



**Alternative Use Boston Projects
Boston Alternative Energy Facility Order**

Planning Inspectorate Reference: EN010095

Update on position from the Environment Agency

Unique Reference Number: 20028344

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Submitted on behalf of the
Environment Agency by:
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1. Scope of this response

- 1.1. We are writing in response to the Secretary of States invitation for comments on the representations received since the close of the examination.
- 1.2. Since the examination closed we have worked with the applicant to resolve the majority of the outstanding issues. To be clear on our current position I have reiterated our outstanding concerns and advice below.

Habitat Mitigation

- 1.3. We maintain our **OBJECTION** to the loss of habitat from the development until such a time as Natural England confirm that the proposed scheme of mitigation/compensation is suitable, and the project will not lead to a deterioration in the Water Framework Directive ecological value of the waterbody.

Environmental Permit

- 1.4. No further evidence has been provided to overcome our concerns regarding the likelihood of an Environmental Permit being granted for the development as proposed.
- 1.5. We can only provide assurance as to our likely position on a permit application once we can publish a draft decision on that permit application.
- 1.6. From a permitting perspective, there are three distinct processes within the proposed design: the Energy from Waste (EfW) plant, the Carbon Capture Plant (CCP) and the Lightweight Aggregate Plant (LWA).
- 1.7. We acknowledge that the proposed EfW plant will utilise recognised technology, typical of what has been permitted previously in the UK. The proposed CCP plant would utilise a process which is proven on a smaller scale and for which permits have been issued. However, the exact design would need to be assessed through the environmental permitting process given the large scale of the proposals.
- 1.8. Whilst we acknowledge the possible benefits of the proposed LWA process, it would be a novel process and require careful consideration of the potential environmental impacts that may arise from it.
- 1.9. The EA cannot therefore confirm that the facility as proposed is of a type and nature which could be permitted 'in-principle'.