Calder Valley Skip Hire application for an environmental permit to operate a small waste incineration plant at their Belmont site. Reference: S13/006

Objection following Response to Second Request for Information Notice and review of the "Human Health Risk Assessment (February 2022)" by Bureau Veritas

I object to an environmental permit being issued to allow the operation of a small waste incineration plant (SWIP) by Calder Valley Skip Hire (CVSH) at the Belmont site, Sowerby Bridge under application S13/006 and add the following to my previous objections of April 2024 and June 2024.

Request for Information notices

I have read the two Request for Information notices and the responses received from the applicant's representatives and do not see that the concerns I highlighted in my earlier objections, nor the number of very technical and well researched concerns from certain other objectors, which I have now had the opportunity to read after they have been published, have been considered and acted upon. It appears self evident to me that Calderdale Council have systematically failed to engage with the consultation process.

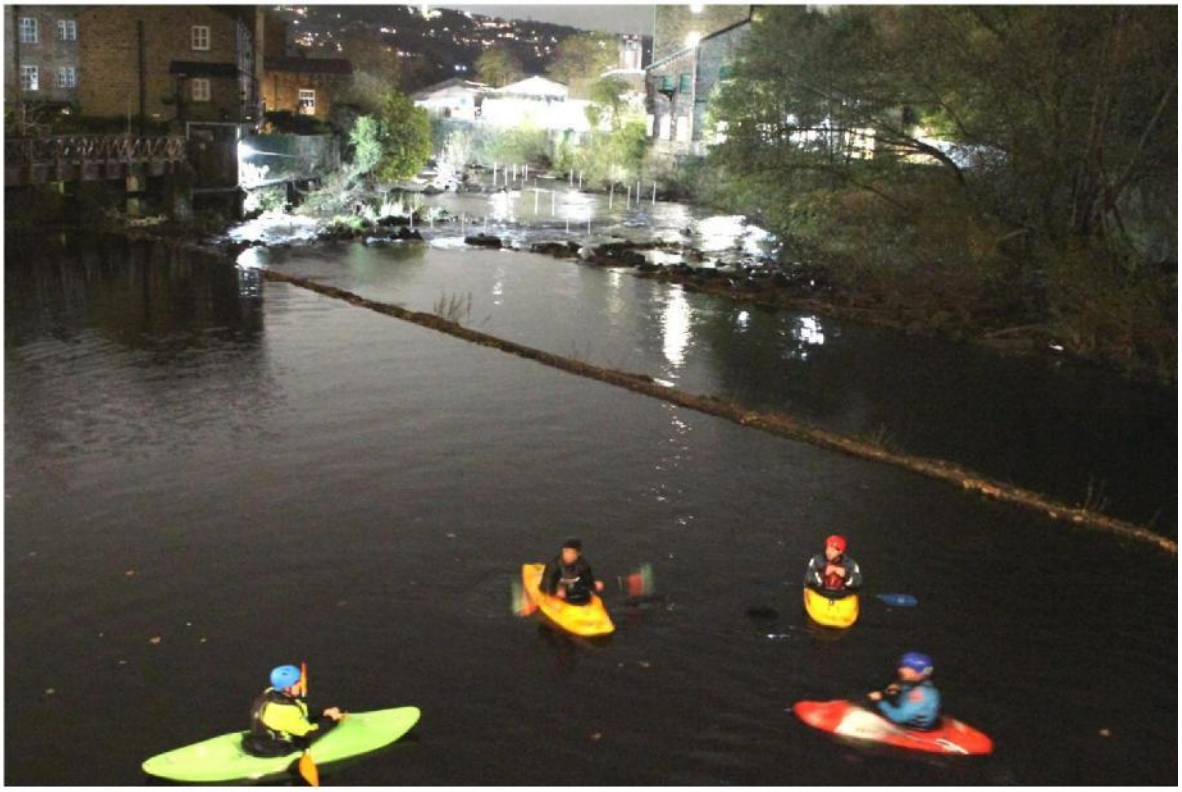
Additionally it appears self evident to me that the applicant's representatives responses to the second Request for Information notice does not provide the details requested, the Request for Information notice was therefore not complied with and the Council should have in these circumstances issued a Notice of Deemed Withdrawal.

I read numerous comments by the applicant's representatives in their response of the second Request for Information that decisions and parameters have already been established or defined at the previous planning application or indeed at the previous inquiry into the first Environmental Permit application hosted by the Planning Inspectorate, the decision document I note having not been included in the documents submitted by the applicant's representatives in respect of this application. I also repeat that the applicant's document Schedule 13 SWIP Permit Application, CVSH-R-JER1902-LD-SWIP-application-26-jan-2024.pdf, states at 1.5.5 *"This application is being submitted on the same basis as the original application."* Maybe the applicant's representatives should remind themselves that a decision and parameters for that decision was established and defined after the three day inquiry held by the Inspectorate in respect of the first Environmental Permit Application that the permit should not be approved.

Review of "Human Health Risk Assessment (February 2022)" by Bureau Veritas – White Water Canoe Course

I note Bureau Veritas comments regarding wild swimming in their review of the Human Health Risk Assessment (February 2022).

Whilst there may not be wild swimming in the rivers in the local area it has not been appreciated that there is a white water canoe course within approximately 933 metres of the site downstream at the confluence of the River Ryburn with the River Calder in Sowerby Bridge.

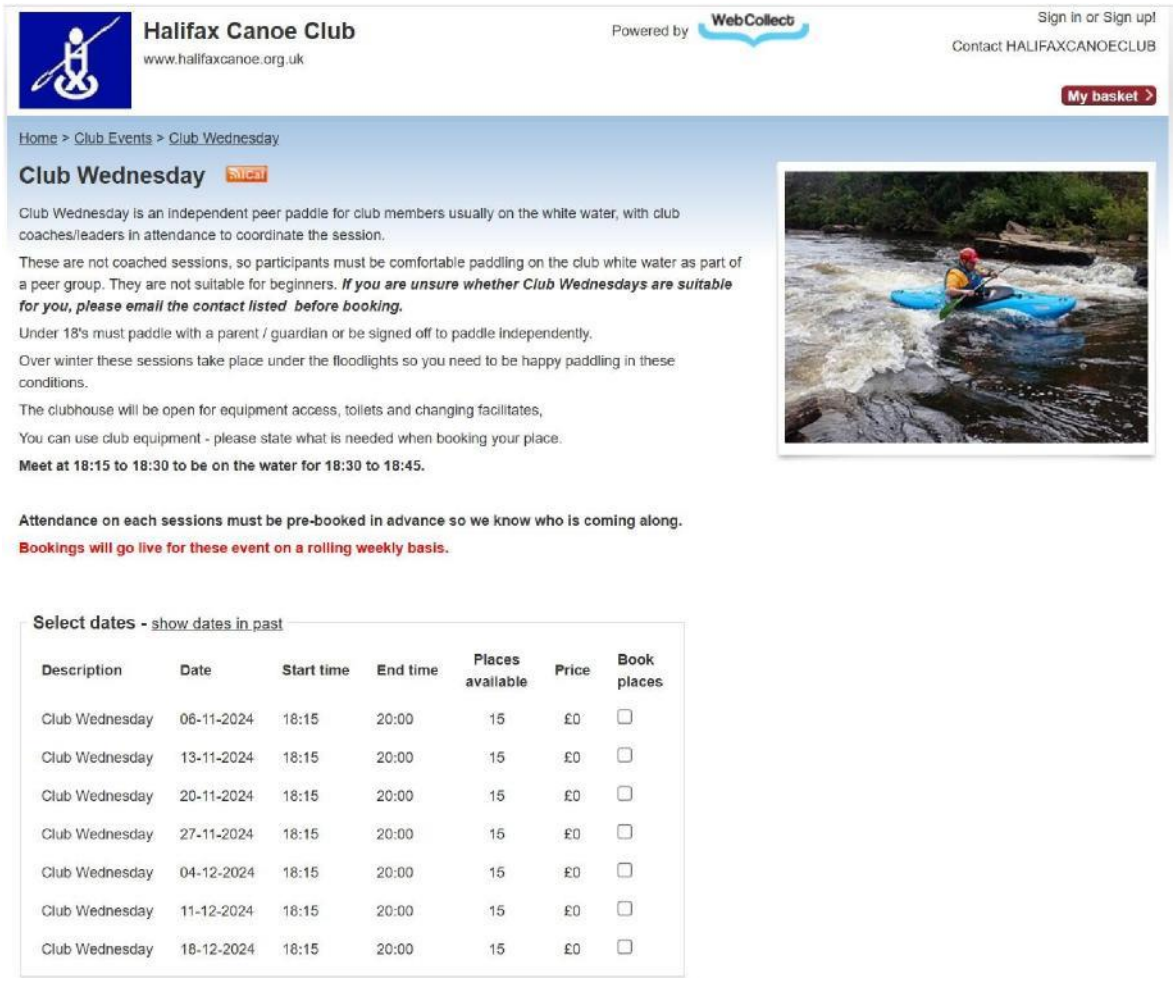


Canoes and kayaks on the River Calder at its confluence with the River Ryburn with the white water course behind

The white water course at Sowerby Bridge with the gate poles illuminated by the courses floodlights

Whilst not physically actually in the water all of the time the participants are subjected to the water regularly from splashes, spray and capsizes whether inadvertently or intentionally.

The course is regularly used, the above photographs were taken on the evening of Wednesday 30 October 2024 at a Club Wednesday night.



Halifax Canoe Club
www.halifaxcanoe.org.uk
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Home > Club Events > Club Wednesday

Club Wednesday Social

Club Wednesday is an independent peer paddle for club members usually on the white water, with club coaches/leaders in attendance to coordinate the session.

These are not coached sessions, so participants must be comfortable paddling on the club white water as part of a peer group. They are not suitable for beginners. ***If you are unsure whether Club Wednesdays are suitable for you, please email the contact listed before booking.***

Under 18's must paddle with a parent / guardian or be signed off to paddle independently.

Over winter these sessions take place under the floodlights so you need to be happy paddling in these conditions.

The clubhouse will be open for equipment access, toilets and changing facilitates,

You can use club equipment - please state what is needed when booking your place.

Meet at 18:15 to 18:30 to be on the water for 18:30 to 18:45.

Attendance on each sessions must be pre-booked in advance so we know who is coming along.

Bookings will go live for these event on a rolling weekly basis.

Select dates - show dates in past

Description	Date	Start time	End time	Places available	Price	Book places
Club Wednesday	06-11-2024	18:15	20:00	15	£0	☐
Club Wednesday	13-11-2024	18:15	20:00	15	£0	☐
Club Wednesday	20-11-2024	18:15	20:00	15	£0	☐
Club Wednesday	27-11-2024	18:15	20:00	15	£0	☐
Club Wednesday	04-12-2024	18:15	20:00	15	£0	☐
Club Wednesday	11-12-2024	18:15	20:00	15	£0	☐
Club Wednesday	18-12-2024	18:15	20:00	15	£0	☐

Copy of webpage from the Halifax Canoe Club's website showing the Club Wednesday dates

The club holds these sessions regularly, every week, as shown by the copy webpage above from the club's website. They also regularly hold Tuesday Slalom session for slalom training and monthly Club Sunday events.

Review of "Human Health Risk Assessment (February 2022)" by Bureau Veritas - Fishing

I also note the comments made in the Human Health Risk Assessment (February 2022) and Bureau Veritas comments in their review of the document regarding fishing.

It is not unknown for local residents to be seen down on the River is Sowerby Bridge fishing and these individuals are fishing to consume the fish, they are certainly not anglers who would throw all catches back.

In June 2023 Yorkshire Water installed a Fish Pass on the River Ryburn to help fish move freely upstream and downstream where one of their pipes was making it harder for fish to migrate.

Work being carried out to install a fish pass on the River Ryburn in June 2023

Yorkshire Water's notice regarding the installation of the fish pass on the River Ryburn

The fish pass is situated at a point approximately halfway, downstream, between the site and the confluence of the River Ryburn and River Calder. It is just upstream of Bridge Street, behind Asquith Bottom Mills.

Given the work they have carried out Yorkshire Water appear to believe that there are fish in the River Ryburn and the fish pass will make it easier for the fish to pass up and down the River Ryburn passing the site as they do so. Fish in the River Ryburn will migrate to and from the River Calder passing the places where local residents are known to fish.

So fish that are living in the River Ryburn along the Ryburn valley, and adjacent to the site and the proposed incinerator building, may be consumed by local residents who have caught them in the area where the River Ryburn and Calder meet in Sowerby Bridge.

Key Decision

A motion "*Incinerators and the danger to human health"* was proposed and discussed at the Council Meeting on 24 July 2024. During the debate on the motion speeches were made by the councillors shown below and their speeches included the quotes repeated below.

XXXXX

"It's on a topic that is very close to the residents of my ward"

XXXXX

"As this is something that is very important to my residents"

XXXXX

"I've been involved with this case for quite a number of years myself"

"But not only the Ryburn Valley but the valley swings round to West Vale as well so anything within the air depending on the direction of the wind can actually have an impact on wider community"

These three councillors, representing three different wards, all state that the proposed incinerator development affects their ward.

XXXXX also provided an explanation as to the decision being a key decision or not and stated *"why it isn't a key decision and I do want to emphasise this is a technical term in the Council Constitution".*

As stated under the Council's Constitution at 13.3 (b) (i) *"Key decisions, which means any executive decision:"* third paragraph *"which is likely to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the Authority."*

Part 3: 5 OFFICER DELEGATION SCHEME 5.*2 "The fact that a function stands delegated to a Chief Officer under these arrangements shall not preclude the Council, a Committee or the Cabinet from exercising the function in question and the Council, Committee or Cabinet may determine to reserve decisions on particular matters to itself."*

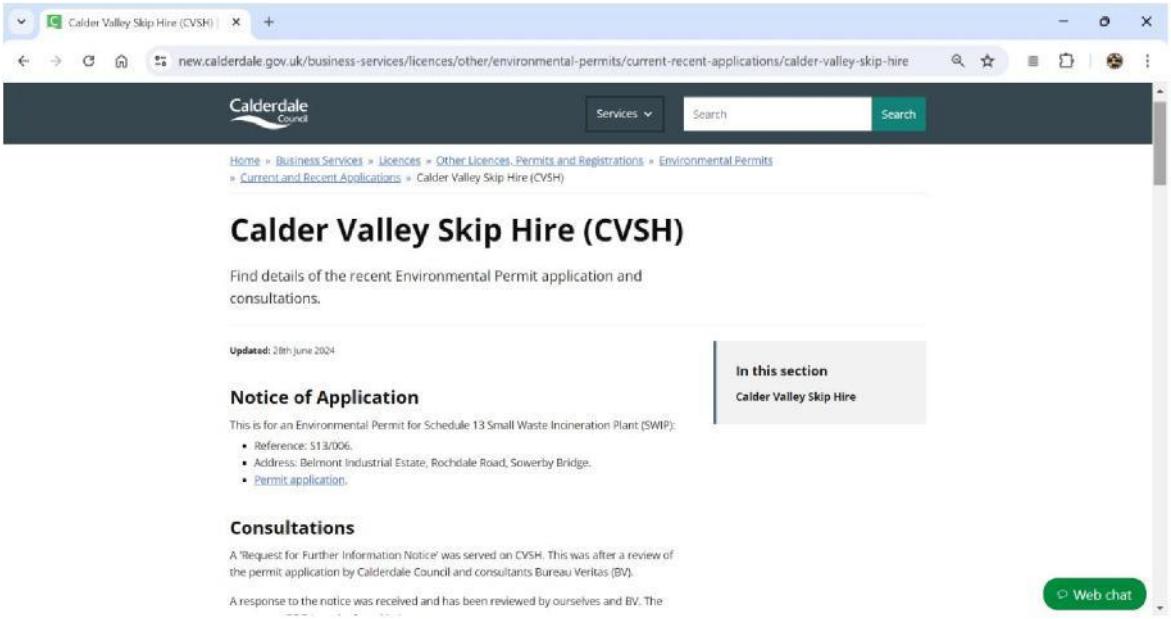
Part 3: 5 OFFICER DELEGATION SCHEME 5.3 *"The delegations to Chief Officers does not include delegated authority to take key decisions as defined in Article 13 of the Constitution, except that the Chief Executive, in exercising his delegated authority to take decisions in cases of emergency, may take key decisions."*

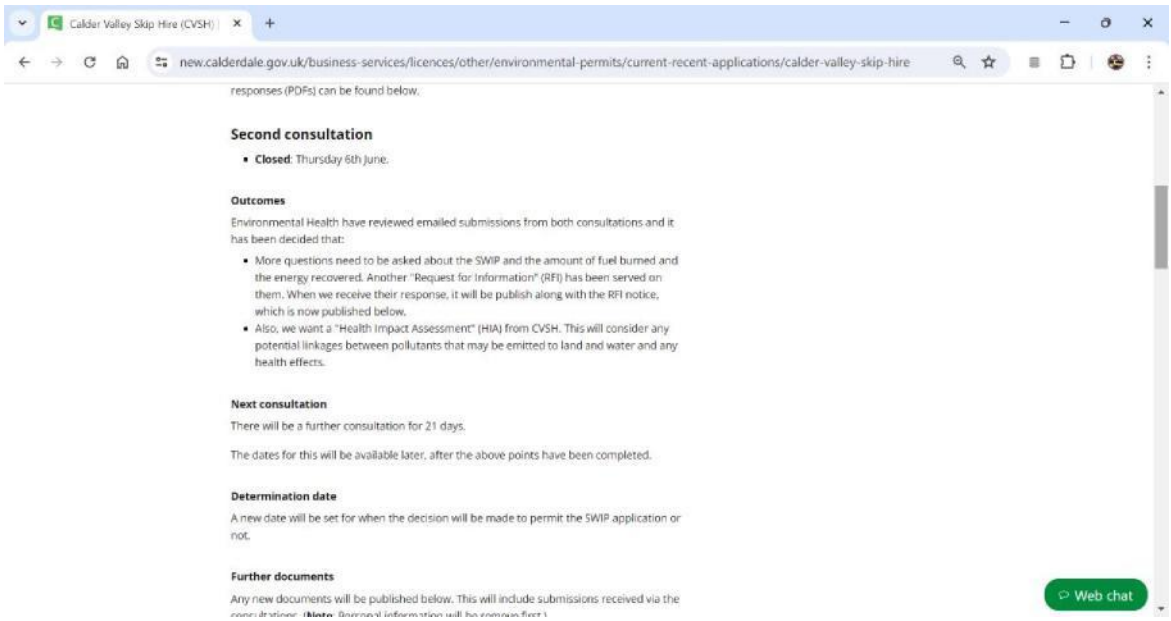
Given the above it appears that the explanation provided by XXXXX is incorrect as defined by the Council's Constitution at 13.3 (b) (i), the decision is a key decision given the contents of the speeches by three councillors of different wards, and additionally as defined by Part 3: 5 OFFICER DELEGATION SCHEME 5.3 such a decision should not be taken by officers as they do not have the delegated authority to take key decisions.

The Officers and members of the Cabinet current policy that the decision be delegated to Officers is incorrect and unsupported by the Council's Constitution.

Revision of Request for Information Notice

The update provided by Calderdale Council on 28 June 2024 on the Council's website for recent Environmental Permit application and consultations stated *"More questions need to be asked about the SWIP and the amount of fuel burned and the energy recovered. Another 'Request for Information' has been served on them."*





Copies of the Council's webpage as at the 28 June 2024 update showing that more questions needed to be asked

The 'Request for Information' dated 27 June 2024 was published and included questions about the amount of fuel burned and about the ash generated however no question was included concerning the energy recovered.

If as the update to the webpage confirmed a question needed to be asked about the amount of energy recovered but this was not included in the 'Request for Information' has this information been obtained?

If this information has been obtained what was the information requested, what was the answer, how was this information obtained and why has the question and answer not been published?

If this information has not been obtained and as stated on the update it was needed how can Calderdale Council believe it has all the information it needs?

Health Impact Assessment (HIA) or Review of "Human Health Risk Assessment (February 2022)"

It is also noted that the update provided by Calderdale Council on 28 June 2024 on the Council's website, as shown by the above webpage copy, included *"Also, we want a 'Health Impact Assessment' (HIA) from CVSH. This will consider any potential linkages between pollutants that may be emitted to land and water and any health effects."*

The following update on 8 July 2024 says "*Also, we have commissioned a review of the 'Human Health Risk Assessment (February 2022)' by Bureau Veritas. This is to ensure all potential linkages between pollutants that may be emitted to land and water have been explored. Also, that any health effects have been considered."*

Whilst I know nothing about Health Impact Assessment (HIA) or Human Health Risk Assessment (HRA) or their differences a quick google search shows that *"A health impact assessment (HIA) and a human health risk assessment (HRA) are both used to assess health risks, but they have different purposes and processes."*

The goggle search shows that *"An HIA is used to assess the potential health impacts of a project on a population, and to recommend ways to reduce those impacts. An HRA is used to estimate the likelihood of adverse health effects from exposure to harmful agents in the environment."* and *"An HIA's results are recommendations for improving a development proposal to reduce health issues. An HRA provides a set of types of results."*

Additionally *"HIA's use a variety of evidence, including research data and stakeholder experience, to inform their assessments"* and *"HIA's are flexible and can be adapted to the specific policy, strategy, or service plan being assessed. Public participation is also considered a major component of the process."*

It is unfortunate that Calderdale Council did not stick with their requirement for a Health Impact Assessment' (HIA) as this could have included research data from stakeholder experience and public participation in this report and process.

Worse Case Sensitivity Tests in Human Health Risk Assessment

Human Health Risk Assessment Peer Review (File: CVSH-bv-hhra-review-v1.pdf) contains within Conclusions and Recommendations *"It should be confirmed that the ADMS model outputs used for the IRAP software were based on the worse case sensitivity tests from the Air Quality modelling assessment."*

This review carried out by Bureau Veritas is of the Human Health Risk Assessment (February 2022) which is dated February 2022.

The "*worse case sensitivity tests from the Air Quality modelling assessment*" referred to by Bureau Veritas were carried out by CERC where values for surface roughness were run through the model at 1.0 and 1.5. This exercise and the results were presented in a report from CERC dated 17th November 2023.

In view of the worse case sensitivity tests from the Air Quality modelling assessment having been completed after the original Human Health Risk Assessment report was produced, the worse case sensitivity tests from the Air Quality modelling assessment have not been used within the IRAP software.

It is noted that the applicant's representatives have made no effort to deal with Bureau Veritas questions or recommendations.

Human Health Risk Assessment (February 2022) Omission of Impact on the Environment

On reading the Human Health Risk Assessment (February 2022) and the Human Health Risk Assessment Peer Review carried out by Bureau Veritas it appears that these focus primarily on the effects to humans.

It is however noted that Inspector John Woolcock BNatRes (Hons) MURP DipLaw MRTPI decision of 5th July 2023 included:

42. "*I am not satisfied on the evidence adduced that the proposal complies with IED Article 46 1., which requires that waste gases from waste incineration plants and waste co-incineration plants shall be discharged in a controlled way by means of a stack the height of which is calculated in such a way as to safeguard human health and the environment.*"

46. "*I am unable to find that granting an environmental permit for the SWIP would not have an unacceptable adverse effect on human health and the environment*."

42. "*I am unable to find that the necessary measures have been taken to ensure that waste management would be carried out without endangering human health, without harming the environment and, in particular without risk to air, in compliance with Article 13 of the Waste Framework Directive 2008/98/EC*."

The Inspector's concern, in refusing the permit, was not limited to the possible effects to Human health but to the environment also.

Draft Permit

I note in the applicant's representatives comments in the RPS produced document "RESPONSE TO REQUEST FOR INFORMATION NOTICE" (File: CVSH-response-to-request-for-information-notice-on-27-jun-2024.pdf)

2.1.13 *"Based upon the measures contemplated in the application in the context of IED Article 44 condition 1.4 of the draft permit provides that the maximum input of waste that may be co-incinerated in the small waste co-incineration plant is 10,000 tonnes per annum, at a rate not exceeding two tonnes per hour."*

2.1.20 *"Conditions to be included within the permit will require this:*

- *Under condition 3.1 of the draft permit the operator should not operate the SWCP unless the systems described in section 3.3 of the application are functioning correctly.*

- *Under condition 3.4 of the draft permit an automatic system shall be in place to stop waste feed into the primary combustion chamber if any continuous measurement shows that any emission limit value is exceeded due to disturbance or failure of the abatement equipment."*

2.1.23 *"As already set out in paragraphs 2.1.5 to 2.1.11, it is commonplace for permits to be issued on a generic basis and therefore in the absence of design stage CFD information. Whilst this information might not be available at the application stage it is expected that the selected design would be subject to CFD and this would subsequently be verified once the facility becomes operational. In respect of the latter, permit conditions similar to Condition 5.8 included within the draft CVSH permit are included in all new incinerator permits. Condition 5.8 of the permit makes it clear that verification while the plant is operating under the most unfavourable conditions anticipated within one month of the plant coming into service must demonstrate the residence time of the secondary combustion chamber."*

It is noted in all the paragraphs repeated above that a draft permit is mentioned. I have checked through all the documents published on Calderdale Council's website in respect of this application and cannot find a draft permit.

If a draft permit has been circulated between Calderdale Council and the Applicant during the period the application has been under review and this has not been made available, via the council's website, to the local community this is a breach of the consultation process and demonstrates that Calderdale Council have systematically failed to engage with the consultation process.

Pre-installed Plant

I read with interest the applicant's representatives comments in the RPS produced document "RESPONSE TO REQUEST FOR INFORMATION NOTICE" (File: CVSH-response-to-request-for-information-notice-on-27-jun-2024.pdf)

These comments include:

1.1.1 *"This document provides the response to the Request for more Information issued on 27th June 2024. The notice sets out further information requested by Calderdale Metropolitan Borough Council (CMBC) purportedly in the context of an application to permit a small waste co-incineration plant (SWCP) at Calder Valley Skip Hire's Belmont Industrial Estate site."*

1.1.3 *"A response to this second Request is being provided even though it is considered that the information requested is not required by CMBC to determine the permit application. To the contrary, the Request seeks information which, generally, is irrelevant to the environmental permitting process."*

2.1.5 *"It should be noted that facilities are frequently permitted, even significantly larger facilities, without a selected technology provider for any of the plant. Such permit applications are, therefore, determined on a generic basis without identification or specification of any individual manufacturer's plant."*

2.1.23 *"As already set out in paragraphs 2.1.5 to 2.1.11, it is commonplace for permits to be issued on a generic basis and therefore in the absence of design stage CFD information. Whilst this information might not be available at the application stage it is expected that the selected design would be subject to CFD and this would subsequently be verified once the facility becomes operational. In respect of the latter, permit conditions similar to Condition 5.8 included within the draft CVSH permit are included in all new incinerator permits. Condition 5.8 of the permit makes it clear that verification while the plant is operating under the most unfavourable conditions anticipated within one month of the plant coming into service must demonstrate the residence time of the secondary combustion chamber."*

The applicant's representatives need to remind themselves that a great part of the proposed incinerator plant is already situated within the building on site. The plant already purchased, situated and possibly installed on site being the main element of the plant: the incinerator and also possibly all or part of the pollution control systems. This is a far different scenario from the picture painted by the applicant's representatives where the plant is still paper based and maybe altered and adjusted or even discarded in favour of another design, machine or even manufacturer to suit the conditions and parameters permitted.

This is an opportune point to remind the applicant's representatives that guidance recommends that an applicant progresses the environmental permit in parallel with the planning consent.

Regulatory advice in both the NPPF and EPR, Environmental permitting: Core guidance For the Environmental Permitting (England and Wales) Regulations 2016 state:

5.14 If a regulated facility also needs planning permission, it is recommended that the operator should make both applications in parallel whenever possible. This will allow the environmental regulator to start its formal consideration early on, thus allowing it to have a more informed input to the planning process.

and

5.15 Applicants for complex proposals are likely to find pre-application discussions particularly beneficial. Wherever possible in such cases, operators should engage in pre-application discussions with the regulator before submitting an application for an environmental permit. This can potentially avoid significant costs and delay in the course of the permitting process by identifying any issues of fundamental concern at an early stage and ensuring these are addressed at the design stage if possible.

and

5.10 There is nothing in the EPR to stop an operator from beginning construction before an environmental permit has been issued (but it should be noted that planning requirements are a separate issue). However, the operator risks regulators not agreeing with the design and infrastructure put in place. Therefore, to avoid any expensive delays and re-work, it is in the operator's interest to submit applications at the design stages. Any investment or construction work that an operator carries out before it has an environmental permit will be at its own risk and will in no way affect the regulator's decision.

Simple Fluid Dynamics

I also read with interest the applicant's representatives comments in the RPS produced document "RESPONSE TO REQUEST FOR INFORMATION NOTICE" (File: CVSH-response-to-request-for-information-notice-on-27-jun-2024.pdf)

These comments include:

2.1.12 *"Further, whilst the application seeks to permit the operation of the plant at burn rates up to 2,000 kg/hr it is also limiting the annual throughput to 8,000-10,000 tonnes per annum (tpa) and conditions are included within the permit to reflect this. The SWCP can operate continuously for 5 days per week, 24 hours per day and up to 50 weeks per annum. On this basis the SWCP can operate for 6,000 hours per annum. The average burn rate would be 1.66 tphr for the maximum annual throughput of 10,000 tpa, reducing to 1.33 tphr at an annual throughput of 8,000 tpa. Therefore, whilst the application seeks to operate the facility at up to 2,000 kg/hr, the facility will not be operating at this maximum capacity at all times or even most of the time."*

2.1.17 *"The trials at the existing i8-1000 unit in Stockport demonstrated that operation at the higher burn rate of 2,000 kg/hr could comply with the IED emission limits with the standard abatement plant provided by Inciner-8, similar to the abatement installed at the CVSH plant."*

2.1.22 *"The CFD modelling at the burn-rate of 1,000 kg/hr made a number of conservative assumptions and therefore is likely to under-estimate the residence time at this throughput and would allow for a higher burn-rate. Of these most notably the effect of the ceramic filter was omitted from the study altogether even though it is expected that it would have a significantly beneficial influence on residence time."*

2.1.24 *"Should either further design stage CFD modelling or operational tests indicate that the 2s residence time cannot be met by the installed design at a burn-rate up to 2,000 kg/hr there are*

further options available to CVSH to ensure IED residence time requirements can be met. These could, for example, include the insertion of baffles or similar within the second chamber to increase residence time. It is understood that the latest versions of the i8-1000 unit incorporate a design enhancement of this kind. Should the circumstances considered in this paragraph apply, then, until the residence time is verified at the higher burn-rate operations would, by virtue of Conditions 3.7 and 5.8, be constrained to a lower throughput which achieves the required residence time."

The applicant's representatives comments in 2.1.12 regarding the rate of burn are irrelevant. If the permit is granted at 2000kg per hour then that rate of burn is available to the applicant. The applicant may choose to operate at a lower rate of burn for a longer period of time throughout a year or they may choose to operate for a shorter period of time during the year at the maximum burn rate allowed.

The Inciner8 i8-1000 incinerator as detailed in all three leaflets included with the application documents specifies that the incinerator is capable of incinerating either >500kg per hour or 1000kg per hour and that the designed residence time is 2 seconds. The application has not detailed that the internal dimensions of the i8-1000 incinerator have been altered nor has it detailed that the pollution control systems have been altered to increase capacity, indeed as 2.1.17 above states the pollution control systems or abatement plant installed at the Belmont site are the standard systems provided by Inciner8.

The second chamber, where the residence time is achieved, within the incinerator at the Belmont site is therefore standard to a standard Inciner8 i8-1000 incinerator which has a burn rate as per the leaflets provided of maximum 1000kg per hour. The burn rate has a direct correlation to the amount of gas produced, double the burn rate and the amount of gas produced by the incineration process will double.

If as per the applicant's representatives comments, at 2.1.22 and 2.1.24, these gases will be retained in the second chamber of the incinerator in order to achieve the residence time of 2 seconds by either the more efficient (at holding back the flow) ceramic filter or the insertion of baffles or similar there will be a backup of gases within the second chamber.

If the standard plant, and as confirmed by the applicant's representatives the plant at the Belmont site, is designed to output the volume of gases per hour from a burn rate of 1000kg per hour then each hour of operation at a burn rate of 2000kg per hour will increase the amount of gases within the second chamber per hour by the volume of gases from a burn rate of 1000kg per hour.

Volume of gas produced by a burn rate of 2,000kg per hour represented by the burn rate being a direct colalation to the gas volume produced			
Hours of Operation	Input to second chamber	Output from second chamber	Amount of gas still resident in second chamber
1	2,000	1,000	1,000
2	4,000	2,000	2,000
3	6,000	3,000	3,000
4	8,000	4,000	4,000
5	10,000	5,000	5,000
6	12,000	6,000	6,000
7	14,000	7,000	7,000
8	16,000	8,000	8,000
9	18,000	9,000	9,000
10	20,000	10,000	10,000

The table above demonstrates the amount of gases which will accumulate in the second chamber if the incinerator is run at a burn rate higher than that for which it has been designed

If this is the design model employed then it can only be envisaged that there will be a big bang caused by pressure buildup or put simply an explosion, this is simple fluid dynamics; what goes in must come out!

If the applicant's representatives answer is that the pressure buildup will not occur as this would be vented via the emergency outlet relief valve or not reach the second chamber escaping through the loading mechanism, in both instances bypassing the pollution control systems, then the design of the system is flawed and not fit for purpose.

I8-1000 with Side Loader / Autoloader

I note the applicant's representatives comments in the RPS produced document "RESPONSE TO REQUEST FOR INFORMATION NOTICE" (File: CVSH-response-to-request-for-information-notice-on-27-jun-2024.pdf) at 2.1.1 *"The manufacturers documentation provided by Inciner-8 for the i8-1000 unit is based on the standard unit with the standard feed system."*

This statement is however incorrect as two of the three brochures provided with the application documents (Files: CVSH-inciner8-i8-1000-rdf-uk.pdf and CVSH-inciner8-brochure-side-loader-rdf.pdf) are a 'Case Study' produced by Inciner8 stating *"The i8-1000 is the largest incinerator in our range, with a burn rate of >500kg"* and *"Incinerator Supplied: i8-1000 with Autoloader & PCS"*

The manufacturers documentation provided states that the I8-1000 with side loader or autoloader has a capacity of >500kg per hour, it is appreciated that the documentation states greater than but this is far less than the capacity the applicant's representatives believes the unit is capable of.

Test by Exova (UK) Ltd Stockport

I note the applicant's representatives comments in the RPS produced document "RESPONSE TO REQUEST FOR INFORMATION NOTICE" (File: CVSH-response-to-request-for-information-notice-on-27-jun-2024.pdf).

These comments include:

2.1.2 *"The unit installed at the CVSH site as outlined within the permit application includes an auto-loader system. This modification was designed by Inciner8 at CVSH's request. The mechanism for transferring waste from the auto loader into the primary chamber and all other aspects of the design are those of Inciner8. The i8-1000 unit with an autoloader is part of the Inciner8 range of plant. This modification was incorporated in order to improve the feed rate and increase the burn rate of the SWCP allowing a burn rate of up to 2,000 kg/hour. As part of the CVSH due diligence prior to installing the SWCP Director (at that time) XXXXX visited an operational Inciner8 i8- 1000 SWCP at a site in Stockport. This unit incorporated an Autoloader similar to the CVSH SWCP. Trials were carried out burning RDF fuels at burn rates of up to 2,000 kg/hour to prove the plant could successfully operate at this higher throughput and emissions remained compliant with IED ELVs."*

2.1.15 *"The trials overseen by XXXXX as detailed above confirmed that operation of a similarly configured SWCP at a burn rate of 2,000 kg/hr could successfully achieve compliance with IED emission limits for incinerators and operate in compliance with the trial site's environmental permit."*

2.1.21 *"Solid Solutions have confirmed that the computational fluid dynamics (CFD) modelling submitted within the permit application was carried out using measurements taken on site and information from the manufacturer's specification. On this basis the CFD study was carried out assuming a burn-rate of 1,000 kg/hr."*

2.1.22 "*The CFD modelling at the burn-rate of 1,000 kg/hr made a number of conservative assumptions and therefore is likely to under-estimate the residence time at this throughput and would allow for a higher burn-rate. Of these most notably the effect of the ceramic filter was omitted from the study altogether even though it is expected that it would have a significantly beneficial influence on residence time."*

It appears that these comments refer to a report included in document S13/005/I01/20 - Response to Schedule 5 Notice Dated 18/09/2020 (File: Response-to-Schedule-5-Notice-18-09-2020_0.pdf) copy of document attached to the covering email.

This document includes:

2.2.1 *"Monitoring of emissions from an i8-1000 model incinerator has been carried out and demonstrates compliance with IED limits. The full report is provided in Appendix B. It should be noted that the report incorrectly labels the waste inputs, however we can confirm that the waste used for the tests included RDF from CVSH and waste transfer documentation is held by CVSH to support this. Further the during the emissions tests using RDF from CVSH one of CVSH's Directors, XXXXX was present."*

The report included in Appendix B of the document S13/005/I01/20 - Response to Schedule 5 Notice Dated 18/09/2020 (File: Response-to-Schedule-5-Notice-18-09-2020_0.pdf) is a report by Exova (UK) Ltd being a Stack Emissions Testing Report Commissioned by Inciner8 Ltd and is a test of an I8-1000 incinerator.

The Exova (UK) Ltd report includes the following table In the Executive Summary Page 4.

Standard Operating Conditions

Parameter	Value
Process Status	Normal Operation
Capacity (of 100%) and Tonnes / Hour	500 kg per hour
Continuous or Batch Process	Continuous Batch
Feedstock (if applicable)	Grade A B C Wood & MSW
Abatement System	Ceramic Filter & Lime Dosing System
Abatement System Running Status	On
Fuel	Diesel
Plume Appearance	Not Visible from Sampling Location

This shows that the test was conducted at a capacity, for the Inciner8 I8-1000, of 100% and that this was at a burn rate of 500kg per hour.

It also shows that the test was undertaken with the incinerator complete with pollution control systems or abatement system, specifically a ceramic filter, and that these systems were running. This confirms that the statement made by the applicant's representatives in the RPS produced document "RESPONSE TO REQUEST FOR INFORMATION NOTICE" (File: CVSH-response-to-request-for-information-notice-on-27-jun-2024.pdf) at 2.1.22 that "*the effect of the ceramic filter ... it is expected that it would have a significantly beneficial influence on residence time"* is incorrect.

It is also worth noting in the Exova (UK) Ltd report a table at Appendix 2 on page 75 showing NO2 at 80 mg/m3. I believe I am correct in saying mg/m3 represents milligrams (one-thousandth of a gram) per cubic metre of air, while µg/m3 represents micrograms (one-millionth of a gram) per cubic metre of air. 80 mg/m3 is therefore 80,000 µg/m3, bearing in mind that the regulation limit for the environment is 40 µg/m3.

This is all a very different picture to the one painted by the applicant's representatives.

Proximity of Trees

The applicant's representatives RPS produced document Memo Report (File: CVSH-rps-memo-report-air-quality-inc-sensitivity-tests.pdf) states:

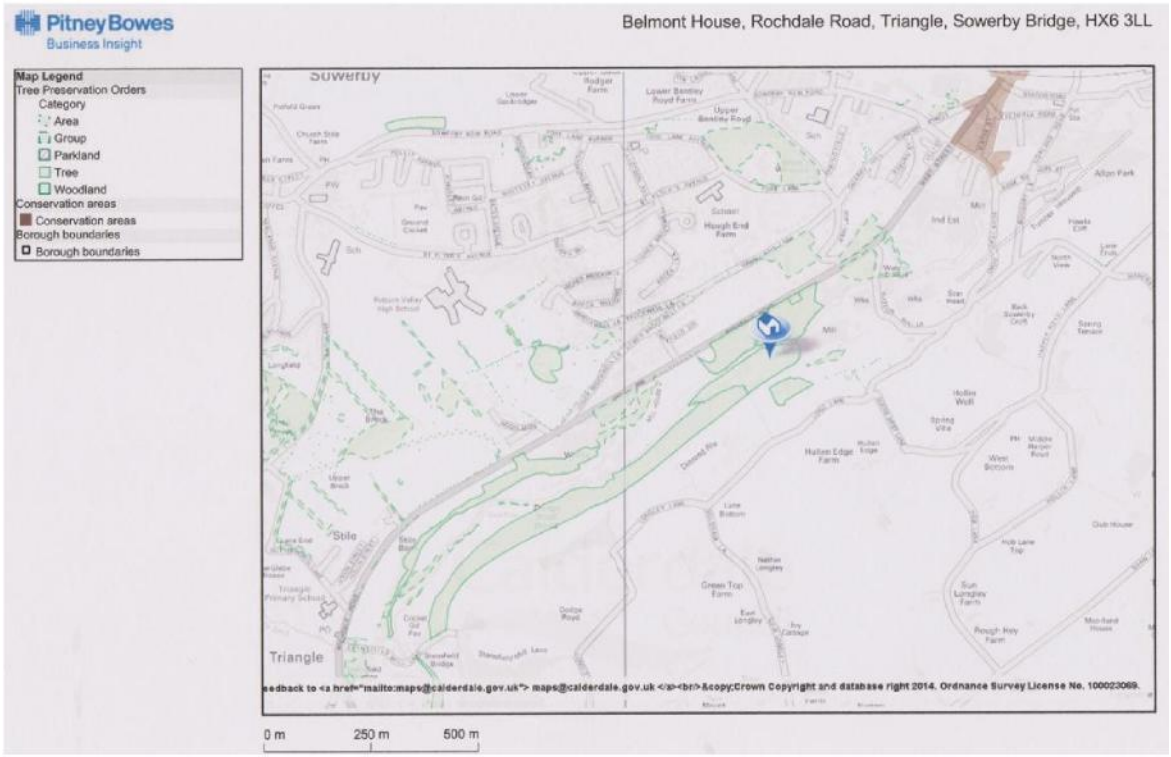
1.7 *"Most of the trees are well over 50m distant from the stack. It should be noted that the Permitting Inspector excluded from the Table at paragraph 32 most of the trees between the stack and Rochdale Road, in particular the group of trees G1 and G2 on the Plan, by reason of those trees having a life expectancy of less than 10 years or being in 'poor' or 'poor/fair' condition."*

As can been seen, from the photograph included in the Memo Report at 1.6, the trees and the tree canopy is much closer than 50 metres.

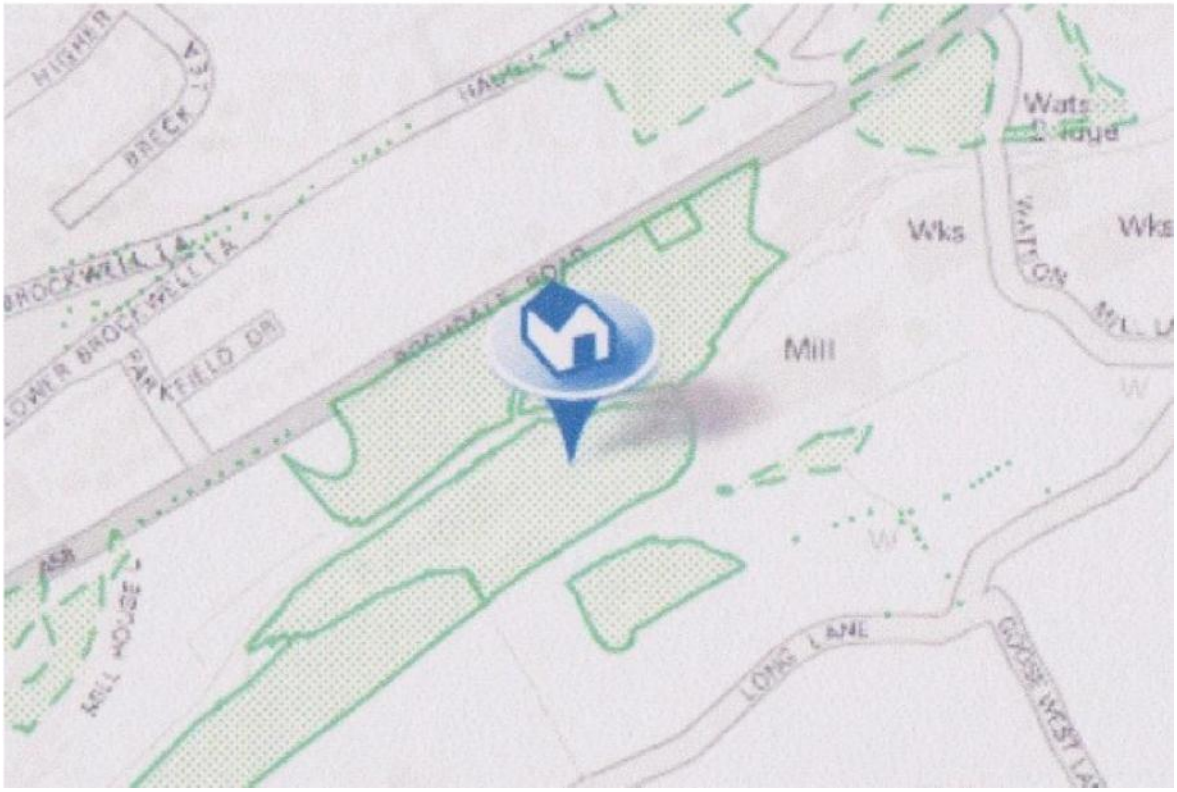
Inspector John Woolcock BNatRes (Hons) MURP DipLaw MRTPI decision of 5th July 2023 included:

37. *"... I am not satisfied that reliance on such an approximation is adequate here. The trees/woodland are so close and so much higher than the 12 m high stack that I consider a more detailed site-specific assessment would be required to properly assess the effects of the trees on the dispersion of emissions."*

The condition or perceived life expectancy of the trees nearest to the stack is irrelevant to dispersal as suggested by the applicant's representatives. The trees are present and will still affect dispersal irrespective of perceived condition or life expectancy.



Tree Preservation Order map showing the woodland around the site is covered by a Tree Preservation Order



The image above is a zoomed in view of the above map centred on the location of the site

The above Tree Preservation Order map also shows that, irrespective of condition or perceived life expectancy, the trees around the site including those immediately adjacent to the stack are covered by a Tree Preservation Order.

Failure to Notify

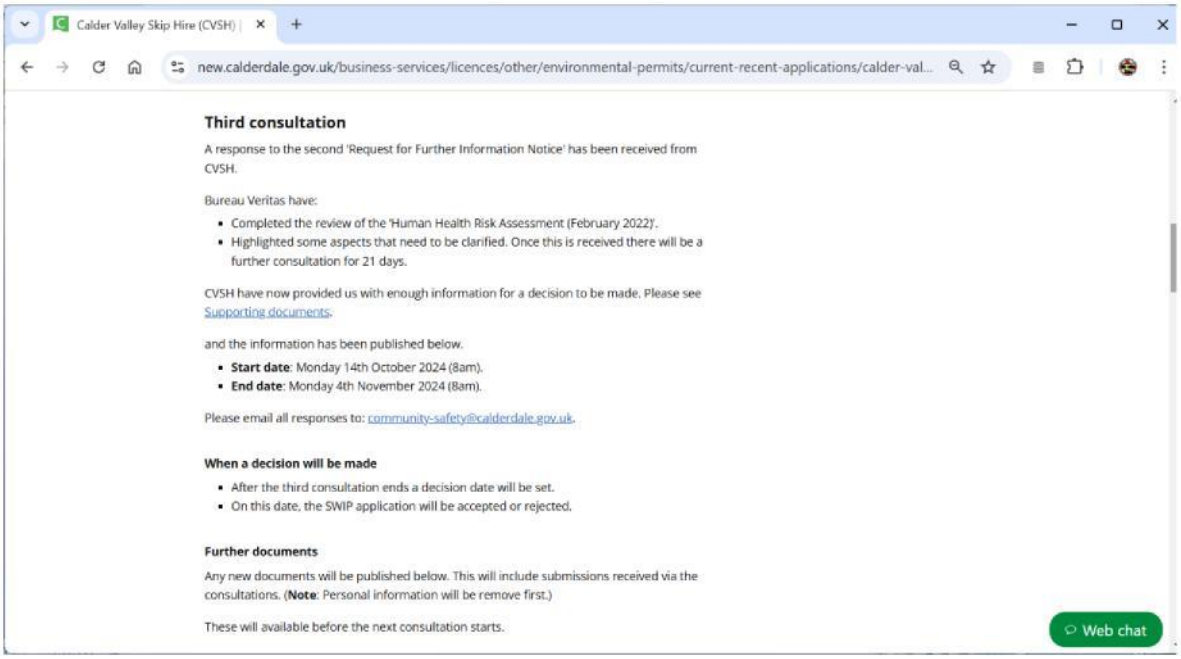
It would appear that the Council's Officers have again failed to fully provide notifications to local residents and individuals who will be affected by, likely to be affected by, or with an interest in this application.

Although I have received an email notification that Environmental Health have reviewed the information provided by Calder Valley Skip Hire Ltd which was sent in response to the second 'Request for Information' and also received the outcome of the independent review of the Human Health Risk Assessment undertaken by Bureau Veritas and that a third consultation will commence, I am aware of a number of individuals who have previously submitted a comment having not received email notifications.

I also note the Council has not posted any roadside notices in respect of this latest consultation period.

Predetermined Consultation Outcome

It is noted that the update provided by Calderdale Council on 25 October 2024 on the Council's website for recent Environmental Permit application and consultations states *"CVSH have now provided us with enough information for a decision to be made."*



Copy of the Council's webpage as at the 25 October 2024 update showing that enough information has been provided

It therefore appears that anything contained within this or anyone else's representation submitted for the third consultation closing 4 November 2024 will not be considered.