Issue Specific Hearing 6 - Mon June 26th 2023 – Traffic & Transport

Jenny Perryman, Interested Party: I just have two points:

(1) From **Environmental Statement Chapter 6 Traffic and Transport 6-60: (Pdf page 62/91)**

Table 6.20 Traffic and Transport Receptors scoped out of further assessment

6-61 Environmental Statement Chapter 6: Traffic and Transport

Receptor	Impact	Justification	Agreement
	Dangerous or Hazardous Loads during the operational and construction phases	Further to the production of the EIA Scoping Report and as part of the detailed design process, it has been confirmed that no dangerous or hazardous loads would be required during the construction or operational phases of the Proposed Development.	The traffic and transport EIA Scoping Report set out that it was anticipated that dangerous and hazardous loads would not be required. This has since been confirmed with the details of the nature of traffic set out in this chapter. This was not disputed in the EIA Scoping Opinion.

It is unclear why the Applicant has scoped out the movement of APC residues from further assessment.

The justification given is that “no dangerous or hazardous loads would be required during the construction or operational phases of the Proposed Development.”

Yet Fly Ash is classed as hazardous waste.

If a vehicle is transporting a known hazardous waste then how can it not be deemed to be carrying a hazardous load?

The above table was confirmed with the ExA

> **Claire Broderick for the applicant..** *We're just trying to find the reasoning for that and whether there's a reference to refer you to. …*
>
> The movements have obviously been considered as part of the transport assessment from a vehicle movement perspective, but we're going to need to go back through our documentation to confirm the reasons why those those particular vehicle movements weren't considered to be a dangerous or has to slowed (?) receptor for the purposes of the assessment in accordance with the guidance.
>
> we don't have the answer to hand, but will be in our written summary of our of the submissions made in this hearing.

I don’t consider it can be acceptable to exclude these movements – whilst 4 per week may be a low number, the movement of an estimated 600 tonnes per week of APCr containing heavy metals, dioxins, furans and organic micro-pollutants, all highly toxic to humans and the environment, is significant.

NB: Given that I had already made this point in my written submission of OFH 1 – it’s surprising the Applicant was still unable to answer at ISH 6.

My second point:

The government announced 2 years ago that there will be no new diesel and petrol HGVs sold after 2040 – which will come into effect less than a third of the way in to the PD's 40 plus year life.

Given the Applicants need to source the vast majority of their waste from much greater distances from the PD than other existing EfW facilities who are contracted to Local Authorities, or from waste arisings, there doesn't appear to be any consideration given to the impact this will have on the PD.

Given the size, scale and remote location of the PD, the impact is likely to be significant.

It is not something which can be batted away as a bridge to cross later, or attempt to put a rose-coloured spin on alternative technologies, because those which currently exist like hydrogen and electricity are either too expensive or **don't provide enough range.** It is unknown if, or when they will exist or what they will cost, factors which are out of the Applicant's control, **but the significant impact due to the PD's size, scale and remote location, needs to be given serious scrutiny as part of this DCO.**

Paul Carey for the applicant. *We're not entirely sure what the premise of the question.* ***Clearly, by 2040 there will be a lot of other suitable technologies for.*** *Operated vehicles do have a limited range,* ***but hydrogen fuelled vehicles would have a much longer range.*** *It's impossible to know now which of those two technologies may develop to allow longer distance transport. Um, so it's very difficult to answer that question as to how we foresee vehicles being fuelled in the future post 2040. But* ***one of the options certainly would be hydrogen fuelled vehicles.***

JP - The the director of the Road Haulage Association doesn't agree with you. They say that those alternative technologies like hydrogen and electricity, are either too expensive or don't provide enough range currently, and it's unknown when or if they will exist and at what cost. So I think to kick this can down the road at this stage isn't really adequate when it will come into effect in less than a third of the way into this 40 year development.

Paul Carey for the applicant. *And the applicant's position is that some of the more general points being made are probably beyond the realms of this particular examination and what it's looking in to. We've obviously set out in a lot of detail at previous hearings the reasons for the site selection and the reasons for the selection of this particular site in terms of waste fuel availability. The applicant submitted an updated waste assessment at deadline five and that will be being discussed at the hearing tomorrow. And in that document, the applicant sets out why it considers that there will be sufficient waste for the proposed development and* ***that waste will be being generated and will obviously have to be collected regardless of the method of transportation being used at that point in time.*** *So the applicant's position is that there is a need for the proposed development and that there is sufficient waste to supply it.* ***But the applicant doesn't consider that it should consider the method of transportation.*** *As part of this examination, we've assessed the worst case scenario from an emissions perspective as part of our environmental statement, and that looks at the continued use of fossil fuels for the delivery of waste, which we consider to be the worst case scenario. So for the purposes of this examination and the documentation to support it, the applicant considers that it's provided sufficient evidence. Thank you.*

The response provided is largely irrelevant. Yes, the waste will have to be collected and transported to the PD, but as I stated, given the size, scale and remote location of the PD the impact is likely to be significant and needs to be given serious scrutiny as part of this DCO.

Mr Pinto asked that the ExA be provided with a reference for the document from which I had quoted the MD of the RHA. Please see below:

Climate change: Sale of new diesel and petrol HGVs to be banned after 2040

https://news.sky.com/story/climate-change-sale-of-new-diesel-and-petrol-hgvs-to-be-banned-after-2040-12355349

Hauliers say practical alternative technologies don't yet exist, are too costly or don't offer enough range to make them viable.

Wednesday **14 July 2021** Hannah Thomas-Peter Climate change and energy correspondent

The announcement was condemned by the Road Haulage Association. Its managing director Rod McKenzie told Sky News that alternative technologies **like hydrogen and electricity** are either too expensive **or don't provide enough range,** and that there needs to be more certainty for such a critical industry.

He said: "This proposal is unrealistic. **Alternative HGVs don't yet exist.**

"We don't know when they'll exist, and we don't know how much they'll cost, and it's not clear what any transition will look like.

"So this is blue-sky thinking way ahead of real life reality.

"For many haulage companies there are big fears around the cost of new vehicles, and a collapse in the resale value of existing ones."

End of the road for diesel HGVs but will it work?

RHA welcomes the Government's pledge for zero-emission HGVs, but the timescale must be realistic for all users The whole vehicle life cycle must be central for the plan to work

Paul Mummery | **10th November 2021** 9:56 AM Press Officer

RHA welcomes the Government's approach for zero-emission HGVs but is concerned about the timing of phasing out some sizes of new trucks from 2035.

The industry will play its part in decarbonising freight, and the Government's announcement starts the process of creating the certainty hauliers need to start planning their vehicle replacement programmes.

But firms need proper phasing in of new technology with realistic timescales that will meet the needs of all users.

We urge ministers to ensure that new diesel trucks are given a minimum use period of 15 years.

We also call on the Government to accelerate investment in the electric vehicle and hydrogen infrastructure needed to realise net zero objectives in transport.

RHA's Managing Director of Policy and Public Affairs, Rod McKenzie said:

"We support the Government's aim to decarbonise but the pace may be impossibly fast. Care is needed to ensure that all markets are served and future disruption to the supply chains are avoided.

"We would like the deadline extended for lorries over 18 tonnes by five years with support for hauliers in making the transition.

"Proven alternatives to diesel for all uses, locations, ranges and the heaviest trucks don't yet exist. It will require continuous review of the timeline over coming years to ensure a sustainable and successful transition to zero tailpipe lorries."

Written Oral Submissions from ISH 7 and Other Comments.

Waste Matters, Size and Need

From the Applicant's comments on Written Representations (NB. All emphasis in quotations are mine):

> An updated version of the WFAA was produced at Deadline 2 – see WFAA (Volume 7.3) [REP2-009]. This provides a clear and robust case of need – and one which is based upon a range of up to date, publicly available, credible and rigorously examined data sources. This has continued to conclude that there is insufficient existing or planned residual waste management capacity to ensure that residual, non-recyclable waste can be managed as far up the waste hierarchy as possible (i.e., diverted from landfill) and in a manner which complies with the proximity principle (**i.e., treating waste as close as possible to its point of arising**).

The Applicant admitted their data in the WFAA is based solely on how much waste is sent to landfill by the waste disposal authorities in the study area, irrespective of where that waste arises.

This fails to take into account that in 2020 authorities' facilities in the East of England took just over 5 million tonnes of London's HIC waste – around: 3.1m tonnes to Thurrock, 1.2m to Hertfordshire, 452,000 to Essex & Southend, 222,000 to Cambs & P/boro, 152,000 to Norfolk, 80,000 to Bedfordshire, 10,000 to Suffolk.

This would suggest that if there were a 'need' for another EfW facility in the East of England region, a location much nearer to that waste arising in London, where better transport links makes the movement of waste more efficient, would conform to the proximity principle – not tucked away 100 miles north in a remote rural location.

> The focus of the WFAA is on the availability of residual waste i.e., that part of the waste stream that is left over after reuse, recycling and other forms of recovery have taken place. It is therefore implicit in the WFAA that the fraction of the household and commercial waste stream that is 'residual' is not able to be managed in any other way apart from incineration (with or without energy recovery) or landfill. A requirement has been included in Schedule 2 of the draft DCO to ensure that the Proposed Development complies with the waste hierarchy.

Whilst the Applicant may desire others to think that what they refer to in the WFAA as 'residual' waste actually is the fraction left "after reuse, recycling and other forms of recovery have taken place," they have failed to demonstrate that it is true.

The need for others to believe this false assumption underpins the whole planning application, but it's too well-known that what is called "residual" waste contains a huge percentage of waste that could have been 'easily' reused or recycled or managed through better forms of recovery. When the foundation is untrue nothing stacks up, leading to a planning application that is disingenuous and lacks candour.

Whilst the Applicant claims the PD will move the waste up the waste hierarchy from landfill to energy recovery, the waste hierarchy follows a top down process, not bottom up - incineration is for waste that cannot be treated further up the waste hierarchy to remove the damaging environmental impact of landfill.

The PD does not support the Government's policy principle of **driving** the management of waste up the established hierarchy, it's not only one lame step up from the bottom, but the finality of burning waste at this PD prevents any opportunity to manage or treat 625,000tpa further up the waste management hierarchy, and therefore does not comply with EN3 -"The proposed plant must not compete with greater waste prevention, re-use, or recycling .. "

In a previous submission, referencing Cory Riverside, I wrote:

> "Why did the Applicant not include an upfront MRF in their own proposal? It really should be a necessary requirement of a facility of this size and carry weight over one that simply burns everything, which in itself leans this PD to go against the waste hierarchy."

The Applicant's response:

> “The proposed technology does not require an upfront materials recovery facility (MRF)”

This isn’t about the technology being used, it’s about ensuring the PD conforms to the waste hierarchy - or at least makes an attempt to.

It appears the confines of the site would prevent an upfront MRF even being possible – reducing this PD to a mass burn facility, and would potentially contravene the legal requirement of the waste hierarchy from the moment the site was selected.

I appreciate that Cambridge County Council have made it quite clear about the requirements they have accepted as the very worst case scenario in Schedule 2 of the draft DCO.

In relation to the waste codes 19 and 20 the Applicant said:

> “these are wastes that remain after source separation of recyclables or processing to recover any such viable recyclable material, and that **compliance with the waste hierarchy is guaranteed by requirement 14 in the draft DCO**.”

But they haven't given any details on how the Applicant plans to apply these absurd requirements until after the DCO is given - and they will only be applied **once the waste arrives at the proposed development.** It's simply closing the door after the horse has bolted.

The Applicant must make these known now while the DCO is being considered in order to fully understand what exactly would be involved, how they would work in practice and how effective and robust the measures would be.

In the Applicant’s comments to UKWIN’s representation:

> “The Applicant fully supports the reduction of waste, re-use of waste and recycling of waste **and it must be stressed that the facility will not prevent recycling.**
>
> In terms of the waste hierarchy, it is considered that **the Proposed Development will fully deliver implementation of the waste hierarchy** – a cornerstone of England’s waste management policy and legislative framework - and divert waste from continued management at the bottom of the waste hierarchy (i.e., landfill) up to having value (in the form of electricity recovered from it).
>
> The Proposed Development is designed to accept residual waste, from EWC (European Waste Catalogue) codes 19 and 20. **These are wastes that remain after source separation of recyclables or processing to recover any such viable recyclable material. At the Applicant’s other EfW CHP facilities, the use of EWC codes 19 and 20 prevents the delivery of source segregated or presorted recyclates**. The target feedstock is **residual waste** that is currently being landfilled. As such the facility will move the waste up the waste hierarchy from disposal to recovery.”

From an article in the Plymouth Herald, dated October 8th, 2017, titled “Inside the Incinerator. Watch what really happens to your rubbish,” the reporter writes:

> “From the bowels of Plymouth Barn's Barton Base Incinerator, it's possible to survey a cavernous hangar filled with refuse just four days worth from across the southwest. Prams, mattresses, carrier bags, old clothes and the rest of the city's unwanted detritus. Society's throwaways managing director of MVV Environmental Services Limited, Paul Carey, says staring out over the vast sea of technicolour trash. You stand here long enough, you start picking out items, sofas, children's toys, all sorts of things where you think, I could have used that? It looks perfectly usable. It's amazing what people throw away. Disappointing in many ways.”

This goes against their own claims about their own facility in Plymouth.

> **Paul Carey for the Applicant.** Well, I'm not going to deny what was said in those quotes, but that's not the point. The environmental permit that we will also have to get will dictate the waste codes that we are allowed to take. It might well be unfortunate that some people throw things away that they should not have done, **but that is not something we can do anything about.** We will take the waste that we are permitted to take and **the waste hierarchy requirements will be respected at all times.** We will only be taking residual waste - that is waste that is leftover **after people have attempted** their recycling.

It very much is the point. It's not what's possible and what happens. It's the claims, the outrageous and manipulated claims that the Applicant has and is making, that are not true.

What is true is the admission regarding the actual meaning: "**residual waste** - that is **waste that is leftover after people have attempted their recycling."**

Their own managing director made these comments years earlier and show that this PD, with no front end recycling, is no different, and that despite their claims throughout this planning application that the PD would only burn non-recyclable material, it would **divert a very significant proportion of waste from recycling rather than landfill,** because that waste is left over after people have simply attempted recycling.

In the Applicants comments to UKWIN's representation:

> Furthermore, even if it was considered that there were elements of the existing residual waste stream that could be recycled or re-used, **without full analysis of that waste which is currently sent to landfill, it is not known what fractions/ % of the residual waste stream could potentially be moved further up the hierarchy**. The **WFAA (Volume 7.3) [REP2-009]** submitted at Deadline 2 has taken a reasonable approach to assessing potential fuel levels by reviewing quantities of residual waste that are currently sent to landfill and drawing conclusions around the availability of that material to be diverted to the Proposed Development and result in that material being lifted up the waste management hierarchy.

Defra provided an analysis, it is a starting point.

From Defra's August 2020 Resources and Waste Strategy Monitoring Report:

> "Of total residual waste from household sources in England in 2017, an estimated 53% could be categorised as readily recyclable, 27% as potentially recyclable, 12% as potentially substitutable and 8% as difficult to either recycle or substitute".

> "The message from this assessment is that a substantial quantity of material appears to be going into the **residual** waste stream, where it could have at least been recycled or dealt with higher up the waste hierarchy".

Responding to my written representation the Applicant stated:

> The EfW CHP Facility provides for the management of residual waste, remaining after the removal of recyclables, which moves the management higher up the waste hierarchy than the alternative 'without Proposed Development' scenario where waste is sent to landfill.

The Applicant has no vehicle through which they can even attempt to achieve the repeated claims made, the Applicant's own Plymouth site is testament to that, but it's the vast size and scale of this PD that amplifies the problem.

According to The Waste Management Plan for England published in January 2021: Implementation of the waste hierarchy is both a guide to sustainable waste management and **a legal requirement.**

This facility will be burning items that could be easily recycled further up the waste hierarchy. Using Defra's own figures of 53%, the proposed development could burn over 330,000 tonnes per year of readily recyclable waste, which goes directly against the waste hierarchy.

To make their claims that the PD will only burn waste destined for landfill that cannot be recycled, they are expecting the onus to be squarely on LAs to guarantee to have perfectly sorted waste before arriving at the PD, so all they have to do is burn it.

However, the PD is in not in accordance with EN-3 or **the *Cambridgeshire D*evelopment Plan** which reflect the principles of the waste hierarchy:

> "In line with Objective 2 of this Plan, the Councils aim to actively encourage, and will in principle support the sustainable management of waste, which includes encouraging waste to move as far up the waste hierarchy as possible…..In order to ensure this aim can be met, waste management proposals must demonstrably contribute towards

sustainable waste management, by moving waste up the waste hierarchy; and **proposals for disposal must demonstrate that the waste has been pre-treated and cannot practicably be recycled.”**

JP - In relation to what the applicant just said **where they were committed to moving waste up the waste hierarchy.** Could someone just explain how, because they're clearly targeting Norfolk Waste. They've said in ISH 3 that Norfolk waste is currently going to **Rookery South EfW** facility in Bedford, and that if it went to the proposed facility, then it would conform to the proximity principle. **How is that driving waste up the waste hierarchy?** The same applies to Essex waste, when again in ISH 3 they were saying about tendering for Essex waste that could go to **Rivenhall** or could come to this proposed development. **How is that driving waste up the waste hierarchy?** It's actually further down because Rivenhall have got more technology to deal with recycling. How are these examples and the other statements of interest that they provided to you for the likes of Hertford - **how is taking waste away from another EfW incinerator that's currently being burnt there, how is that driving waste up the waste hierarchy?** And it's not producing any new energy - it's replacing energy that was being produced somewhere else. To remove Norfolk's waste from Rookery South, the onus now goes on to Bedford - they have to source more waste, maybe from further afield from what their allowances are, in order to fill those gaps.

Claire Browne for the applicants. Just to be clear, **the proposed development, certainly the basis of the fuel availability assessment** does not rely upon diverting waste from any other energy from waste facility. The fundamental basis of the fuel availability assessment is on how much waste those planning authorities in our study area currently dispose of to landfill. And this is waste that is suitable for diversion through an energy from waste facility. So in that respect, that's why we talk about this facility hoicking it up the waste management hierarchy, **because we have only looked at the availability of material that currently gets put in a hole in the ground**. Would my colleague Mike like to add anything to that?

Mike Turner for the applicant. Just to add to that, with regard to Norfolk Waste, that is entirely a matter for Norfolk. They will send their waste to Rookery for the duration of their contract. And I'm sure at some point they will procure services again and they will decide what, how much and when that procurement would involve in terms of waste. So to reiterate, we are not not dependent on that. We are looking in terms of the waste fuel availability assessment **at suitable residual waste in landfill,** of which there is a significant surplus.

With regard to the question of the material moving from Norfolk to Rookery, I would suggest proximity would apply if it were to come to the facility if the application were successful. So that would be a case of proximity rather than waste hierarchy move. But to reiterate what my colleague just said, **the waste fuel availability assessment relies upon suitable residual waste in landfill,** of which we feel we've clearly demonstrated that there is a significant surplus.

JP - In relation to the response, the applicant is making a planning application to suit the needs of the planning application. What their intention is is very different. You can see all the way through the planning application papers they keep on and on about Norfolk's waste - that's why they chose that site, it's as simple as that. They keep on about Norfolk's waste, keep on about Essex waste. And if taking Norfolk's waste is to do with the proximity principle, **the other part of my question, how is trying to source waste from Bedford conforming to the proximity principle? It works two ways.**

Mike Turner for the applicant. I believe we've answered the question and would refer to my previous comments.

I don’t believe the Applicant has answered my question - I leave that with the ExA to decide.

At the beginning of their response Claire Brown for the Applicant started to say the Proposed Developement does not rely on diverting waste from any other energy from waste facility but quickly changed to the WFAA and landfill because of the need to keep separate – the planning

application for the DCO is wholly based on landfill to comply with NPS, whereas the PD will divert waste from other facilities and will not comply with NPS.

Due to the location of the PD the planning application does not accord with the proximity principle. That holds true whether the sourced waste was really headed for a non-hazardous landfill or not – the only exception is Norfolk - Norfolk's waste is not going to landfill it's going to another EfW facility – **competing on price is not filling a capacity gap ...**

Mr Turner can be quite sure that Norfolk will procure services again because emails obtained through FOI show he has been in direct contact with NCC waste officers since 2019 in that regard, as has Carey.

Below is the end of a template letter emailed to Norfolk County Council by Mike Turner, MD, MVV on May 16th 2019 in regard to 'Residual Waste Treatment and Disposal Services.' Who else got one?

MVV is planning to develop further EfW facilities which would be able to treat the total amount of the Authorities Residual and Bulky Waste and would be interested to bid for a long-term Contract for waste disposal with energy recovery or alternatively for a DFBOT project with facility handback at the end of the Contract period.

Considering a period of 3 to 5 years until a new facility becomes fully operational we would prefer a Contract start date in or after 2023, which would in our view also benefit the Authority as the market should by then have increased thermal treatment capacity.

We would be happy to offer community benefits during the construction and service period as well as supporting the development of a district heating scheme.

MVV would be very interested to meet with the Authority for initial discussions. Should you have any questions do not hesitate to contact Mike Turner Personal data ; M Personal Data or Personal Data Personal Data

Yours sincerely

Personal Data

Mike Turner
Managing Director

Personal Data

Personal Data
Local Authority
Development Manager

Soft Market Testing – MVV

17 June 2019

Planning to build a largescale EfW in the region, outside of Norfolk. Hoping to gain planning and permitting within the next 18 months, with 3yr construction thereafter, but recognise potential for delay in the planning and permitting processes.
Would be potentially looking at a facility generating over 50MW of energy (therefore in region of 500,000tpa), therefore being a nationally significant facility and the planning application would be assessed by the IPC (Infrastructure Planning Commission).

Commercially sensitive

Were interested in the idea of time based lots – a lot for 2 years then another lot after those 2 years are over for example.

Bulky waste

They can take bulky waste in and they cited the example of their facility in Plymouth – the neck on the feed hopper is very wide so mattresses and sofas could go in, provided they are mixed in with the waste and don't go in all at once.
The meeting consisted of a lot of questions from them about Norfolk's situation, waste levels, the role of News, approach to the Resources and Waste Strategy.

An email to NCC's Head of Waste:

From: Paul Carey
Sent: 27 November 2019 22:12
To: Hull, Joel <[redacted]norfolk.gov.uk> (Obscured by JP)
Subject: Medworth
WARNING: External email, think before you click!.
Hi Joel
I hope all is well over in Norfolk. I was wondering if you had seen our recent announcements about our Medworth project in Wisbech.
Paul

However, this is what Carey told the ExA at ISH3 (pt1):

> The second point is, as I tried to mention earlier, **we would not deal directly with waste authorities**. We would simply act as a subcontractor to private sector companies that would then tender for that waste.
>
> **We have not had direct discussions with any waste local authority,** but it's likely that that tender would require the private sector companies that tender for that waste to take all of the authority's waste ...

From Written Summary of the Applicant's Oral Submissions at ISH3 – Page 12

> **The ExA asked for evidence of engagement and confirmation of reported anticipated capacity from local waste authorities.**
>
> Mr Carey confirmed that the Applicant will provide evidence of letters of support from waste companies that **will** redirect waste to the Medworth EfW CHP Facility if consent is granted. Appendix A provides letters of support received to date.

Two of the three letters provided contain an identical paragraph as though they have been provided with a template – however, **none supports Carey's claim** that they **will** - one says "subject to an appropriate contract we **could** send our waste, to this proposed facility." and the two template letters say the company "**has the potential to** deliver a proportion of the waste required across our portfolio of waste management services."

Yet another false, misleading claim.

I ask the ExA:

- Is there any requirement for honesty when applying for a DCO to the Planning Inspectorate?
- Is any weight given against a thoroughly disingenuous planning application?
- Is any weight given to such a low level of confidence the local people and authorities have in the Applicant?

At ISH 7 the applicant said they did not envision a shortage of waste. I raised the point that a shortage of waste and a reduced calorific value is somewhat linked and referenced Suffolk's 269,000tpa incinerator at Great Blakenham, which I had detailed in a previous submission.

The point of raising this was not so much about the PD, but more to highlight **the cumulative effect - that the upcoming collection of food waste will create an increased regional demand and that this facility will have an adverse effect on other facilities** across this East of England region where local authorities are tied into very long contracts.

In 2020 the operator Suez applied to increase the capacity by 10% to 295,000 tonnes because the residual waste did not have a high enough calorific value to maintain the level of electricity it provided to the grid.

The exact cause is unknown. There was **a negligible difference in recycling** and the recycling of Tetra packs was stopped in order to burn them. This could happen at any time in any of the EfW facilities in the East of England.

This has a knock on effect - Suffolk needs to source more waste from the region – Suffolk's neighbours are Norfolk, Essex and Cambridgeshire – if there is such a demand for this 625,000tpa PD at this location, then why did Suffolk need to ask that their region be expanded to allow them to source waste from a greater area, and why was it granted?

I note another IP mentioned something similar but it was swerved and **left unanswered:**

> There have been reports that the SUEZ EfW plant at Great Blakenham may have to take more waste from further afield because it is not able to generate as much heat as expected given the composition of the waste. As the technology of EfW plants remains unchanged in 2023, **has there been any assessment of similar problems at existing EfW facilities**

Applicant's response:

> Changes in the composition of residual waste result in changes in calorific value. A reduction in calorific value, for example due to higher moisture content or reduced plastic volumes, means any EfW facility could take more residual waste up to its mechanical limit. **This is normal and is not regarded as a problem.**
>
> Mr Carey stressed that the composition of waste would determine burning capacity and therefore the volume of waste needed. How does the Applicant intend to maintain electricity capacity as the amount of plastic waste reduces?

Applicant's response:

> By increasing the tonnage of residual waste in the event of lower caloric values the same energy input will be maintained, thus maintaining the same electrical output. If the calorific value increased, waste tonnages would be reduced to maintain the same energy throughput.

Whilst both responses were given with a positive spin on a need to increase the throughput of waste, there is no acknowledgement in this planning application of the negative cumulative impact this could or would have on other EfW facilities across the study area.

The Applicant's response to my point about Great Blakenham and food waste:

> **Claire Brown for the applicants.** We would just like to draw attention to the fact that the waste fuel availability assessment and specifically Appendix E of that assessment in relation to local authority collected waste does carry out a sort of **high level analysis** around which local authorities within the study area already separately collect food waste and plastics, and the majority already do so. On that basis, we would not expect for local authority collected waste to see a big change in the composition of that waste stream in the immediate and over the longer term as well. Because **the fact of the matter is,** is that that material, it's already taken out at source by the collection authorities.
>
> **Claire Brown for the applicant.** Just just to reiterate that when we were looking at the arrangements of local authority collected waste, we looked at how many authorities were separately collecting food waste and separately collecting plastics. So the plastics issue is considered as well, and the overwhelming majority are already taking plastics as well as food waste out of the waste stream. So it's both plastics and food waste.

The Applicant's comments on my Deadline 4 Submission

> Whilst Norfolk clearly need to pull their finger out, if they were tempted by price to send their waste, with its high recyclable content to the proposed Medworth facility, it would be burning waste down the hierarchy given Norfolk's need, opportunity and intentions to recycle more. **A recent 2021/22 analysis of Norfolk's waste showed 36% of general waste was organic waste such as food waste, 25-30% of all plastics found in general waste could be recycled, with 56% of glass in general waste being glass bottles.**

> The Applicant refers the IP to response to JP07.
> In addition to this, whilst the Applicant is unclear as to the source of the IP's data on household waste composition in Norfolk, the Applicant refers the IP to Appendix E of the updated **WFAA (Volume 7.3) (Rev 3)** provided at Deadline 5), which notes that of the 7 districts in Norfolk, all collect dry mixed recycling (which includes plastics) and x3 separately collect food waste.

Norfolk's waste showed 36% of general waste was organic waste such as food waste,

Suffolk burns around 52,000 tonnes of recyclable food waste annually - 35% of the incinerator's feedstock.

These are just two of the PD's neighbouring counties suggesting the Applicant's Appendix E Assessment is so inaccurate it is significantly flawed. But it gets worse ….

I reiterate the Applicant's claim mentioned at the first paragraph:

> An updated version of the WFAA was produced at Deadline 2 – see **WFAA (Volume 7.3) [REP2-009].** This provides a clear and robust case of need – and one which is based upon a range of up to date, publicly available, credible and rigorously examined data sources.

This so-called ***"high level analysis"*** simply looks at whether WCAs have provided an '*opportunity*' for separately collected food waste and plastics, i.e. provided a recycling bin and a food waste bin. That is not what anyone would call a high level analysis, neither is it a credible or rigorously examined data source. It is amateur, and a reflection of the many unsubstantiated claims made by the Applicant throughout this planning application.

Given the above and both Norfolk and Suffolk's examples, and in the absence of any other actual or accurate figures, it would therefore be conceivable to suggest this composition of around 35% of food waste in residual household waste applies to all authorities, both locally and nationally, but specifically across the Applicant's study area.

As the removal of food waste will also affect the calorific value of all waste feedstock currently or potentially feeding EfW incinerators, they could all be in the same situation as Suffolk, where they **also** need to increase the size of their facilities and will therefore require even more waste.

35% becomes a very significant figure to those authorities who are tied into very long incinerator contracts like Suffolk County Council and others across this East of England region.

And, given the significant flaw in the Applicant's Appendix E Assessment, this will only be increased further, through reduced tonnage and calorific value, when plastic is recycled.

For the PD alone, that would mean sourcing almost 220,000 more tons per year, the equivalent having to feed another EfW incinerator next door.

I apologise for wording my oral point poorly, I was not interested in the process any facility would go through to apply for increased capacity, it was about the impact the PD will have on others when every authority and facility, locally, regionally and nationally, will be looking for a higher amount of waste and a higher calorific value composition, and the impact the PD will have on the cumulative effect of increased regional demand.

Regardless of what the Applicant has claimed in the WFAA this will all have an adverse knock on effect on all facilities in this area.

Site Selection – Alternatives.

Environmental Statement: Chapter 2 Alternatives

This chapter explains the Applicant's main reasons for selecting the location of the Proposed Development, highlighting the 'essential' and 'preferable' site selection criteria that were applied in determining the suitability of the site. ***Section 2.3*** *explains why the EfW CHP Facility Site was selected. The Applicant did not therefore consider any specific alternative locations for an EfW facility.*

In 2.9 Conclusion, the Applicant states: *PINS Advice Note 7 considers a good ES to be one that "explains the reasonable alternatives considered and the reasons for the chosen option ...."*

Table 2.1 Summary of EIA Scoping Opinion responses in relation to the assessment of alternatives

> **"PINS** - The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen options, including a comparison of the environmental effects.".

The Applicant has made the details of alternative sites studied so "discrete" they are barely visible.

Despite Carey saying at ISH 3 *"when it comes to that heat demand, there is a lot of information out there available"* **they have used very outdated data** - the DBEIS UK CHP Development Map is at least 10 years out of date since it does not show the Gt Blakenham EFW facility in Suffolk, or MVV's own facility in Plymouth.

"Graphic 2.1 UK CHP Development Map, East of England/South East" shows heat loads right across the Applicant's study area, and far more centrally located to accord with the proximity principle, yet the Applicant only referred to 2, Norwich and Wisbech, with no explanation for why vast swathes of the East of England were ignored.

Fleeting mentions were made about existing sites at Peterborough and Rivenhall – rather irrelevant when someone has already done the groundwork and selected those locations.

They have not truthfully explained why Norwich was not pursued, which is due to a Norfolk County Council policy, decided upon in 2015 by the Waste Advisory Group and unanimously agreed on by Full Council, that any household waste treatment in the County has to be further up the waste hierarchy than incineration, which long-ruled this facility out from anywhere in Norfolk.

That left the Applicant with their only location in Wisbech, in the most remote, furthest upper corner of the whole of the East of England that they could go, given Norfolk's county policy and Suffolk's existing facility in Gt Blakenham.

(**NB:** I have yet to see a map from the Applicant with their East of England catchment area showing existing EfW facilities and those currently under construction, which they have been asked for at least twice.)

And yet the Applicant claims: ***"The site selection process and consideration of alternatives has been wide ranging ..."***

Rather, it remains clear that the existing waste transfer site in Wisbech, used by NCC and others, was always the intended location and they have attempted to retrofit this site location into the planning application.

Conclusion

> The focus of the WFAA is on the availability of residual waste i.e., that part of the waste stream that is left over after reuse, recycling and other forms of recovery have taken place. It is therefore implicit in the WFAA that the fraction of the household and commercial waste stream that is 'residual' is not able to be managed in any other way apart from incineration (with or without energy recovery) or landfill. A requirement has been included in Schedule 2 of the draft DCO to ensure that the Proposed Development complies with the waste hierarchy.

The need for others to believe this false assumption underpins the whole planning application and because this foundation is untrue nothing stacks up.

The WFAA is significantly flawed, data is manipulated, claims are false, truths are concealed, and lies are told, resulting in a planning application, that from the outset appears disingenuous and lacking in candour, and does not comply with National Policy Statements I have highlighted in earlier submissions.

I urge the ExA to reject this planning application and refuse to grant a Consent Order.

ISH 7 Part 3 – Tuesday June 27th 2023 – Specific Question for the ExA to ask Applicant

Action Point 4

Ms Perryman	Asked to confirm, in writing, question in relation to sources of waste data.

I asked the Applicant for a simple clarification on the meaning of ‘source’ in relation to waste?

Whether the word source refers to where waste arises?

The meaning as applied to the waste itself, not as in the source of waste data.