration is also given to analysis carried out for this guide which indicates that real world performance reported at UK incinerators can be significantly worse than the climate change performance claimed within planning or permitting applications".</p> <p>As the Guidance document includes analysis of the real world performance of a number of incinerators operated by Viridor, which formed the evidence base for Guidance document Recommendation 6 - including a consideration of how this data compares to the performance Viridor anticipated at the planning and permitting</p>

		<p>stages - in May 2021 UKWIN provided Viridor with an advance copy of our assessment so that we could take on board any feedback they had to offer about our analysis.</p> <p>UKWIN also contacted the ESA (also in May 2021) and provided them with an opportunity to offer input regarding the CO2 emissions from existing UK incinerators. The ESA advised the use of data from Tolvik alongside information provided by operators to the Environment Agency, and these subsequently provided the underlying evidence base for Guidance document Recommendation 7.</p>
Achievability of meeting (or exceeding) current waste targets		
1.5.47	The Applicant...is providing capacity to divert residual waste from landfill to avoid greenhouse gas emissions such as methane...	<p>As UKWIN set out in our WR (REP1-068) and elsewhere, the feedstock most closely associated with the production of methane is food waste. The applicant stated elsewhere in their Table 5-1 comments that they would not be targeting food waste for use as feedstock at their proposed Boston incinerator.</p> <p>It should also be noted that, as set out by UKWIN in our WR and elsewhere, many materials such as plastics do not degrade in landfill (and thus do not emit GHGs, in stark contrast to the incineration of plastics that result in significant quantities of fossil CO2 emissions).</p> <p>UKWIN has also already set out how a significant proportion of biogenic material does not degrade in a modern landfill, and how the level of methane release can be further reduced through bio-stabilisation prior to landfilling. Studies cited by UKWIN, including the study carried out by Zero Waste Scotland (ZWS), indicate that bio-stabilisation prior to landfilling can result in significantly lower GHG emissions than incineration.</p>

		<p>Thus, far from avoiding the release of greenhouse gas emissions, this proposal could result in a net increase in GHG emissions compared to sending the same material to landfill.</p> <p>Furthermore, the proposed 1.2 million tonnes of capacity could result in just the sort of 'lock-in' to greenhouse gas emissions that is a concern for the Committee on Climate Change (CCC) and others (including ZWS), as per the statements set out on Pages 66-69 of the Good Practice Guidance (included as part of UKWIN's REP1-068).</p>
Failure to clearly explain assumptions, calculations and methodology and failure to demonstrate internal consistency		
1.5.72-1.5.74	<p>... the outcomes of the Climate Change chapter in the ES...states it is "likely that GHG emissions from the Facility would be lower or similar when compared to landfilled waste streams" remain valid.</p>	<p>The applicant's concession that their proposal may have climate change impacts which are similar to sending waste directly to landfill undermines the applicant's need and IROPI arguments and should be given significant adverse weight in the planning balance.</p>
Level of energy generation, carbon emissions, and renewable energy generation		
1.5.123	<p>RDF is referred to in EN-3, which serves the purpose of defining the policy for renewable energy in the UK.</p>	<p>The applicant's claim is incorrect for a number of reasons. Firstly, EN-3 does not include any references to RDF. Paragraph 2.5.9 of EN-3 does refer to SRF, stating that some incinerator feedstock could come from SRF. EN-3 goes on to explain, at Paragraph 2.5.10, that: "A proportion of the biodegradable waste [e.g. within the SRF] may be classed as 'renewable' for the purposes of Renewable Obligation Certificates (ROCs) eligibility. However, this is not an issue of relevance to the IPC". This in no way equates to the applicant's suggestion that EN-3 defined RDF (or indeed SRF) as an inherently renewable sourced of energy.</p>

		<p>As was made clear by the Secretary of State in the Wheelabrator Kemsley North decision, cited by UKWIN at Paragraph 133 of our WR (REP1-068), "It is not disputed that the portion of energy output attributed to non-biomass based waste input in either Project K3 or Project WKN cannot be considered renewable and therefore the plants would be partially renewable at best".</p> <p>With respect to the September 2021 consultation draft version of EN-3, the reference to SRF is expanded to include RDF (at Paragraph 2.6.6) which includes (at Paragraph 2.6.7) the same observation about Renewable Obligation Certificates (ROCs).</p> <p>Thus, there is nothing in either the extant EN-3 or the emerging EN-3 to suggest that RDF or SRF should be considered inheritably renewable sources of energy, meaning that the conclusions drawn by the Examining Authority and the Secretary of State in the Wheelabrator Kemsley North refusal remain valid.</p>
1.5.126-1.5.130	Whether the electricity is defined as 'renewable' or 'partially renewable', it does not change the outcome of the assessment.	<p>The applicant's purported citation of UKWIN's WR (REP1-068) Paragraph 128 mistakenly repeats Paragraph 127, meaning the applicant omitted the point made by UKWIN in Paragraph 128 of REP1-068, which in turn led them to misunderstand the point made by UKWIN in Paragraphs 129 and 130 of our WR.</p> <p>As such, the applicant has yet to respond to the observation that because energy generated through landfill gas capture is classed as wholly renewable, if the facility proposed for Boston would divert waste from landfill, the applicant is in effect proposing to replace wholly renewable energy with energy that could be described as 'partially renewable at best'.</p>