

Briefing 3a – amended: Powerfuel Portland Portland Energy Recovery Facility (ERF), Portland Port, Dorset, DT5 1PP Permit application no: **EPR/AP3304SZ/A001**

23 July 2021

Introduction

We would like to take this opportunity to remind you that the consultation process is still open and you still have time to make your comments.

We originally issued Briefing 3 about this site on 11th June 2021. Following some feedback we've received we would like to clarify a couple of points from this briefing note. **This is an amended version of Briefing 3 with highlighted text to show where we have made changes.**

We have also removed the link to the applicant's website that we included in Briefing 3 as information on that website does not form part of our consultation.

As per our last briefing, we have now completed our initial checks of the permit application submitted to us on 23 December 2020 and additional documents sent to us by the operator since then. We now consider the application to be 'duly made'. This simply means that the application has enough relevant supporting information to allow us to start assessing it. This briefing note explains more about the permit application, what we can consider and how you can comment on it during our public consultation, which will run from now until 3 September 2021.

What does the operator want to do?

The company wants to burn up to 202,000 tonnes of non-hazardous waste each year in an incinerator known as an Energy Recovery Facility (ERF). The proposed facility will use a moving grate system to burn waste to produce energy in the form of electricity and hot water. Power from this process will be exported to the National Grid or used locally. Under current Government policy this is classed as a **partially** renewable source of electricity.

To do this the company have applied to receive, store and handle non-hazardous waste on-site and to handle, store and transfer waste residues off-site.

The Environmental Permitting Process

What is the purpose of an environmental permit?

An environmental permit sets the conditions which a company must meet when operating a large facility such as this. It covers the management and operation of the site and the control and monitoring of emissions from the site.

If planning permission is granted a company can build their facility but they cannot operate the site without an environmental permit from us.

What is our role - how do we assess an environmental permit application?

We assess all environmental permit applications to make sure they meet the requirements of the Environmental Permitting Regulations. If granted, a permit allows us to regulate the site, ensuring the company uses Best Available Techniques, in order to not give rise to **significant** pollution of the environment or harm to human health.

When we consider a permit application we review the design of the proposed plant, how it will be operated, the emissions it will generate (to air, water and land) and whether it will have an adverse impact on people living nearby and the natural environment. We set permit conditions to limit these. The Industrial Emissions Directive (IED) sets out the necessary emissions limits to protect the environment and human health. In order to achieve these limits the operator will need to show that they will use the current Best Available Techniques (BAT). We cannot set permit conditions that go beyond what is currently specified by the IED and BAT.

Whilst we have now left the EU, the EU Withdrawal Act 2018 means that already established environmental principles will remain in place and existing EU environmental law will continue in UK law - this includes the IED and the BAT Conclusion Implementing Decision made under it.

For this application we will consult professional partners, such as Public Health England, to advise us on potential health impacts, Natural England and Dorset Council. They will also refer to the IED and the emissions limits set to protect human health to inform the advice they give to us. We also take into consideration the competence of the operator to run the facility.

How are the Environmental Permit and Planning systems different?

To build their facility the company needs to get planning permission from Dorset Council before any development takes place. An application for planning permission for the site is currently being considered by Dorset Council.

This is separate and distinct from the permitting process. Planning permission can be granted by the Council without an environmental permit in place and vice versa.

The planning system usually addresses the acceptability of a proposed new development in terms of the land use, location, the need for a facility, the amount of waste generated and wider issues, such as operating hours, visual and traffic impact. The Environmental Permitting Regulations address the design and operation of the process to prevent **significant** pollution and minimise impacts on the environment and human health.

What will Powerfuel Portland need to do to be granted a permit?

The company will need to demonstrate they are putting in place the necessary measures to meet current standards to protect human health and the environment. A permit application is normally accompanied by a summary of the proposed Environmental Management System (EMS). Once finalised through the permit determination process, the EMS sets out the detail

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of how the company intends to protect the health of people and the wider environment. It has to explain the measures they will take, and show that they are appropriate to control the risks identified. The operator will need to show that what they propose uses the Best Available Techniques (BAT) for preventing or minimising emissions and impacts on the environment, including odour from the waste being processed.

The company will also need a Fire Prevention Plan detailing how they intend to prevent fires within the waste accepted on site. This plan will need to be approved by us before operations on site begin.

What issues can you comment on in the consultation?

We are treating the site as a Site of High Public Interest. This means we are consulting on the environmental permit application due to the amount of public interest already shown in this site. During the consultation we can consider people's comments on:

- General operational management of the site and the Environmental Management System proposed to control environmental risks.
- Measures being proposed to control emissions, including particulate emissions, odour, dust, noise and other forms of pollution.
- Monitoring of emissions to the environment to agreed standards, as set out in the IED.
- The handling and storage of waste.
- Potential impacts on public health and the local environment.
- Any relevant factors which the local community believes have not been considered by the operator.

What issues are we not able to consider?

- We cannot take the following issues into consideration when determining a permit application:
- Alternative locations for the proposed facility.
- The transport of waste to and from the site, and the impact this might have on the local road network.
- Operating hours (loading and unloading).
- Whether the limits set by the IED adequately protect health.
- Issues covered by national government policy, such as the waste hierarchy or disposal of plastics.

How can you comment on the consultation?

We welcome feedback from everyone who has a view on this application, regardless of their age, sex, disability, marriage and civil partnership status, pregnancy or maternity status, race, religion or belief or their sexual orientation.

You can view the permit application and supporting documents on our Citizen Space consultation portal at <https://consult.environment-agency.gov.uk/psc/dt5-1pp-powerfuel-portland-limited> and submit your comments to us in a number of ways:

Online: via our Citizen Space portal (link above)

By email: pscpublicresponse@environment-agency.gov.uk

Hard copy: You can view a hard copy at either Weymouth library or Portland library. Please contact the libraries direct to confirm their opening times, any relevant Coronavirus restrictions and any arrangements they may have in place around access.

Please contact us on 03706 506 506 if you cannot access either these hard copy documents or the consultation online on our Citizen Space portal.

By post: Environment Agency Permitting and Support Centre, Land Team, Quadrant 2, 99 Parkway Avenue, Sheffield, S9 4WF.

We must receive your comments by 5pm on 3 September 2021.

What happens next?

After the consultation closing date we will review all the comments we receive before making our decision on whether or not to grant an environmental permit. This may take some considerable time.

When we think we have reached a decision, we will produce a draft Decision Document. This explains how we have reached our decision and how we have considered and addressed the information you have given us. We will write to you again to explain how you can view this document.

If we think we may issue the permit, known as the 'minded to' stage, we would hold a second consultation. This is especially important as it will give you the opportunity to provide further feedback on our draft Decision Document.

If we think we may refuse the permit, we would not hold another consultation. The operator has the right to appeal our decision.