

Indaver Rivenhall IWMF DCO

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ENVIRONMENTAL STATEMENT [PINS Ref: EN0101038]

ES APPENDIX 5.3: SCHEDULE OF SCOPING OPINION COMMENTS AND RESPONSES

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Indaver Rivenhall Ltd

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sustainable waste
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Table 1: Key Scoping Opinion Comments and Responses

Topic	Summary of Comment	Action / Response
Terminology	<p>"The scoping report refers to both the 'Consented Scheme' and 'the 2016 Permission'. To avoid confusion, the ES should be consistent and refer to one of these terms only.</p> <p>Furthermore, paragraph 3.1.3 identifies the two work options as 'Work No.1' and 'Work No.2' yet Figure 3.1 refers to these as 'Option 1' and 'Option 2'. The ES should be consistent in its use of terminology."</p>	<p>The ES will apply 'Consented Scheme' and 'Work Options' terms, without reference to '2016 Permission' and 'Options' to avoid confusion.</p>
Figures	<p>The text included for some of the figures is difficult to see or be able to read when zoomed in. The ES should ensure that all detail included in any visual aid is clearly labelled and remains clear when zoomed in.</p>	<p>All figures in the ES will be provided at sufficient resolution to be fully legible.</p>
Works options	<p>The Scoping Report presents two options for the Works. The ES should explain how the worst-case scenario for each option has been assessed.</p>	<p>ES Chapter 6: Methodology (Doc Ref. 6.1) details how a worst-case assessment approach has been adopted for each Works Option and the technical chapters (7 and 8) (Doc Ref. 6.1).</p>
Size of governor valves [i.e. inlet control valves]	<p>The size of the governor valves [i.e. inlet control valves] is not stated in the Scoping report. Details of approximate sizing should be provided within the ES.</p>	<p>The valves are likely to have an approximate bore size of 200mm. Further details on the Proposed Development are provided in Chapter 3: Proposed Development and Construction (Doc Ref. 6.1).</p>
Project description	<p>Paragraph 1.1.5 refers to optimising the design and operation of the boiler, steam turbine and generator. The two Works options only relate to changes to the governor valves. The ES should describe the Proposed Development in its entirety and identify the specific differences to the Consented Scheme.</p>	<p>A detailed description of both Works Options is provided in Chapter 3: Proposed Development and Construction (Doc Ref. 6.1).</p>

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Integration of the Proposed Development Works into the Consented Scheme	<p>The Scoping report describes the Works but it is not clear at what stage of the Consented Scheme the Proposed Development would take place. The ES should explain for each option whether the Consented Scheme will be under construction or in operation when the works would be implemented.</p>	<p>Details of the stage / timings that each of the Works Options would take place with respect to the construction and operation of the Consented Scheme is provided paragraphs 3.12.1 and 3.12.2 in Chapter 3: Proposed Development and Construction (Doc Ref. 6.1).</p>
Operational Process of Proposed Development	<p>The scoping report states that although the total amount of steam generated by the Consented Scheme will [sic] be changed by the Proposed Development, Works No 1 or Works No 2 will allow <i>“a greater volume of the steam generated by the boiler to be sent to the turbine allowing the turbine to run more efficiently”</i>. The scoping report does not state how this efficiency will be achieved. It is unclear if the increased volume of steam will increase the number of turbine rotations and whether this will lead to a change in noise or vibration effects. The ES should identify the impacts arising from the increased volume of steam sent to the turbine as a result of the Proposed Development on relevant has on noise and vibration.</p>	<p>The total amount of steam generated by the Consented Scheme will not be changed by the Proposed Development. A description of how the EfW plant would operate, as amended by the Proposed Development, is detailed in Section 3.3 of Chapter 3: Proposed Development and Construction (Doc Ref. 6.1). The increased volume of steam to the turbine does not increase the number of turbine rotations. Preliminary findings of the noise assessment are presented in Chapter 8: Noise and Vibration (Doc Ref. 6.1). This indicates that the operational process is not considered to have likely significant noise and vibration effects.</p>
Environmental Permit	<p>The scoping report states that <i>“Any necessary variations to environmental permits and/or consents will be sought outside of the scope of the DCO application”</i>. It is not clear whether this Permit relates to the Consented Scheme or Proposed Development, and the ES should clarify this.</p>	<p>An environmental permit has been approved for the Consented Scheme. The Applicant has been liaising with the Environment Agency about the Proposed Development. The Environment Agency has agreed in principle that only a minor variation to the environmental permit would</p>

Topic	Summary of Comment	Action / Response
		<p>be required to cover the Consented Scheme as amended by the Proposed Development. This would be sought outside of the scope of the DCO. See Chapter 3: Proposed Development and Construction (Doc Ref. 6.1) for where this is described.</p>
Mitigation measures	<p>The description of mitigation measures in the ES should clearly distinguish between those required for the Proposed Development and those required for the Consented Scheme. The ES should explain how those measures are to be secured as part of the DCO.</p>	<p>Mitigation measures associated with the Consented Scheme are defined in Chapter 2: Existing Site Conditions (Doc Ref. 6.1) and Consented Scheme. Mitigation measures associated with the Proposed Development are set out in Chapter 3: Proposed Development and Construction (Doc Ref. 6.1). Statements on how these would be secured are provided in paragraph 3.2.8 and 3.2.9 in Chapter 3.</p>
Construction Environmental Management Plan (CEMP)	<p>The ES should explain what changes are required to the CEMP as a result of the Proposed Development or the Consented Scheme. The most recent version of the CEMP should be provided within the ES.</p>	<p>The planning permission for the Consented Scheme incorporates conditions to control key elements of the construction works and any relevant environmental mitigation. Where relevant these controls will be adhered to and replicated in the DCO. Construction works for the Proposed Development will be undertaken in line with industry good practice standards. It is anticipated that there are no potentially significant construction effects from the Proposed Development that would require specific mitigation. A CEMP was prepared</p>

Topic	Summary of Comment	Action / Response
		by the contractor for the initial enabling works of the Consented Scheme. CEMPs will be developed for later phases. Given that the design and construction methodology is still at an early stage, an Outline CEMP is provided in the ES (see Appendix 3.1: Works Plan (Doc Ref 6.2)).
Transboundary	The Inspectorate has concluded that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment and that the likelihood of transboundary effects are so low that the Proposed Development does not warrant a detailed transboundary screening.	Noted.
Vulnerability of the Consented Scheme to climate change effects	The Inspectorate has concluded that the Proposed Development is unlikely to be vulnerable to impacts from climate change and this matter can be scoped out of the ES.	Noted.
Carbon budgets	The scoping report states that the assessment will use the IEMA) guidance: Assessing Greenhouse Gas Emissions and Evaluating their Significance (2022); and that this guidance suggests a threshold of 5% of the budget is used as an indicative threshold for which carbon impacts above this level are likely to be significant, but also states that 'any GHG emissions or reductions from a project might be considered to be significant'. The ES should confirm if the suggested 5% threshold has been applied for the purposes of the assessment.	The 5% threshold has been applied to the carbon assessment (section 7.6), as set out in Chapter 7: Climate Change and Greenhouse Gases (Doc Ref. 6.1)

Topic	Summary of Comment	Action / Response
Road traffic noise	<p>The scoping report explains that there will be no change in the number or the timing of vehicle trips relative to the Consented Scheme and therefore the operational Proposed Development is not expected to give rise to increased noise levels arising from road traffic.</p> <p>The Inspectorate agrees with the justification provided and agrees this matter can be scoped out of further assessment.</p>	Noted.
Vibration effects	<p>The scoping report states that during the operational phase, the Proposed Development is unlikely to give rise to any vibration that would be measurable beyond the Site boundary. However as noted in ID 3.2.4 below, the Inspectorate considers that the scoping report has provided insufficient justification for scoping this matter out. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter from the assessment.</p> <p>Accordingly the ES should include an assessment of this matter or the information referred to demonstrating the absence of likely significant effects.</p>	Further justification for demonstrating an absence of likely significant vibration effects from the Proposed Development and scoping it out of the EIA is provided in Chapter 8: Noise and Vibration (Doc Ref. 6.1) .
Identification of noise effects on ecological receptors	<p>The study area for the noise assessment, as stated in paragraph 8.3.2, includes the closest noise sensitive off-site receptors.</p> <p>Paragraph 2.1.15 of the scoping report states that the closest ecological designated sites are Storey's Wood Local Wildlife Site (LWS) and Upney Wood LWS approximately 290m south and 900m south east of the Site respectively. It is noted however, that these ecological designations are not included within the</p>	Details of the noise sensitive receptors considered in the ES is provided in Chapter 8: Noise and Vibration (Doc Ref. 6.1) . Full justification is provided where potential sensitive receptors (including ecological receptors) are excluded from the assessment.

Topic	Summary of Comment	Action / Response
	<p>noise assessment and only properties have been identified as noise sensitive receptors in paragraphs 8.5.6 to 8.5.8.</p> <p>The ES should ensure that all noise receptors are identified, and if receptors are to be excluded from the assessment, a justification should be provided.</p>	
Increased volume of steam to turbine	<p>The scoping report states that although the total amount of steam generated by the Consented Scheme will be changed by the Proposed Development, Works No 1 or Works No 2 will allow “a greater volume of the steam generated by the boiler to be sent to the turbine allowing the turbine to run more efficiently.</p> <p>The scoping report does not state how this efficiency will be achieved. It is unclear if the increased volume of steam will increase the number of turbine rotations and whether this will lead to a change in noise or vibration effects. The ES should identify the impacts arising from the increased volume of team sent to the turbine as a result of the Proposed Development on relevant has on noise and vibration.</p>	<p>The generator is required to operate at a fixed speed in order to generate electricity at the correct frequency for the grid (50 Hz). The turbine is connected to the generator so runs at same speed. The effect of sending more steam into the turbine is that there is more energy available, which equates to greater mechanical power from the turbine and therefore greater electrical power from the generator. This would not lead to increased noise or vibration.</p>

Table 2: Scoping Opinion – Additional Scope Considerations

Topic	Discussion Summary	Action / Response
Construction phase	<p>As further clarification has been sought on timings of implementation of the Proposed Development, the construction phase cannot be scoped out. The ES should either include an assessment of the effects of construction or a justification as to why likely significant effects would not arise.</p>	<p>Further justification for scoping out the potential for likely significant effects during the construction phase is provided in paragraphs 6.3.8 – 6.3.13 in</p>

Topic	Discussion Summary	Action / Response
		Chapter 6: EIA Methodology (Doc Ref. 6.1).
Decommissioning phase assessment	As further clarification has been sought on whether the Environmental Permit applies to only the Consented Scheme or also the Proposed Development, the decommissioning phase assessment cannot be scoped out. No information has been provided for the generic measures in the closure plan. The ES should include an assessment of the effects of decommissioning or a justification as to why likely significant effects would not arise.	Further justification for scoping out the potential for likely significant effects during the decommissioning phase is provided in paragraphs 6.3.14 – 6.3.16 in Chapter 6: EIA Methodology (Doc Ref. 6.1).
Effect interactions	The scoping report states that the aspects being assessed in the ES for the Proposed Development do not interact with the same receptors and therefore there is no potential for interactions to occur. This part of the cumulative assessment is therefore proposed to be scoped out of the ES. The Inspectorate agrees with this approach and considers this matter can be scoped out of further assessment.	Noted.
Air quality	The scoping report states that the Proposed Development will introduce a more modern and efficient plant than that which is included in the Consented Scheme. The Proposed Development will not change the combustion of waste or treatment of flue gases or types of waste to be combusted. As such, the releases to the atmosphere and abatement techniques will not change. Emissions to air are limited through an Environmental Permit. The Inspectorate agrees that this aspect can be scoped out of further assessment	Noted.
Land use and contaminated land	Previous surveys for the Consented Scheme did not identify any contamination and the Proposed Development does not include breaking of ground nor any underground works. Excavation works for the Consented Scheme have already commenced. The Inspectorate agrees that this aspect can be scoped out of further assessment.	

Topic	Discussion Summary	Action / Response
Ground and surface water (and flood risk)	Paragraph 2.1.16 states that, based on the Environment Agency flood maps, the Site is shown to be located within Flood Zone 1 (low probability of fluvial flooding) and has a low probability of surface water flooding. The Proposed Development is a change to the engineering operation and will not require additional water consumption or changes to water discharge. The Inspectorate agrees that this aspect can be scoped out of further assessment. It should be noted that paragraph 9.4.3 states that the site is not located in a Source Protection Zone, however, the site does fall within the extent of a groundwater Source Protection Zone 3, and this should be correctly reported in the ES.	Noted.
Ecological impact and ecological risk assessment	The scoping report states that Condition 54 of the Consented Scheme has been discharged, with a Habitat Management Plan agreed for the IWMF Site. The Proposed Development will not result in any changes to the external works undertaken, there will not be an increase of vehicular traffic and no additional land is required. The Inspectorate agrees that this aspect can be scoped out of further assessment.	Noted.
Landscape and Visual Impacts	The scoping report explains that there will be no changes to the external appearance of the IWMF building and no changes to the landscaping strategy. The Inspectorate agrees that this aspect can be scoped out of further assessment.	Noted.
Archaeology and Cultural Heritage	The scoping report explains that the Proposed Development is a change to the engineering operation and will not require breaking of ground or underground works. No additional land is required. Demolition works associated with the Consented Development have been completed and restoration works to a group of Grade II listed buildings at Woodhouse Farm have commenced. The Inspectorate agrees that this aspect can be scoped out of further assessment.	Noted.
Travel and transport	The scoping report explains the Proposed Development would not lead to a change in the permitted number of vehicle movements associated with the Consented Scheme. For this reason, the scoping report states that no	Noted.

Topic	Discussion Summary	Action / Response
	<p>new or materially different effects are anticipated in relation to travel and transport. The Inspectorate agrees that this aspect can be scoped out of further assessment.</p>	
<p>Nuisance impacts assessment (bioaerosols, odour, litter, insects, vermin and birds)</p>	<p>The scoping report states that the Proposed Development would not alter how waste is received or stored on the site. It would also not change removal of any waste products from the site. There are no new nuisances from what was considered for the Consented Scheme. The Inspectorate agrees that this aspect can be scoped out of further assessment.</p>	<p>Noted.</p>
<p>Light pollution</p>	<p>The scoping report states that the Proposed Development will not require a change in the current Consented Scheme as all works are internal. The Inspectorate agrees that this aspect can be scoped out of further assessment.</p>	<p>Noted.</p>
<p>Social and community issues</p>	<p>The scoping report states that the Proposed Development would not lead to changes in employment numbers from what was considered for the Consented Scheme. The Inspectorate agrees that this aspect can be scoped out of further assessment.</p>	<p>Noted.</p>
<p>Human health</p>	<p>The scoping report states that there may be very small interactions with human health regarding noise levels from the Proposed Development. However, this is considered to be at a level which would not result in significant effects given the Consented Scheme's planning conditions relating to noise as set out in paragraphs 8.5.2 to 8.5.8 and Table 8.1. Therefore, the Inspectorate agrees that this aspect can be scoped out of further assessment.</p>	<p>Noted.</p>
<p>Waste and materials</p>	<p>The scoping report states that the Proposed Development will not change the volume or types of waste which will be processed by the facility. Residues which will be generated are also expected to remain</p>	<p>Noted.</p>

Topic	Discussion Summary	Action / Response
	unchanged. Therefore, the Inspectorate agrees that this aspect can be scoped out of further assessment.	
Vulnerability to major accidents and disasters	The scoping report states that the Proposed Development includes increased electrical output, however it is considered that this would not change the vulnerability of the Proposed Development to major accidents and disasters. The scoping report confirms that the Proposed Development comprises only of internal works within the Consented Scheme and there will be no external changes that were approved as part of the Consented Scheme. The scoping report also states that works for the Proposed Development will be undertaken by qualified engineers. As such, the Inspectorate agrees this aspect can be scoped out.	Noted.
Aviation	The scoping report states that there will be no changes to the maximum permitted building height of 85m AOD which includes the stack height. The scoping report states that Condition 17, which was approved by the Waste Planning Authority for the Consented Scheme, will ensure there is no visible plume from the stack. On this basis, the Inspectorate agrees that this aspect can be scoped out of further assessment.	Noted.
Energy and utilities	The scoping report states that although the Proposed Development will include “an uplift in electrical output generation relative to the Consented Scheme” the Proposed Development would not require and amendment in the utilities infrastructure associated with the Consented Scheme. On this basis, the Inspectorate agrees that this aspect can be scoped out of further assessment.	Noted.
Electro-magnetic fields	The scoping report states that there are no buried or overhead power lines on the site of the Proposed Development. An overhead line is located on the access route at the very northern tip of the access road. The Proposed Development does not include major sources of electro-magnetic fields (such as high voltage transformers or electricity transmission line/cable) and all new electrical plant will be designed in	Noted.

Topic	Discussion Summary	Action / Response
	accordance with the current British Standards (eg BS EN 62041:2020) which set the specific limits for electro-magnetic fields. On this basis, the Inspectorate agrees that this aspect can be scoped out of further assessment.	
Telecommunications	The ES for the Consented Scheme assessed potential effects on digital terrestrial and satellite television reception. There are no navigational aids or major telecommunication relay stations in the immediate vicinity of the site and the height and scale of the Proposed Development remains the same as the Consented Scheme. On this basis, the Inspectorate agrees that this aspect can be scoped out of further assessment.	Noted.

Table 3: Scoping Opinion – Additional Relevant Consultee Comments

Topic	Consultee(s)	Discussion Summary	Action / Response
Carbon emissions	Braintree District Council	The EfW plant can combust 595,000 tonnes of waste per annum and generate no more than 49.9 MWe. The new scheme is assumed will generate 50+ MWe. While this increase in electricity generation is welcomed, if this proves to generate greater carbon dioxide emissions at source what mitigation would be offered?	There will be no increase in the total volume of waste combusted so no increase in carbon emissions from the proposed development.
Water consumption	Braintree District Council	Will the revised scheme result in an increase in water consumption, and therefore increase in pressure on local water resources? Will the revised scheme offer any water	The DCO will not increase water consumption. As it is purely seeking for an installation of a change in internal valves for the Energy from Waste plant there will be not associated water saving measures installed with this equipment.

Topic	Consultee(s)	Discussion Summary	Action / Response
		saving measures that improve on the consented scheme?	
Noise – survey update	Braintree District Council, Essex County Council	A new noise impact assessment should be undertaken to show that when combined with cumulative impacts, the IWMF would be compliant with current noise guidance.	A noise assessment is provided in ES Volume 1, Chapter 8: Noise and Vibration (Doc Ref. 6.1) . This provides a cumulative assessment with other relevant committed developments.
Noise – receptors	Braintree District Council, Essex County Council	Receptors at Silver End (including at Jewitt Way) and Park Gate Road should be included in the noise impact assessment.	The assessment in ES Volume 1, Chapter 8: Noise and Vibration (Doc Ref. 6.1) provides an assessment of potential noise sensitive receptors at Silver End and Park Gate Road.
Noise survey data	Braintree District Council	<p>Recommended that an updated survey is undertaken to support the identification of thresholds for residential impacts. The thresholds should be based on existing or updated survey data, whichever is lower. Survey data for all survey periods should be presented and for all working periods.</p> <p>Presentation of survey data should include statistical analysis of background sound levels for all survey years. Assessment of rating sound levels over background should be presented within the ES in order to provide further context to the assessment.</p>	Given that there are noise limits associated with the Consented Scheme the assessment would not be based on measured baseline sound levels at the receptors. Therefore, the relevance of the 2005 measurements is minimal and it was not considered necessary to use updated baseline survey data for the purposes of this assessment.

