

June 2020

What are we contacting you about?

In September 2017, we issued an environmental permit to Gent Fairhead & Co. Limited ('the company') for the Rivenhall Integrated Waste Management Facility (IWMF).

In October 2018, the company requested a variation to its permit. We subsequently ran two stages of public consultation, the first following receipt of the application, and then following the completion of our technical assessment.

We can now advise you that we have fully considered all of the consultation comments received in response to our proposed decision to grant the variation. This briefing note is to inform you that we will now be issuing the variation and to explain our reasons for this decision.

What was the variation application for?

The company's permit variation application requested the following:

- A reduction in the height of the incinerator stack from the current permit requirement of 58 metres to 35 metres (above surrounding ground level);
- A reduction in the daily emission limit for oxides of nitrogen (known as NO_x) from the current permit limit of 150 mg/m³ to 100 mg/m³ and a reduction in the half-hourly emission limit for NO_x from 400 mg/m³ to 200 mg/m³;
- A change to the primary means of controlling NO_x emissions. At present, the permit requires the use of Selective Non-Catalytic Reduction (SNCR) for NO_x abatement. The variation application proposes the use of an enhanced SNCR system;
- A reduction in the half-hourly emission limit for sulphur dioxide from the current permit limit of 200 mg/m³ to 90 mg/m³;
- A reduction in the limits for certain heavy metals.

Public consultation

Following receipt of the variation application, we consulted the public between 24 January and 21 February 2019. We received a total of 137 responses from members of the public.

We then consulted the public on our proposed decision to grant the variation. This took place between 9 January and 6 February this year. The consultation included a public drop-in event at Rivenhall Village Hall on 10 January. We received 3812 responses to this consultation.

Reasons for our decision

Following detailed technical scrutiny of the proposals over the last 20 months together with careful consideration of all received consultation responses, we have now decided to issue a permit variation.

Our technical assessment concluded that the proposed design changes will deliver an equivalent level of environmental protection compared to the rigorous standards required under the current permit.

We recognise that we are now allowing a stack height (35 metres) that we originally rejected in 2016 (see background below). However, we believe that a lower stack is acceptable but only in conjunction with the significantly lower emission limits. We are also satisfied that the additional pollution control techniques proposed by the company will ensure that the stricter emission standards can be met in practice.

Based on our detailed examination of air dispersion modelling, we believe the design changes will not result in any significant change to current local air quality and that no human health thresholds will be exceeded. As a result, we believe the design changes meet the legal requirement for Best Available Techniques (BAT).

We have also taken this opportunity to review the design changes and our permit variation against the new emission standards published by the European Commission in November last year.

We have also considered the present Covid-19 situation as it relates to the issue of this permit variation, in particular reported concerns of a link between virus transmission and poor air quality. Our decision to issue the permit variation is based on our assessment that the revised incinerator design will not result in any significant change to local air quality in the vicinity of the IWMF.

How can I view the permit variation?

The public can view the permit variation and our detailed decision document online at:

<https://www.gov.uk/government/publications/co5-9df-gent-fairhead-co-limited-environmental-permit-issued-eprfp3335yuv002>

Our decision document explains our technical reasoning and also how we have considered those issues and concerns raised by the public during the two stages of consultation.

Unfortunately we are unable to provide paper copies of these documents at the present time as most of our offices remain closed.

Background information on previous permitting and planning decisions

The company first applied to us for an environmental permit for the IWMF in November 2015. We rejected this application in December 2016.

The reason for rejection was that the company had not demonstrated that their proposals reduced emissions and the impact on the environment through the use of BAT. In particular, we did not believe that the proposed incinerator design with a stack height of 35 metres (above surrounding ground level) could be considered BAT

It is important to note that in rejecting the application we did not believe that any human health or air quality thresholds would be exceeded with the proposed design. However, we recognised that a taller stack would result in a lower impact on local air quality.

The company responded by submitting a second permit application in early 2017. This application was the same as the first except it now provided for a taller stack of 58 metres (above ground level) together with more stringent emission limits. A cost/benefit analysis was also submitted in support of the application.

Following public consultation, and review of the comments we received, we decided that a taller stack with more stringent emission limits meant that the revised incinerator design could now be considered BAT. We therefore issued an environmental permit to the company in September 2017.

In order to align the planning and permitting requirements as regards incinerator stack height, the company sought to vary the terms of its planning permission to secure a stack height of 58 metres. The current planning permission stipulates a maximum stack height of 35 metres. Essex County Council rejected the company's proposals in April 2019.