

Rookery South CLP Meeting 18 Notes

Monday 12th July 2021 – 6.30 pm

via Zoom

Present

CLP Members – Representatives from Marston Moretaine PC; Millbrook PC; Wootton PC; Marston Vale Trust; Lidlington Resident; Stewartby PC; Cranfield PC; Stephen Sleight (Marston Vale Community Rail Partnership)

Observers/Presenters – Covanta/Rookery South Ltd: Judith Harper (JH), Neil Grimstone (NG), David Spencer (DS) Ian Judd (IJ); Environment Agency: Emma d’Avilar (Ed’A); Neil Goudie (NGd); CBC: Anita Taylor (AT); Veolia - Jacob Hall (JaH)

Facilitator: Bob Fisher (rmpfisher77@gmail.com)

Apologies for Absence: Cllr Tim Hill; Roy Romans (CBC); Jon Shortland; Lidlington PC; BACI; Cllr Sue Clark; Houghton PC; Chris Barbour (ChB), HZI; Kirsteen Harrison (Environmental Consultant); Jack Stitt (RSL); Brogborough PC.

NOTES FROM THE MEETING

1. Introductions, CLP Ground Rules & Apologies

The CLP welcomed Steven Sleight from the Marston Vale Community Rail Partnership. Ground Rules were briefly re-stated and apologies received (see above).

2. Approval of Notes from Meeting 17

Only one issue – Cllr Symonds was present at this meeting and final version reflects this. No objections were raised to the notes.

3. Matters Arising; Q & A

There were a number of questions received from Wootton PC primarily relating to smoke and odour issues and a request for details of the PHE risk assessment concerning municipal waste incinerators (MWI). There were also questions addressed to the EA, specifically as to whether a record is being kept of the recent smoke and odour issues.

Responses from RSL were distributed following meeting 17; however, NG commented further on these matters as follows:

NG: The initial problem of odour emission during initial heating up of the insulation material in the Boiler area is now well in the past and there has been no repeat of this. However, the more recent issue of black smoke emerging from the stack is not at all unusual. Any large diesel engine (e.g. locomotive or cruise ship) will produce black smoke when it is started. NG stressed that this will not be a continuous feature of the plant; it may occur, but very rarely.

RSL would be open to run the start-up burners on an alternative fuel source, such as gas, but there isn’t currently a gas supply and this is not available in the surrounding area. However, this is something which is under constant review; for example, Millbrook Power looks as if it’s going ahead and, if so, it will have a major gas supply. RSL will evaluate whether the plant can run on gas, but this is some way into the future.

Q: Millbrook PC observed that the black smoke isn't an occasional occurrence – it seems to happen most days. In addition, there was an odour [today] which was very similar to those earlier emissions.

NG explained that this occurs when the burners are started up. When the plant is running on waste, the plant will be hot the whole time and no smoke would be visible.

Q: Millbrook PC acknowledged this, but noted that all people can see at the moment is black or white smoke emerging from the stack and Boiler Hall. Local people wanted reassurance that, when the plant is burning waste, they will not see smoke, but rather a heat shimmer, which will disappear and not be noticed. At the moment, things don't seem to be going according to plan – for example, the first waste deliveries have been postponed and it seems as if there's one issue after another.

IJ stated that RSL absolutely shares these concerns about the smoke. This smoke is not normal during operations only during the initial commissioning stages of the burners. It's necessary to profile the burners in order to ensure that the combustion is set correctly. RSL is confident these burners have been commissioned correctly. The white 'smoke' that was mentioned, is steam which is vented off. In commercial operations, there should be no smoke visible from the stack. It will instead be a white plume consisting of just heat and water vapour. During the commissioning process, there has been a significant increase in the quality of the smoke coming from the stack.

With regard to the smell, RSL has taken this issue extremely seriously, from the initial complaints. The original odour was from the lagging heating up and this was a non-volatile, organic smell. That has since passed; RSL is still doing odour monitoring within the boundary and extremity of the plant and is certain that this is not coming from the facility. RSL has seen a number of complaints and analysed these and do not believe they are emanating from the facility, because there is no odour *locally – i.e. inside the building*. However, RSL remains vigilant about this issue.

Q: Millbrook noted that at Pillinge Farm [this morning], they experienced the same odour as when there was the original issue with the plant-based binder. There is black smoke every day and, a week or so before this, it was as if there had been a bonfire, with smoke coming out, falling and settling in the garden.

IJ noted that the black smoke had subsided and that RSL constantly watch the stack – there is a camera on it which records when the plant is in operation – and can confirm that the plant is not emitting the black smoke it was 2-3 weeks ago.

Q: Wootton PC asked whether the EA was keeping a record of these incidents and, if so, are these counted off against the number of permissions they give the operator to have these infringements.

EdA noted that the EA has an incident-recording system through which any complaints that come in are logged, collated and investigated at the site by herself. Every time a complaint comes in, a record is created. The EA then looks at these complaints and investigates them for any permit breaches and these are recorded on CAR forms.

In relation to **Wootton PC's** question regarding the plant's status, **JIH** confirmed that it is by definition an MWI – the waste is municipal in nature.

IJ added that RSL takes its fuel from municipal wastes and a very small amount of commercial/industrial waste, which is very similar in nature.

Q: Wootton asked whether, therefore, when PHE refers to 'municipal', it is not referring to the ownership of the plant.

IJ confirmed this.

Q: Wootton then asked when the RSL emissions monitoring systems would be active.

IJ noted that, as part of the HZI commissioning plan, when RSL starts burning solid fuel (stage 4) emissions monitoring systems will be fully operational. It is not possible at this stage to give an exact date at the moment, as hot commissioning is live and dynamic.

Q: AT observed that the DCO requires the data to be recorded on the website in a way that can be understood by a lay person. She asked whether this is something which will be on the RSL website.

IJ confirmed that RSL was aware of this and has discussed it. This information still needs to be clarified because it has to be approved and the team will need to inform the EA. RSL will respond to AT about this.

Q: Wootton noted that CBC and BBC would be sending their HGV collection vehicles directly into the plant rather than via a waste transfer station. How will the rules as to what is legal vs illegal waste be enforced?

IJ explained that the Environmental Permit allows for certain types of waste. That waste will be verified in RSL's [legal] Duty of Care procedures and noted that RSL also conducts waste inspections. For example, with the direct delivery of a roadside collection vehicle, the crane operator will do a visual inspection of the waste as it is deposited into the bunker. RSL will also do periodic sampling to check that it is conforming to its EWC code, in line with RSL's duty of care. There are a number of checks and balances to ensure that what is being delivered is the correct waste; if there is non-conforming waste, it will be returned.

Q: Wootton asked whether the EA are informed of any sample checks so that they can keep a record.

IJ stated that RSL keeps records for up to 4 years of all the verification inspections. Anything that goes into the Bunker which is then removed is reported to the RSL management team and the waste supplier and it is then returned. These are recognised processes within the EfW industry, so RSL is applying a standard. Ultimately, waste cannot enter the site without a duty of care transfer note and EWC code.

Q: Wootton asked how this was achieved if the material does not go through a WTS.

IJ confirmed that the waste would be coming from household residual waste and therefore its source is determined.

Q: Wootton observed that anyone could put anything into a black bin.

IJ accepted this but stressed that there are checks and balances which can pick out the non-conforming material; for example, gas cylinders or mattresses, which is not on the EWC code and it is caught.

Q: Millbrook PC asked where non-conforming material is sent to once it has been detected by the crane operator.

IJ stated that it is removed from the Bunker and put into a non-conforming waste skip. This skip is then returned in safe condition to the originating organisation to be dealt with appropriately.

Q: Millbrook PC asked if this was Central Beds Council.

JH clarified that the definition of household waste is extremely broad. It allows for all sorts of small items which a householder would normally put in their bin.

EdA added that most of it is covered by this legislation and the people who have the contracts - for example, Veolia or household waste recyclers – if there is non-conforming waste (such as bulky waste that the plant cannot process, or batteries – then these skips go back to licensed facilities. Particular non-conforming waste will go back to a site which is licenced to deal with it appropriately.

Q: Marston Moretaine PP asked whether that meant the crane operator had to open every black bag.

IJ acknowledged that it is not possible to open every black bag, but for large bulky waste, the majority of non-conforming waste can be picked up.

Q: Stewartby PC (SL) asked whether there were any specific EWC codes which are taken in the facility and what happens if non-conforming waste is put into the Waste Bunker – can it be taken out and recycled?

IJ confirmed that the EWC codes are stipulated on RSL's permit; what can and can't be accepted in terms of what is recyclable depends on the size and shape of it. Also, the Bunker is very large and it takes a large volume of waste.

Q: Wootton PC noted that PHE made reference in their letter to points which imply a good outcome, but that there was no qualitative data; for example, PHE use the word 'small' without defining what is meant by 'small'.

NGd agreed that the letter from PHE wasn't all that specific and that he would be happy to take this back to PHE for them to provide additional references for the information they presented.

Q: Wootton PC also asked whether they conduct these risk assessments themselves or do they rely on information supplied outside PHE.

NGd replied that they would be commissioning studies – probably conducted by a sub-contractor or through an academic study.

Wootton PC emphasised that what was important for the CLP is the timeliness/currency of these studies – if they are 15 years old, then they will be out of date.

NGd said he would find out this information and make sure that PHE are supplying the latest information.

Q: Stewartby PC (JS) endorsed Wootton PC's comments regarding the letter from PHE and asked whether the data was relevant and current. Furthermore, if there is no risk involved, would it be possible to see proof of this?

NGd added that the responses were coming from the Centre for Radiation, Chemical & Environmental Outputs Team, which is part of PHE and, although PHE is organised into regional blocks, for waste and incinerators, most queries go through this group. He had initially contacted the local PHE, and his query had been forwarded to this team. NGd said he would go back to his colleagues there and ask them to provide more information where possible.

4. Site Updates (IJ)

- 1) **Construction & Commissioning** - the key activity was Steam Blowing. The steam conditions are still not quite right to introduce steam to the Steam Turbine. The team is still cleaning

these systems out and are in the final stages of this process. It has taken much longer than anticipated because of the complexities of the 3-line system. However, they are now in the final stages. The team is also trialling HGVs, bulk loaders and roadside collection vehicles within the system to make sure that the Weighbridge and Tipping Hall activity is correctly set. RSL is also doing burner optimisation to make sure they have the correct fuel mixture and combustion for the start-up burners. They are also doing a lot of 'invisible' commissioning activities around the plant, so it has been a very busy time, delivering some good quality work, and are almost at the point of accepting waste deliveries.

- 2) **Operations & Maintenance (O&M)** - RSL has managed to put together a very strong OM team, with the necessary qualities, skills and experience. Currently, there are 47 O&M staff on site; 20 of these have come directly from Beds, 7 within 25 miles and a number outside of that. This is consistent with the nature of Beds – it is not an industrial centre. Covanta has really capitalised on the talent pool within the county. In addition, the team had completed its initial HZI training, which involves an intensive period understanding the plant and now the O&M teams are embedded with HZI in commissioning activities. As these activities continue, the O&M teams will take over the lead to prepare for commercial operations. RSL is also setting up the systems and processes to manage a facility of this size.

Q: Marston Moretaine PP noted that RSL had previously provided the CLP with information about when deliveries would commence and asked how long the delay is likely to be.

IJ stressed that this hinges on ensuring that the steam quality is correct before the plant can accept waste and start commissioning the lines on solid fuel. It is difficult to be specific on dates but this could be in a matter of weeks.

Q: Wootton asked whether balancing up the steam was dependent on purely internal factors or whether there were external factors outside of Marston Vale which might affect this.

IJ confirmed that it has to meet a set of clear criteria – if there are very fine particles from the manufacturing process, this could cause a catastrophic event in the steam turbines, so there are a lot of health & safety implications (i.e. the condition of the plant, safeguarding, plant integrity) that the steam condition has to meet first before it is allowed to progress. It is an internal – but recognised – national standard that RSL has to meet.

Transport

JaH noted that as deliveries were yet to commence, there was no real update from Veolia regarding transport. The majority of the material will be municipal waste coming from the Beds Local Authorities, plus materials from Herts and Norfolk, along with commercial waste from, for example, Starbucks and McDonalds. The delivery profile remains exactly as before [see notes from Meeting 17].

Q: Lidlington Resident asked whether it was possible to discuss the issue relating to the colour of the chimney.

BF apologised for the delay in providing a response and noted that this had been drafted and was on its way and would be distributed in due course.

Q: MVCRP asked where the waste would be coming from; he referred to an earlier discussion about waste possibly coming from the London area.

JaH reiterated that the majority of the waste would be coming from the 4 municipal contracts. He did not expect that there would be any deliveries from the London area.

Q: MVCRP asked whether there was a Green Travel Plan for employees.

JiH noted that there was a planning condition which requires RSL to produce a Travel Plan. A draft travel plan was prepared as part of the initial planning requirements and RSL is required to produce a final one within 6 months of the plant becoming operational, by which time all details of the number and location of employees would be known. **JiH** confirmed the Travel Plan will be produced next year.

5. EA Update

EdA confirmed that she conducted her investigation into the odour incident and found that RSL had breached permit condition 3.3.1 – an odour condition – and RSL was scored accordingly, which is a category 3 breach. This means that RSL will lose its compliance banding – from A down to B. RSL was asked to introduce mitigating measures, as discussed in CLP Meeting 17, which it did. Line 3 testing was then conducted. **EdA** went out to Rookery, having received a number of complaints, but found that the odour was not as bad as in the earlier instance; it was mild and transient. RSL therefore did not get scored for Line 3, as the measures they had taken seemed to be appropriate. This was then considered to have been a one-off occurrence and **EdA** therefore concluded her investigation.

Q: Marston Moretaine PP asked what the repercussions were of going down from band A to band B.

EdA explained that RSL would have to pay more subsistence fees. A Band A operator has to pay 95% of the subsistence fee, while Band B has to pay 100%. She stressed, however, that it was the reputational issue which was more important for operators, rather than the financial penalty. This assessment period runs from January to January, so if further breaches are identified, the firm could slip further down the compliance banding. Points, in this case, are cumulative. In addition, if things coming out of the stack are not within the compliance limits, the firm will be scored accordingly and this refers to any other incidents which originate from the site.

Q: Stewartby PC (SL) asked whether RSL would have to pay 105% of their subsistence fee if they slipped to Band C.

EdA explained the banding – there are Bands A-F; if you are at Band F, you would have to pay 300% of the subsistence fee. She pointed out, however, that a company would have to be causing some very serious issues to reach that point. A banding of D, E or F will be classed as a ‘poor performer’; with A, B or C, there may be some minor issues but the firm would not be considered a poor performer.

Q: Millbrook PC asked what a ‘subsistence fee’ was, at what point would a plant be closed down and whether the system is similar to points on a driving licence.

EdA explained that when a firm applies for a permit, it needs to pay for the application and then for every subsequent year. The firm pays a set fee according to the activity. An A Band pays 95%, B - 100%, C - 110%, D – 150%, E – 200% & F – 300%. If a firm causes serious pollution, due to repeated bad management or poor operations, the EA would then prosecute the plant operator and – if the problems persist – the EA would move for the revocation of the permit.

IJ added that RSL was very regretful about the odour issue and that it had been unforeseen. However, with **EdA**’s support and guidance, RSL had managed the commissioning for Line 3 in a much better condition. In terms of turning the plant off, this would be quite complex. However, RSL

has a permit which states what it needs to do and when to do it by and, ultimately, if RSL is approaching the environmental emissions limit, it would take action. If that action does not improve the situation – and it looks as if a breach might occur – RSL will take that line off and repair the defect before reinstating the line back into production. Therefore, RSL has to manage the situation because the consequences are highly significant, not only in terms of management with the EA, but also in terms of reputation. The last thing RSL wants to do is breach those limits and it takes these matters very seriously.

6. Local Authority Update

AT reported that she had gone out on site on 21/06 and seen some steam coming from the Boiler room. A colleague was also out in Stewartby that afternoon and saw the black smoke coming out of the window. AT did query this with Covanta. Meanwhile, the number of complaints coming into CBC and BBC have since declined dramatically, to around 2-3. In the first instance, these complaints have been directed to the EA complaints procedure because it is felt that this is the most appropriate way of addressing them and to ensure they are logged appropriately.

Other than that, it has been a case of getting schemes approved with regard to the DCO and Section 106 Agreement, along with any tweaks being made by Covanta/HZI in connection with matters already agreed; for example, in relation to foul drainage and surface water on site and the Rights of Way strategy. Both these schemes have been agreed by the LA since the previous meeting and are available to see on the LA website.

Q: MVCRP asked about Millbrook Power and whether anyone could offer an update or information about the approval process or possible dates.

NG confirmed that Millbrook Power are fully approved to build a plant. However, they haven't built it up to now because the commercial conditions haven't been attractive to justify going ahead. There was a capacity market auction earlier this year, in which they bid to participate in the capacity market. It looks favourable, but it isn't possible to know – they need to decide.

AT added that this is being dealt with by a case officer at CBC, who is dealing with the discharge of requirements under the DCO. As AT understood it, this is work in progress, so not all of those requirements have been discharged and they will need to be if Millbrook are to start the build-out. He is in active communications with Drax to move these matters along.

NGd stated that he was also in contact with Drax and spoke to them a month or so ago, after it was announced they had won a capacity market auction; they have the permissions to go ahead, but it would be necessary to speak to them directly to know if they wish to go ahead with it.

Q: Stewartby (SL) asked whether Green Lane was to be resurfaced up to the roundabout and, if so, when this was likely to be.

AT noted that there was apparently a requirement for a post-construction survey to be done to identify potholes or any work that needs to be done on Green Lane to make good any damage which construction might have caused. AT added that this was written into the DCO.

Q: Stewartby (SL) noted that it would therefore be difficult to determine which parts of Green Lane had been affected by RSL and which by the landfill lorries.

AT agreed, stating that the landfill lorries had ceased now for restoration purposes. Historically, they had caused a lot of issues on Green Lane, but as there were multiple users of Green Lane, she appreciated the previous point.

JH added that RSL undertook a baseline survey to determine the condition before construction started. Later surveys then determine any further deterioration from that initial baseline.

7. Stakeholder Activity

DS noted that RSL had been approached by SL from Stewartby PC to provide some funding for schemes within Stewartby village and the company has given two tranches of money to the PC to help with the installation of a ramp for the disabled at Stewartby Village Hall, and also the installation of a hearing loop at the Pavilion Building. There will be some news about this when Stewartby PC publishes its next newsletter (on 23rd July?). **DS** will circulate an E-copy of this once it has been received. This is one-off funding and is separate from the Community Trust Fund.

Secondly, **DS** proposed a note of thanks to Cllr Tim Hill. Although Tim does not frequently attend CLP meetings, RSL does communicate with him quite regularly and he very kindly offered to publicise information about roles and opportunities at RSL and has posted a couple of times on his Facebook page. RSL is grateful for this additional coverage and will continue to post this information there as well as on the website.

In addition, members of **IJ**'s team are taking part in a 'Tough Mudder' event – an obstacle course with a 10k run – to raise money for a local charity. This will take place in August with colleagues in HZI and **IJ** believed that Covanta would be offering support as well.

DS noted RSL's continued support to SMART – the Prebend Street Homeless Charity in Bedford, a vitally important and well-regarded Bedford-based charity.

8. Community Trust Fund - RSL will be launching this at the end of this year. In 2022, the amount of funding available will be around £180,000. Grantscape are administering the scheme for RSL and allocation to recipients will be decided by an independent panel that Grantscape will put together (it is not a decision for Covanta/RSL, who will simply provide funding). Grantscape will be contacting local organisations in the coming weeks to conduct a consultation and to work out how the scheme will operate, what will be deemed suitable to apply for, amounts to be allocated and so on. Then the scheme itself will be launched and funded by RSL, prior to commercial operation.

9. Date of Next Meeting

The next meeting of the CLP will be on Monday 18th October; possibly at the RSL Visitor Centre – if not, at the Forest Centre. CLP members are encouraged to send possible agenda items to BF

Bob Fisher

CLP Facilitator

CLP Questions from Chris Martin, Marston Mortaine PC 15/08/21

Local Authority Response (Central Bedfordshire Council & Bedford Borough Council) 14/10/2021

Qu 1) There is some concern that although Covanta may be controlling the lorries contracted to them, who are controlling the local authorities' routes through our village?

RSL Answer: The larger waste delivery trucks are controlled by Veolia and are subject to the HGV Routing Strategy which excludes such vehicles from passing through Marston Mortaine and other villages in the area. Local authority collection vehicles collecting locally are not subject to this. The Waste contracting teams and the appointed waste collection contractor(s) are responsible for collection routes. A suitable representative can be asked to comment.

LA Answer: Waste Collection Services: The Council's collection vehicles are routed along the A421 to the site unless they are collecting, or are in the near vicinity to the Rookery South treatment facility. This avoids any unnecessary vehicle movements through Marston Mortaine or other villages.

Qu 3) The progress of the Green Wall - picture attached as of this pm. Can we ask whether it is the intention to also green the wall right at the front of the building which appears to have a green roof and also is it intended to extend the wall further up where it is now.

RSL Answer The green wall and roof is complete. It will not extend to cover any further up the top face of the building. However, the planning requirement is for trailing plants to cascade over the lower face from the green roof. These will take a while to grow and take effect though.

LA Answer: Confirm that the landscaping scheme includes cascading and trailing plants which will, in time, fill this area.

4) I don't know who currently represent s CBC/BBC on the Liaison Panel - it used to be the Minerals and Waste Team. But can we ask that person what instructions either of those local authorities have issued to their refuse lorry drivers as to the routes to the Covanta site following collection of household waste?

RSL Answer Anita Taylor is the representative from the CBC/BBC Minerals and Waste Planning team. Jon Shortland is now the representative for BBC but has not been able to attend recent meetings. Cllr Sue Clark and Cllr Tim Hill are also Member representatives of CBC and BBC respectively. We will ask that the authorities provide a response from their Waste Contracts teams.

LA Answer: Waste Collection Services: The Councils have instructed all its drivers to use the route along the A421 unless they are collecting, or are in the near vicinity, to the Rookery South treatment facility to avoid any unnecessary vehicle movements through Marston Mortaine or other villages. Both BBC & CBC will follow up with a further memo/ instruction as a reminder to all its drivers.

5) Similarly can we ask that person what the up to date position is with restoring the site once the Covanta and Millbrook Power Station is completed - there was a plan for restoring Rookery Pit even if it had been used as a waste tip. The plan predated Covanta. When I say restoring, I mean the area which surrounds Rookery North & South. I believe there was excavation of the side of the Rookery South Pit which abuts the land near the Station House for that purpose. Also is it to be managed by the Country Park.

RSL Answer Anita Taylor is best placed to respond on this. RSL is responsible for some remaining landscaping works prescribed by the DCO, including the land near to Station House. The land belongs

to O&H Properties and will not be managed by the Marston Vale Trust or the Millennium Country Park.

LA Answer: The S106 for the old mineral permission that covers those parts of Rookery Pit not covered by the Covanta or Millbrook Power developments, requires all restoration to be complete by Dec 2025. The Councils and O&H have been looking at this and how works might overlap with the Millbrook Power development. O&H are currently trying to understand the requirements of Millbrook Power before they programme the remaining restoration works on the rest of the site. O&H are still planning to complete these works by the end of 2025. The remaining area to be restored will be to agriculture and managed by O&H.