
**HALTON ACTION GROUP
AGAINST THE INCINERATOR**

**Energy from Waste
Combined Heat and Power Generating Station
at Weston Point, Runcorn.**

Application Number 07/00068/ELC

The Action Group's
Additional Comments Relating to the Proposal

February 2008

1. INTRODUCTION

The concerns identified in our previous submissions still remain unanswered. Subsequent responses from Ineos have failed to address convincingly the most critical issues. Other issues have since emerged which reinforce doubts about the Application and the process followed by Ineos. At the same time, questions have arisen regarding the absence of critical appraisal by Halton Borough's Officers and the Development Control Committee, and their failure to reflect residents' views and concerns, which are overwhelmingly opposed to the Application. Our Additional Comments relate to these issues, which further reflect deficiencies in the Ineos proposal.

2. IS THE APPLICATION CREDIBLE?

1. Weston Point, Runcorn must be one of the worst sites, if not the worst, for the proposed largest EfW facility in the UK, as a regional centre. Probably uniquely, it is in a densely populated, highly polluted and deprived area with one of the worst health records in the UK, adjacent to hilly terrain and totally exposed to the prevailing winds and down wind dropout.
2. As indicated above, our Further Comments (October 2007) identified a number of critical issues, which Ineos have failed to address convincingly. We concluded that the Application lacked the necessary information relating to the technology and specification, stack height, the location of treatment plants and therefore the source of the fuel, its quality control and its availability, the precise logistics of the process and possible malfunction, the adequacy of abatement equipment, comparative information on 'similar' incinerators, the transportation of fuel and toxic wastes and the actual projected logistics of traffic movements by road and rail, congestion and noise rather than the conflicting accounts given to date. The precise nature of the proposal remains a mystery.
3. We also queried the realism of projections of future supplies of fuel to provide the 820,000 tons per annum for the projected 25-year life of the incinerator, an issue, which has also been raised by both ENTEC and MEAS. We had earlier pointed out that only 4% (some 30,000 tons) of the fuel derives from Halton's waste and that if the current emphasis on recycling were to be effective this would necessarily reduce the sources of fuel (e.g. a recycling rate of 50% would lead to a shortfall of 300,000 tons of RDF per annum). From where then, and at what cost to its quality and the environment, would this shortfall be rectified?
4. Ineos have continually claimed that their motive for building the incinerator is a reaction to fluctuating gas prices and to provide cheaper electrical energy for 20% of their requirements, without which the future of the site would be threatened. In our first submission we dismissed this threat as mere rhetoric, although HBC seems to have swallowed the line. Significantly, Ineos have since confirmed that, if there is to be a shortage of fuel from the North West, some supply of fuel from outside the region is possible, though current tendering is only for local council contracts (Manchester, Merseyside and Cheshire). They also state they will only be building the incinerator if contracts with local authorities to provide the fuel are signed.
5. To compound the ambiguity, Ineos has stated that it intends to run only two of the four lines of production initially, therefore producing 50% of the planned

output, presumably due to the lack of RDF availability. This will obviously halve production to 10% of their stated 'Critical Needs' and, thereby, halve the savings envisaged to meet their claimed 'critical' financial situation (which was not reflected in their published accounts to 31st December 2006).

6. Taken together these factors suggest that the case for an 820,000-ton incinerator is highly speculative and tenuous. The justification in terms of the site's financial viability lacks conviction, whilst confirmation that only two lines will operate initially and that fuel might have to be imported from outside the region raise questions as to the feasibility of a regional centre of the size envisaged. It also raises the question of timescale. If the build period is at least to 2012 and account is taken of the period of its partial operation, it is not unrealistic to predict that it will be at least 2014 before it could become fully operational, if ever! Meanwhile the increased emphasis on recycling would continue.
7. Further, Ineos confirms that its Application is based on the assumption that the incinerator could cater for the needs of Merseyside, Cheshire and Manchester and as we have noted above, would only be built if contracts had been signed to provide the fuel. However, there are also currently in train, proposals for facilities at Eastham, Northwich, Ince, Middlewich and Warrington, which would be competing for the same sources of fuel. This suggests that Merseyside and Cheshire's waste could be contracted to these centres. Given such a scenario, capital expenditure on an incinerator of 820,000 tons seems highly risky and all the more questionable if it includes public money in the form of grants.
8. The hypocritical stance adopted by Manchester Waste Authority proclaiming its 'aims to make the city region of Manchester the cleanest, greenest and coolest place on the planet' scarcely endears itself to Halton residents who will face a massive increase in pollution if Halton is burdened with the burning of Manchester's waste!
9. Strategically, there is a benefit in the natural dispersion obtained by having smaller incinerators throughout the region rather than a single point source. It would also conform more closely to the Proximity Principle and therefore would be more likely to be acceptable to communities as they deal with their own wastes, plus it avoids the environmental costs and hazards of transporting the RDF across the region and from even further afield. They would also provide alternative outlets for waste if an EfW facility breaks down or malfunctions, or if its supply routes are interrupted, both of which are likely from time to time, irrespective of assurances as to its reliability.

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10. Again, strategically, an application for a single large incinerator to meet the needs of the region must raise legitimate fears about the total monopoly that it, as a private company, would exercise over the whole of the region's future waste policy. Once built it would be difficult to shut down irrespective of defects or other problems. Without alternative outlets how could it be held to account in terms of price fixing, value for money, competitiveness etc? Surely it cannot be in the country's interests, and certainly not in the interests of local authorities, that a single monopoly provider could dictate such terms?
 11. More importantly, increasing levels of re-use and recycling must not be discouraged or distorted by the 'needs' of a large incinerator, if targets similar to those in Europe are to be achieved.
 12. There must also be legitimate concerns that Ineos have no previous track record in the provision or operation of EfW incinerators, let alone one of the size proposed.
 13. Self evidently, the Ineos Application is not designed to meet just Halton's needs. In view of the issues we have raised above, it is highly questionable whether it is the solution to the region's needs. Both ENTEC and MEAS have warned that the implementation of the proposal could lead to the region becoming a long-term importer of wastes from elsewhere and anywhere! We believe that the desirability and feasibility of the Application need to be critically appraised taking account of our concerns.

2. INCOMPATABILITY OF THE APPLICATION WITH THE HALTON UNITARY PLAN 2003

1. In both our Statement of Concerns (June 2007) and Further Comments (September 2007), we pointed out that the Application directly conflicts with the HBC's Unitary Development Plan and in particular with MW14, the Council's policy relating to incineration which clearly and categorically states 'Proposals for incineration plants **must** meet **all** the criteria (See appendix A). This was again stressed by HBC's Strategic Director–Environment in his Report to the Special Development Control Committee meeting of the 31st July 2007 but was neither commented on by Officers nor discussed by the Committee at that meeting. In failing to address this issue the Council breached its own constitution in not considering the Application against the principles embodied in its sole agreed policy relating to incineration.
 2. As we have previously pointed out, the Application conflicts with five of the established criteria a, c, d, e, and i. These principles could only have been established to protect the community against undesirable developments. By default, therefore, HBC has ignored a number of critical factors in its own policy. In relation to:-
 - (a) The proposed location for the EfW facility is in a densely populated area stretching 50 metres from the site, with three pre-schools, three primary schools and a Further Education College within a 1km radius and thereafter as far as the densely populated neighbouring towns of Widnes and Frodsham. All these residential areas are exposed to the prevailing winds causing downwind fallout.
 - (c) The EfW facility would undoubtedly have an unacceptable detrimental impact on surrounding properties, the outlook from Runcorn Hill and the adjoining heathland.
 - (d) HBC has committed itself to the development of a 'Clean and Green Halton'. Unemployment dropped from 8% to 5% between 2004 and 2007 and employment in manufacturing dropped from 32.4% in 2004 to 17.3% in 2005 reflecting the change to 'Clean and Green' employment. The area is changing rapidly with the closure of chemical and manufacturing businesses and the growth of hi-tech businesses that will be deterred if this proposal goes ahead.
 - (a) Concerns have been expressed about the effects of emissions and the massive amounts of toxic waste to be dumped in the area close to existing medical, food and scientific establishments.
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- (i) The EfW facility would massively increase pollution and emissions with a detrimental impact on surrounding land areas in what is, already, a heavily polluted area, both in terms of land contamination and air pollution and conflicts with planned development of further residential accommodation on former industrial land nearby.
 3. We believe it is essential that MW14 and the issues raised above be addressed. Residents have a right to have their interests protected in accordance with agreed policies. At the very least, we ask the Secretary of State to refer these issues to a Public Inquiry.

4. HEALTH

1. In our previous submissions we identified the issue of greatest concern across the Borough as the proposed incinerator's likely adverse effects on the health and well being of residents of Halton and surrounding areas.
2. We are aware of the received wisdom that the control of emissions is deemed to be the responsibility of the Environment Agency to regulate within the Environmental Protection Act of 1995 and the PPC regime, and that the planning system should not be used to duplicate controls that are the responsibility of other bodies. We are also aware that Ineos has indicated their willingness to undertake an Independent Health Impact Assessment as part of the PPC (though it is not clear how this can be regarded as independent and would, presumably, only be undertaken after outline planning permission had been approved). We note that the Belvedere Energy from Waste decision followed the inspector's decision in his first report that the evidence did not provide sufficient justification to reject the Application and the Secretary of State subsequently decided that the health effects could be adequately addressed in the PPC (again after outline planning permission had been agreed).
3. Nevertheless our reading of these 'precedents' does not lead to the conclusion that issues relating to health cannot be or ought not to be addressed by the Secretary of State or within a Public Inquiry prior to any decision regarding outline planning permission, where that is justified. Rather, it would be perverse to assume that health issues are solely concerned with the application of regulatory standards to projects. Nor would we expect approval to be given to an application that did not conform to the approved regulating standards. However, as we have continued to emphasise, Runcorn's existing appalling health record is the major issue in the town.
4. The proposed incinerator's likely adverse effects on the health and well-being of residents is the issue of greatest concern because ill health is already the issue of most concern in the Borough and admitted by HBC as such. As we have pointed out in our previous submissions, Halton already has a dreadful health record with a Standardised Mortality Rate 23% above the national average; exceptionally high rates of cancer, coronary heart disease, circulatory disease, strokes, suicides and infant mortality and the highest early death rate from cancers in the UK, in short the very medical conditions identified in areas located downwind of incinerators elsewhere. The situation is not improving. Two recent reports have highlighted the excess risk of kidney disease and morbidity already existing amongst residents closest to the site and high rates of cardio-pulmonary disease. Concerns about health cannot be dismissed as idle speculation, they are real and justified.

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5. EfW incinerators are known major sources of the emission of particulates, fine particulates and ultra fine particulates, toxic heavy metals and persistent organic pollutants including known carcinogens, dioxins, mutagens and hormone disrupters. Their adverse effects on cardio-pulmonary health, the exacerbation of pre-existing health conditions, the developing embryo and infants, adults and childhood cancers, birth defects and increased mortality rates down wind of incinerators are well documented. As we have already pointed out, the proposed location of the incinerator lies in a densely populated area wholly exposed to the prevailing winds and downwind fallout. The perceived threat is well justified given existing levels of ill health.
 6. These issues are discussed in full in our previous submissions, as are the major deficiencies in the Human Health Risk Assessment (HHRA) submitted by Ineos and criticised by Professor J Dearden, HBC, and the Primary Care Trust. Of greatest concern is the bioaccumulation of air pollution (the cocktail effect) and the long term effects on health, the exacerbation of existing conditions of ill health and the particular threats from fine and ultra fine particulates for which there is no safe minimum threshold below which they have no adverse effects on health (World Health Organisation 2007). The Environment Agency and the PPC currently play no regulatory role in relation to fine and ultra fine particles that are, therefore unmonitored, and significantly, there is no abatement equipment which can restrict their emissions. It does not follow that they do not therefore exist, or that they do not have adverse effects on health.
 7. The improvement in health is the stated number one priority of HBC. In the report commissioned by the PCT, it states, ‘The Committee on Medical Effects of Air Pollutants conclude that clear associations have been reported between both daily and long-term average concentrations of air pollutants and effects on the cardiovascular system, reflected by a variety of outcome measures including risk of death and hospital admissions’. They recommend that as these associations may be causal, then a precautionary approach should be adopted in future planning. They could not be certain which components of the ambient pollution mixtures are responsible for these effects but it is likely that fine particles play an important part.
 8. We have previously argued that Halton’s current health record is one of a number of critical factors which make the Weston Point, Runcorn, site one of the worst places in the UK in which to locate an EfW incinerator. We believe it is essential that an independent Health Impact Assessment is carried out, as recommended by the Director of Public Health and HBC, and that this and the issues we have raised are addressed at a Public Inquiry.
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5. THE CHIMNEY HEIGHT ASSESSMENT

1. In our Statement of Concern, (June 2007) and Further Comments (October 2007), we outlined our reasons for believing that the Ineos Chimney Height Assessment is flawed.
 2. In our Further Comments we pointed out that the ENTEC Report, commissioned by HBC to validate the assessment, was not made available before the Planning and Development Control Committee meeting on 31st July. Instead, Officers reported orally and selectively from the report, solely in relation to the re-running of the computer model but not to a number of important points raised in the report questioning the validity of the input data, the excessive size of the grid spacing used and the absence of vulnerable population centres, including the residential properties closest to the site and Runcorn Hill.
 1. Cambridge Environmental Research Consultants (the developers of the computer software model used) have since made a number of similar critical comments, that the stated receptor grid size is too large and not in line with Environmental Agency guidelines, so that the model may not have adequately included the terrain immediately adjacent to the site, and emissions from all the industrial sources currently on site should have been included explicitly in the model.
 2. The release of Additional Information recently by Ineos shows that in its correspondence with HBC, MEAS also highlighted the use of the wrong grid size and the possibility of plume grounding on the residential properties on Runcorn Hill, whilst the Ineos EIS itself identified the dangers of negative environmental effects on the flora and fauna of Runcorn Hill but strangely failed to recognise the possible effects on residents living there. None of these issues were reported to the Development Control meeting on the 31st July.
 3. Ineos's repeated assertion that the adjacent 80-metre Runcorn Hill is not a significant factor is still unconvincing. As the ENTEC Report has confirmed, the residential properties on Runcorn Hill are of particular importance, since the proposed stack will potentially cause plume grounding in that area. No convincing evidence has been produced to show that the proposed 105-metre stack will ensure safe dispersion.
 4. Again, we believe that this critical issue needs to be examined at a Public Inquiry.
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6. GREAT CRESTED NEWTS AND JAPANESE KNOTWEED

1. As we have noted above, over the last twelve months we have had good cause to question not only the credibility of the Ineos Application, but also the procedure followed together with the scrutiny exercised by HBC Officers and the Development Control Committee. On a number of occasions we have questioned the accuracy of statements and claims we have found to be misleading.
 2. The most recent example relates to the presence of Great Crested Newts and Japanese knotweed on the Ineos site. The original RPS Environmental Assessments (Jan 2007) claimed to have identified no Great Crested newts or suitable habitat, or Japanese knotweed on the site. In November 2007, the publication of Amphibian and Reptile surveys, together with Additional Information, revealed the presence of both on the site. Therefore during the consultation period leading into and including the Development and Control Meeting of 31st July 2007, and thereafter, we were presented with inaccurate information in relation to key issues in the Application, uncorrected by Ineos or HBC Officers.
 3. On 27th November 2007, we wrote to the Chief Executive outlining our concerns and seeking clarification in relation to the Development Control meeting of the 31st July and the publication of the new information regarding the timing and sequence of events. The Chief Executive's response on the 4th December confirmed that he was investigating the matter and would respond. We still await that response. Meanwhile, on the 12th December 2007, we wrote to Mr Pridham at the DBERR copying the correspondence.
 4. Subsequently, publication of the Additional Information revealed that in May 2007, correspondence between RPS (Ineos) and MEAS confirmed that the surveys were underway. However, that information was not in the public domain and therefore not made available to the Development Control meeting of 31st July. Therefore, important decisions were taken at that meeting without knowledge of the inaccuracy of the original RPS report and consideration of important issues, which would have needed to be addressed.
 5. By default therefore, the important principles outlined in the 'Great Crested Newt Mitigation Guidelines' and conditions with which the planning authorities must comply were never considered. For example, no consideration was given to the requirement 'In order to obtain a licence (to re-locate the newts) it must be demonstrated that the project is for the purpose of public health or safety or other imperative reason of overriding public interest'.
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6. From the Additional Information recently made available it is reasonable to conclude that there was foreknowledge of the actual situation prior to the July meeting. Our letter to the Chief Executive specifically asks when RPS/Ineos and the Officers first became aware of the presence of Great Crested newts and Japanese knotweed on the site, of surveys to determine the same, any subsequent reports, what action was taken and whether it was consistent with the conditions laid down by regulatory bodies. We look forward to the response.
 7. Currently we are concerned to ensure that the mitigation guidelines are complied with. However, our primary concern is that procedures established by the regulatory bodies relating to planning applications may be bypassed as described above, without redress for the community affected. It certainly does not instil confidence in the planning regime.

6. DIOXINS IN HALTON

1. In our previous submissions we have raised a number of other concerns in addition to those relating specifically to the incinerator. A major concern is the suitability of Randle Island as the identified dump for the massive increase in toxic waste produced by the incinerator. The current dump is licensed by the Environment Agency. Presumably, issues regarding its future suitability to take the three million tons of toxic wastes over the projected lifetime of the plant would only be considered as part of the PPC **after** the Application had been considered.
2. We have continually stressed that our concerns about the incinerator must be seen in the context of Halton's existing problems, of which high levels of pollution are one.
3. A DEFRA Report (2003) in relation to deformities found in herons at a site in Nottinghamshire, identified dioxin contamination at two heronries at a site less than a mile from Randle Island, Runcorn, five times higher than the TEQ found at the Nottinghamshire site. The report highlighted the need to identify the source of the dioxin pollution in the Halton area. We established subsequently that the Environment Agency was unaware of the Report and that no action had therefore been taken to identify the source. Our local MP, Mr Mike Hall, wrote to the Secretary of State – Environment, Food and Rural Affairs, Mr Hilary Benn, MP on the 9th November 2007, asking what action is being taken to investigate the matter. We await a response. Meanwhile, we have continued to press the Environment Agency for a response, so that we can be assured of the safety of Randle Island as a toxic waste dump, in view of its close proximity to residential areas, food and high tech industries. We believe it is important that residents have such an assurance **before** the Application is determined.

7. CONCLUSIONS

1. In our Statement of Concerns (June 2007) we questioned the credibility and desirability of the Application to build the largest EfW incinerator in the UK at Weston Point, Runcorn, in what has been described as the worst possible location in the country, a densely populated, highly polluted, deprived area with adjacent hilly terrain, wholly exposed to the prevailing wind and downwind fall out and with one of the worst health records in the country. In view of the enormous threats, not least to health and environment, we concluded that the application is highly irresponsible and should be rejected.
2. In our Further Comments (October 2007) we again questioned the credibility of the Application in relation to the specification and operation of the facility, identifying a wide range of critical factors which have not been convincingly addressed, little or no information on the most important issues and conflicting accounts of related issues such as traffic movements. We concluded that this speculative bid is essentially flawed and could have disastrous consequences for Halton residents. We therefore recommended that the Application should be rejected, or referred to a Public Inquiry, so that these matters can be properly addressed.
3. In these Additional Comments we deal with issues, which have arisen since. We identify HBC's indefensible failure to comply with its own sole policy relating to waste incineration in considering the Application. It is also a matter of great concern that the committee considering the Application was presented with false information. Similarly, we are concerned that critical issues such as those we have raised relating to health, existing pollution and the proposed chimney height are properly considered. These are serious matters to which we urge the Secretary of State to give due consideration.
4. The fundamental question is, whether this Application for an 820,000 ton per annum incinerator is justified. For the reasons we have outlined, we have concluded that it is highly speculative and tenuous. It is questionable whether there is current or future demand for such a large incinerator in the region, and even more important, whether it is more prudent and desirable strategically to have a number of smaller facilities dispersed around the region ensuring uninterrupted operation. Similarly, if this large incinerator were to be the sole outlet for the region's RDF, Ineos, a private company, would be free to exercise its total monopoly position in the region in whatever way suited its interests. This seems most unwise, and cannot be in the public interest.
5. Finally, we share the concerns generally felt by residents that HBC's scrutiny of the Application has been cursory and inadequate.

9. RECOMMENDATION

We therefore recommend to the Secretary of State that he rejects the Application or, at the very least, decide that it should be referred to a Public Inquiry.

