

**Welsh Assembly Government - Department of Environment, Sustainability and Housing (Waste Strategy Branch.)**  
**Response to the Regional Waste Plan Review Consultation Dec 18<sup>th</sup> 2007.**

**1. Introduction.**

Having considered the content of the review documents, the Department of Environment, Sustainability and Housing (Waste Strategy Branch) has a number of comments to make in relation to the consultation. These have been split into survey and document-specific comments, and are outlined below.

**2. Survey comments.**

In this section, the Department of Environment, Sustainability and Housing makes comments on the specific survey questions laid out for consultation within the Themes Documents accompanying the consultation exercise. These are as follows :-

*a.) Specific comments on the survey.*

The following specific comments are made :-

- Page 1 - 'Aims' and 'visions' – not signposted [see above.]
- Page 2 – 'Propose other types of facilities not considered' – you are asking this before these other facilities are considered! This question is surely out of order with the others?
- Page 3 – 'Are the indicators suitable?' – signposting to where the detailed information on how the indicators were derived here would have helped respondents adequately answer this question.
- Page 3 – 'Additional indicators' – as above.
- Page 3 – 'Options ranking' – this is signposted, and is fixed so a set ranking has to be obtained, which leads the respondent to make a decision and tells them where the background data is. This is good practice.
- Page 4 – 'Do you have any health concerns' – should an answer to this be provisional on having read the HIA document, or at least its summary?
- Page 5 – 'Implications for planning' – It would have been useful here to signpost respondents as to where the Areas of Search work was presented.
- Page 6 – 'Comments for informed stakeholders' – Again, signposting here would have been helpful.

### **3. Document specific comments.**

#### *a.) Generic comments in relation to the documents*

The Department of Environment, Sustainability and Housing notes that the documents produced by the Regional Waste Planning Groups are a mixture of Regional Specific documents (the three Regional Waste Plan Core Documents) and National documents (the Strategic Environmental Assessment, Health Impact Assessment and 'Areas of Search' Documents.) The core documents for the South East and South West Wales follow a similar format, but the document for North Wales is quite distinct. This causes problems when trying to cross-reference the content with the other Plans, but it is appreciated that the number of stakeholders that this inconveniences is quite small and that it is not worth changing the plan in order to make it match the other two at this late juncture. However, any future reviews must be undertaken so that the documents produced are directly comparable.

The content of these documents has been summarised well in the 'Themes' documents which were produced in order to convey the content of the proposed Regional Waste Plans to the general public. There have been complaints that these Themes documents are in themselves still too complicated, but it is not felt that these are justified – they cannot be further simplified without losing too much content and rendering the consultation process meaningless.

The core documents are laid out in a logical fashion, and can be followed through. It is arguable that they are too verbose, and it should be expected that they will be reviewed in the light of this – the final adopted Plans should be as concise as possible – but this is not a primary concern.

#### *b.) Specific comments in relation to the documents.*

##### **i.) N.Wales Documents.**

##### **a.) Core Document**

Detailed comments as follows :-

1.2.2 – The word '**residual**' should be bolded here – it is important that this definition is emphasised at the start of the plan.

1.2.4 – Para 1.2.4 is repeated twice – this puts out the subsequent numbering! I have used the numbering given in the plan – but this needs to be resolved.

1.2.5 – This para refers to movement of waste across the England/Wales border primarily – the transfrontier shipment of waste brings with itself quite different issues. Need to be clear here on what is being referred to.

2.2.1 – Reference needs to be made to the Pollution Prevention and Control [England and Wales] Regulations 2000 and the Animal By-Products Regulations 2005, as these can also both impact upon one or more of the waste management disposal options discussed in the draft Plan.

4.4.2 – This para refers to the Proximity Principle, and the fact that, on occasion, other considerations may over-rule this. It may be useful to give an indication of the contribution to the overall environmental impact of a waste management option played by the transport element – recent research suggests that the transport impacts are relatively small in regard to the other impacts.

4.5.1 – This para makes the point that 'waste is not limited to administrative boundaries' – perhaps reference should be made here of push/pull factors affecting waste flows into and out of Wales across the Wales/England border.

5.1.6 – The wording here needs to be amended. It is suggested that the sentence reading 'Some could present a serious and immediate threat to human health and the environment, for example those that are toxic, ~~could cause cancer or infectious disease~~' should be amended, with the words 'are carcinogenic or contain pathogens' used instead.

5.5.5 – This para discusses the impact that the voidspace at the Hafod landfill site has on the figures for the Region. Whilst this voidspace exists physically within a North Wales context, it is currently unavailable to any of the North Wales authorities, due to long term contractual agreements with English waste collection authorities. [This emphasises the push/pull factors referred to above.] Given the contractual situation, this voidspace cannot therefore be considered as available for the the disposal of waste from the North Wales Region, and any need calculations should be undertaken with this in mind.

5.5.7 – Need to replace the words 'outside of waste' with 'outside of Wales'.

5.6.2 – 5.6.6 – The data issues referred to in these paragraphs make it difficult to derive a meaningful conclusion from the reference report. It is evident that this is an area which needs further consideration, perhaps in the form of a supplementary report. Whether or not this can be undertaken in time to inform this Regional Waste Plan Review is debatable.

6.1.3 – It may be useful here to include a reference to the forthcoming review of licences, permits and exempt activities by the EA, as this will usher in a major change in relation to exemptions. The Waste Regulation Team at Environment Agency Wales can provide more detail here.

6.5 – Need to change the para heading to 'Biological Treatment' from 'Composting' as it is otherwise misleading to start with.

6.5.1 – A quality protocol is also being developed for the use of Anaerobic Digestates too. It has the working number of PAS110. Reference should be made to this too. The Waste Strategy Branch can provide further detail here.

6.5.3 – Need reference to the Animal By Products Regulation controls.

6.6.8 – Suggest that the para should end 'with only one plant in the UK likely to be operating on a commercial scale on MSW by the time that this Plan Review is published.'

6.7.1 – Need to include reference to the Waste Incineration Directive.

6.7.12 – Need to show that these off-site uses are also covered by the controls set out in the Waste Incineration Directive. Para numbering is also out here – para's should be 6.7.11 and 6.7.12, not 6.6.11 and 6.6.12 as stated.

9.2.4 – The new Strategy is likely to propose targets that are more stringent than the English strategy.

9.3.4 – Can the indicative number of new facilities be summarised here? The reader is signposted to the appropriate appendix, but it would be more user friendly were the conclusions to be presented in this section as well.

11.6 – Other considerations – in this section, it would be appropriate to make reference to the municipal waste management strategies of the adjoining English waste disposal authorities – namely Merseyside, Greater Manchester, Cheshire and Shropshire.

11.6.5 – Synergies with industry – perhaps this is a good point to make reference to the developing work being undertaken by the Carbon Trust in seeking such connections? The Department of Environment, Sustainability and Housing Waste Strategy Branch and the Carbon Trust have entered into discussions to broaden the linkages between energy users and possible energy from waste solutions. This work builds on the identified large energy users found by the Waste Strategy Branch and referred to in this paragraph.

### Hazardous Waste

Hazardous wastes do not appear to have been considered in any detail – there are calculations on arisings and need, but little other data on hazardous waste infrastructure provision. This was omitted in the first Regional Waste Plan, and was later addressed by means of a supplement. This remains an option here **and the work presented in the previous supplement should be brought up to date and included within the final plans as appropriate.**

#### **b.) Technical Companion**

Detailed comments as follows :-

Fig A2 on Page 3 – needs more interpretation – it is not explained very well.

Table D1 – Forecast Waste Growth from 2005-2013 – this should be revised in the light of real data for municipal waste for 2006 and 2007, both of which should be available by the time that the Plans are completed for publication –

the real world data should show that the +4% per annum predicted growth is an overestimate. If this is not included, then 2013 capacity projections may be prone to significant errors.

Appendix F – data issues with refining data on the export of non-hazardous wastes from Wales to England should be outlined here – it is understood that there is a significant data gap due to the way that the Environment Agency (England) handles this data.

Appendix L – is there any way that the Areas of Search Maps can be presented in a more manageable format in the final hardcopy version of the plans? (ie. As a fold-out A3 insert or something similar) – the presented layout does not allow easy examination of the maps.

## **ii.) SW Wales Documents**

### **a.) Core Document**

Detailed comments as follows :-

1.4 – Overview of the first regional waste plan – the definition of 'residual waste' needs to be set out here, as it is key to understanding the rest of the document.

2.2.1 – Reference needs to be made to the Pollution Prevention and Control [England and Wales] Regulations 2000 and the Animal By-Products Regulations 2005, as these can also both impact upon one or more of the waste management disposal options discussed in the draft Plan.

4.5.1 – 4.5.2 - These paras refers to the Proximity Principle and the Self-Sufficiency Principle. It may be useful to give an indication of when these considerations could be over-ruled – ie. In the case of a regionally significant facility for hazardous waste disposal, for example.

5.1.6 – The wording here needs to be amended. It is suggested that the sentence reading 'Some could present a serious and immediate threat to human health and the environment, for example those that are toxic, ~~could cause cancer or infectious disease~~' should be amended, with the words 'are carcinogenic or contain pathogens' used instead.

A paragraph is needed at the end of Section 5.1 to make reference to the disposal of Very Low Level Wastes (VLLW) and Substances Of Low Activity (SOLA) – the North Wales Core Document has a suitable paragraph which should be replicated here.

6.3 – Composting – need to include reference to PAS100 and the Animal By-Products Regulation Controls.

6.4.8 – A quality protocol is also being developed for the use of Anaerobic Digestates too. It has the working number of PAS110. Reference should be made to this too. The Waste Strategy Branch can provide further detail here. Need to include reference to the Animal By-Product Regulation Controls.

6.5.2 – Autoclaving - Suggest that the para should end 'with only one plant in the UK likely to be operating on a commercial scale on MSW by the time that this Plan Review is published.'

6.6.1 – Need to include reference to the Waste Incineration Directive.

6.6.4 – Need to show that the use of RDF for off-site uses is also covered by the controls set out in the Waste Incineration Directive.

7.3.4 – The new Wales Waste Strategy is likely to propose targets that are more stringent than the new English strategy, and which will present different challenges.

9.4.5 – Can the indicative number of new facilities be summarised here? The reader is signposted to the appropriate appendix, but it would be more user friendly were the conclusions to be presented in this section as well.

10.2 – in this section, it would be appropriate to make reference to the municipal waste management strategies of the adjoining Welsh waste disposal authorities in S.E Wales, as well as the nearest English authorities, in order to allow for waste imports and exports to and from the Region. [It is appreciated however that this is not as important an issue for SW Wales as it is for SE and N Wales.]

11.3.10 – Could we have a new para entitled 'Synergies with industry'? It would be a good point to make reference to the developing work being undertaken by the Carbon Trust in seeking such connections? The Department of Environment, Sustainability and Housing Waste Strategy Branch and the Carbon Trust have entered into discussions to broaden the linkages between energy users and possible energy from waste solutions. This work builds on the identified large energy users found by the Waste Strategy Branch and referred to in the North Wales RWP – perhaps a similar list could be included in the SW RWP?

12.4.18 – The exclusion of National Parks needs to be qualified here – the issue of fringe development was discussed at the Regional Technical Group meetings as there is the possibility that development land may cross the boundaries of the National Parks due to historical development, and the exclusion policy needs to be sufficiently flexible to allow the use of such sites where it is clearly in the best interest to do so.

### Hazardous Waste

Hazardous wastes do not appear to have been considered in any detail – there are calculations on arisings and need, but little other data on hazardous waste

infrastructure provision. This was omitted in the first Regional Waste Plan, and was later addressed by means of a supplement. This remains an option here **and the work presented in the previous supplement should be brought up to date and included within the final plans as appropriate.**

### Appendices

Table C1 – Forecast Waste Growth from 2005-2013 – this should be revised in the light of real data for municipal waste for 2006 and 2007, both of which should be available by the time that the Plans are completed for publication – the real world data should show that the +4% per annum predicted growth is an overestimate. If this is not included, then 2013 capacity projections may be prone to significant errors.

### **iii.) SE Wales Documents**

#### **a.) Core Document**

Detailed comments as follows :-

1.4.6 – Overview of the first regional waste plan – the definition of 'residual waste' needs to be set out here, as it is key to understanding the rest of the document.

2.2.1 – Reference needs to be made to the Pollution Prevention and Control [England and Wales] Regulations 2000 and the Animal By-Products Regulations 2005, as these can also both impact upon one or more of the waste management disposal options discussed in the draft Plan.

4.4.1 – 4.5.1 - These paras refers to the Proximity Principle and the Self-Sufficiency Principle. It may be useful to give an indication of when these considerations could be over-ruled – ie. In the case of a regionally significant facility for hazardous waste disposal, for example.

5.1.6 – The wording here needs to be amended. It is suggested that the sentence reading 'Some could present a serious and immediate threat to human health and the environment, for example those that are toxic, ~~could cause cancer or infectious disease~~' should be amended, with the words 'are carcinogenic or contain pathogens' used instead.

A paragraph is needed at the end of Section 5.1 to make reference to the disposal of Very Low Level Wastes (VLLW) and Substances Of Low Activity (SOLA) – the North Wales Core Document has a suitable paragraph which should be replicated here.

6.3.2 – Composting – need to include reference to PAS100 and the Animal By-Products Regulation Controls.

6.3.5 – Autoclaving - Suggest that the para should end 'with only one plant in the UK likely to be operating on a commercial scale on MSW by the time that this Plan Review is published.'

6.4.2 – Need to include reference to the Waste Incineration Directive. Need to show that the use of RDF for off-site uses is also covered by the controls set out in the Waste Incineration Directive.

6.4.9 – A quality protocol is also being developed for the use of Anaerobic Digestates too. It has the working number of PAS110. Reference should be made to this too. The Waste Strategy Branch can provide further detail here. Need to include reference to the Animal By-Product Regulation Controls.

7.2.4 – The new Wales Waste Strategy is likely to propose targets that are more stringent than the new English strategy, and which will present different challenges.

9.5.4 – Can the indicative number of new facilities be summarised here? The reader is signposted to the appropriate appendix, but it would be more user friendly were the conclusions to be presented in this section as well.

10.2 – in this section, it would be appropriate to make reference to the municipal waste management strategies of the adjoining Welsh waste disposal authorities in S.W Wales, as well as the nearest English authorities, in order to allow for waste imports and exports to and from the Region. It is noted that at least one of the adjoining English authorities is also at consultation stage with its Strategy [Gloucestershire], and yet neither Consultation appears to acknowledge the existence of the other. Given that these two areas border, it is of paramount importance that opportunities for the proximate disposal of waste in these border areas are explored. [The same is true for the Monmouthshire/Herefordshire border, and the Powys/Shropshire border, and to a lesser extent in relation to facilities in Worcestershire, Wiltshire and the former county of Avon.]

11.3.8 – Could we have a new para entitled 'Synergies with industry'? It would be a good point to make reference to the developing work being undertaken by the Carbon Trust in seeking such connections? The Department of Environment, Sustainability and Housing Waste Strategy Branch and the Carbon Trust have entered into discussions to broaden the linkages between energy users and possible energy from waste solutions. This work builds on the identified large energy users found by the Waste Strategy Branch and referred to in the North Wales RWP – perhaps a similar list could be included in the SW RWP?

12.4.14 – The exclusion of National Parks needs to be qualified here – the issue of fringe development was discussed at the Regional Technical Group meetings as there is the possibility that development land may cross the boundaries of the National Parks due to historical development, and the

exclusion policy needs to be sufficiently flexible to allow the use of such sites where it is clearly in the best interest to do so.

### Hazardous Waste

Hazardous wastes do not appear to have been considered in any detail – there are calculations on arisings and need, but little other data on hazardous waste infrastructure provision. This was omitted in the first Regional Waste Plan, and was later addressed by means of a supplement. This remains an option here **and the work presented in the previous supplement should be brought up to date and included within the final plans as appropriate.**

### Appendices

Table C1 – Forecast Waste Growth from 2005-2013 – this should be revised in the light of real data for municipal waste for 2006 and 2007, both of which should be available by the time that the Plans are completed for publication – the real world data should show that the +4% per annum predicted growth is an overestimate. If this is not included, then 2013 capacity projections may be prone to significant errors.

Appendix H – is there any way that the Areas of Search Maps can be presented in a more manageable format in the final hardcopy version of the plans? (ie. As a fold-out A3 insert or something similar) – the presented layout does not allow easy examination of the maps.

#### **iv.) National Documents**

##### **a.) Health Impact Assessment**

Two key messages come out of the Health Impact Assessment :-

- i.) That the main negative health impact of the options considered is one of perception, and
- ii.) Notwithstanding i.) above, each considered option is an improvement on the ‘Do nothing’ option.

The Assessment then outlines the fact that each case must be treated on its own local merits, concluding *‘Decisions will therefore need to be made at local authority level with further local consideration of the health and wellbeing issues when a specific site is chosen to host a particular waste treatment facility. Local site-specific HIAs, either separate or integrated within Strategic Environmental Assessments (SEA) of Local Development Plans (LDPs) or Environmental Impact Assessments (EIAs) at the planning application stage, are likely to be worthwhile in addressing specific local community concerns. Additionally, any planning and siting process should involve local Public Health and Environmental Health Departments from the outset.’*

The Department of Environment, Sustainability and Housing agrees with these findings, and has no other comment to offer in relation to the body of the HIA document, as it has been involved with the development of this piece of work as a key stakeholder throughout the process.

**IT SHOULD BE NOTED THAT THIS IS THE VIEW OF THE DEPARTMENT OF ENVIRONMENT, SUSTAINABILITY AND HOUSING – specific comment has not (yet) been sought from Welsh Assembly Government Health colleagues on the findings of the Health Impact Assessment.**

#### **b.) Areas of Search Documents**

Separate Areas of Search Reports exist for each of the three Regions. However, each of these is largely identical, as the methodology used for developing the Areas of Search maps was consistent – it is only the maps themselves that are different. This spatial planning work was supported by a Strategic Environmental Assessment of the methodology used, which assumed that the the same constraints existed for each Region. The Department of Environment, Sustainability and Housing has no comment to offer in relation to the body of the Areas of Search documents, as it has been involved with the development of this piece of work as a key stakeholder throughout the process.

#### **c.) Strategic Environmental Assessments**

Other SEA work was undertaken in support of the Sustainable Waste Management Options Appraisal – ie. On a technology basis. The findings of this SEA exercise are that *‘The experience of undertaking the SEA of the Strategic Waste Management Options has shown that, whilst there are benefits from identifying the potential environmental effects of the Options in isolation at this stage, the greatest benefit will be derived from when this work is tied-in with that of the Areas of Search and Health Impact Assessment. i.e. When the preferred Strategy Options are considered for specific sites to implement the new Regional Waste Plan’* – in other words when the development of individual sites are considered following the publication of the Revised Regional Waste Plans.

The Department of Environment, Sustainability and Housing has no other comment to make in relation to the SEA work, as it has been involved with the development of this piece of work as a key stakeholder throughout the process. It has liaised with the Environment Agency to confirm the validity of the process adopted, and is satisfied that the SEA exercise is a valid one.

Comments from Planning Division, Department of Environment, Sustainability and Housing.

Since the preparation of the above comments, further comments have been received on the consultation from the Planning Division of DESH. These will

be forwarded as soon as possible after Christmas, as they need to be discussed with the Planning Division first.

Please note that the formal response from DESH will be in the form of a letter signed by Matthew Quinn (Head of Environment and Sustainability Division.) This document has been sent in advance of this letter in order to enable DESH to meet the consultation deadline.