

Appendix B
Scoping Responses

Appendix B - Feedback Received by Consultees to the Scoping document

On the 18th of August 2008 E.ON Issued a Scoping Document (See Appendix A) which consulted upon the scope of and methodology for the assessments proposed to be undertaken as part of the Environmental Impact Assessment (EIA) process for the proposed Renewable Energy Plant development.

The EIA provided the basis for this Environmental Statement document which was produced in support of the Consent Application made to the Secretary of State for the Department of Energy and Climate Change under Section 36 of the Electricity Act 1989 to construct and operate the proposed Portbury Dock Renewable Energy plant and in accordance with the Electricity Works (Environmental Impact Assessment) (England and Wales) 2000 Regulations.

The following table represents a summary of the formal comments received by the consultees to the Scoping Document. Those consulted included the Department for Energy and Climate Change, the local planning authorities of North Somerset Council and Bristol City Council and other organisations considered to be key stakeholders (See Appendix A for a full list of Consultees).

The following table contains a reference as to where in this Environmental Statement document the issues raised have been addressed.

Where issues raised have not been addressed directly through the EIA process and / or presented within this Environmental Statement they are addressed directly at the end of this Appendix.

Response from Bristol City Council: Elaine Thomas (Senior Planning Policy Officer)		
Issue	Comment	See Section
Fuel Supply	From where will the woodchip be sourced & can a sustainable supply be guaranteed over the life of the development?	2
Sub-station (Impacts)	Will the EIA address the potential for impacts arising from the new sub-station?	2
Water Quality (Run-off)	Will potential impacts from construction on water quality be addressed, in particular potential for run-off from site to affect the Severn Estuary SPA/SAC/Ramsar site?	3.2
Air Quality (Transport)	Will cumulative impacts on air quality be addressed e.g. emissions from the proposed project along with transport emissions and from adjacent developments?	3.1
Ecology (Timing)	There is concern that the timing of the phase 1 habitat survey (carried out in the winter months) could result in some species / habitats being missed.	3.5
Ecology (Appropriate Assessment)	Considering the site's proximity to the Severn Estuary SPA/SAC/Ramsar site, will a separate Habitats Regulations Assessment be carried out?	3.5
Air Quality (Designated Areas)	Will the potential effects of air emissions from the proposed plant on the Severn Estuary and Avon Gorge Woodlands be assessed?	3.1
Ecology (disturbance)	Will the potential Ecological impacts resulting from disturbance during construction, operation and decommissioning of the plant be addressed?	3.5
Traffic	We would like to see the more detail on the potential impacts of traffic associated with the development.	3.7
Landscape & Visual	Could the viewpoints used in the landscape and visual assessment be agreed with Bristol City Council as well as the other local authorities?	3.6
Socio-Economics	Would the development have any effects on the longer-term viability of the Port?	3.9

Response from The Bristol Port Company : Andrew Ord (Commercial Executive)		
Issue	Comment	See Section
Fuel Supply	The scoping document states that “The bulk of fuel is likely to come from sustainable sources”. When E.ON discussed this issue with Bristol Port Company it was stressed that with the exception of waste wood all fuel would be sustainable and this would be a key point to fuel purchase contracts. This point needs clarification.	2
Water Quality	The Bristol Port Company would like to see the likely impact on the dock levels, temperatures and water quality of abstracting cooling water from the Dock.	3.2
Response from English Heritage : Victoria Harmer (Casework Officer)		
Issue	Comment	See Section
Fuel Supply	If substantial amounts of crops like miscanthus and willow are grown in the region to supply the new plant the likely impact on the historic environment should be assessed at this stage.	2 & 3.10

Response from Environment Agency : Richard Bull (Planning Liaison Officer)		
Issue	Comment	See Section
Flood Risk	Agree that in accordance with PPS25 a comprehensive Flood Risk Assessment is required as part of the EIA.	3.4
Flood Risk	The scope of the sequential test should be agreed with the local planning authority.	3.4
Flood Risk	The development (assuming it passes the sequential test) should be designed to be safe and resilient, preferably up to a 1 in 100 year flood event.	3.4
Flood Risk	An emergency flood plan must be devised to ensure that any workers on site are evacuated prior to a flood (unless it can be demonstrated that safe flood free access and egress to the site is achievable during flood).	3.4
Ecology (Water Abstraction)	If water is abstracted directly from the Severn Estuary then measures should be considered as to the type of filter or screen over the intake to prevent the entrainment of fish.	3.2 & 3.5
Ecology (Air Emissions)	The EIA should consider all designated habitats sites (SACs, SPAs and Ramsar's) within 15km of the site and SSSIs within 5km.	3.1
Ecology (Timing Works)	The seasonal timing of the construction phases should be considered to prevent disturbance to bird species during sensitive times such as breeding season or over-wintering migration seasons. Monitoring during these stages should be considered.	3.5
Regulation (Permit to Operate)	The proposed Renewable Energy Plant is an activity listed under schedule 1 of the Environmental Permitting (England and Wales) Regulations 2007 and therefore requires a permit under these regulations to operate.	1
Regulation (WID)	If the plant is to burn waste wood the plant must also meet the requirements for the Waste Incineration Directive.	1
Planning (PPS)	We would like to see more details of the assessment of planning policy statements as mentioned in the Scoping Document.	1
Water Quality (drainage)	We would require to see more information on site drainage (foul and surface water) prior to an actual planning application being submitted as there are a number of ecologically sensitive receptors bordering the proposed site of the plant.	3.2

Response from Highways Agency : Jacqui Ashman (Network Planning Manager)		
Issue	Comment	See Section
Traffic Management	We would expect that a traffic management scheme be produced to run for the duration of the construction process.	3.7
Travel Plans	A Travel Plan should be produced to aid visitors and staff of the development to make informed and sustainable travel choices.	3.7
Relevant Guidance	The above plans should be made in line with the Department for Transport's recent 'Guidance on Transport Assessment' (GTA) 2007 and take account of Circular 02/07 Planning and the Strategic Road Network.	3.7

Response from North Somerset Council : David Tate (Principal Planning Officer)		
Issue	Comment	See Section
Policy	<p>The following polices need to form part of the scope:</p> <p>Joint Replacement Structure Plan 2002 Policy 18 Nature Conservation and Biodiversity Policy 22 Coastline Development Policy 23 Water Resources Policy 25 Renewable Energy</p> <p>North Somerset Replacement Local Plan Policy GDP/2 Environmental and Public Protection Policy ECH/11 Protected Species and their Habitats Policy ECH/12 Wildlife Sites of International Importance Policy ECH/13 Impact on SSSI Policy ECH/15 Coastal Zones Policy T/10 Safety, traffic and the provision of infrastructure projects</p> <p>There is also a need to refer to the North Somerset Landscape Character Assessment (adopted SPD) 2005</p>	1
Transport (Road)	North Somerset Council need to know what amount of material is likely to arrive by road via junction 19 of the M5. Also of spent fuel ash leaving the site.	3.7
Noise	Operational noise should be referenced in accordance with BS4142 and any monitoring carried out should be done when the plant is likely to be operational i.e. overnight often plant is envisaged to be operation 24 hours.	3.8
Ecology (Water Quality)	The EIA needs to address the impact on marine life resulting from use of and discharge of water into the docks	3.2 & 3.5
Ecology (Designated areas)	A full assessment needs to be carried out since the proposal affects the Severn Estuary European Marine site as set out in policies 18, 22 and 23 of the Joint Replacement Structure plan.	3.5

Response from Natural England : David Westbrook (Development Planning Advisor)		
Issue	Comment	See Section
Planning	Recommend including PPS9: Biodiversity and Geological Conservation in the list of documents to be reviewed and against which the proposal will be assessed.	1
Air Quality	If there are any combustion products with potential harm to wildlife we require these to be considered and assessed or ruled out (e.g. dioxins)	3.1
Ecology (water Quality)	We will require all ecological effects of discharges into the docks to be carefully assessed	3.2 & 3.5
Ecology (Birds)	The ecology assessment should consider the potential impacts of disturbance/displacement upon birds making use of the estuary	3.5
Ecology (Appropriate Assessment)	The proposal will need to be subject to the Appropriate Assessment process in accordance with the Habitats Directive and Regulations.	3.5
Ecology (Designated Species/Sites)	It would be helpful if the Environmental Statement could clearly set out the likely significant effects on internationally designated habitats or species under a specific subject heading	3.1 & 3.5

Response from Portbury Parish Council : Cllr L Summerfield (Chairman)		
Issue	Comment	See Section
Air Emissions (monitoring)	To make air emissions from the Portbury Dock Plant quantifiable, monitoring needs to take place immediately to set a bench mark for the effects of future pollution. Statistics should be released to gain public confidence.	3.1
Fuel (Type)	It is hoped that during the planning stage E.ON will define the type of biomass to be used and its source. The source should be clearly identified and wholly sustainable.	2
Air Quality (Control)	If the air assessment is a theoretical computer based exercise the account should be taken of the emissions from Lafarge, potential emissions from the Avonmouth incinerator (if given the go ahead) and dust generation from transfer of the fuel to the furnace. Air quality control cannot be taken in isolation and need to take account of pollution produced by other industries in the area.	3.1
Noise (Monitoring)	It is recommended that noise monitoring be done at varying distances up to 5 miles from the proposed plant, as noise generated by the dock is clearly audible by residents at this distance.	3.8
H&S	Concerns regarding proximity to kerosene pipeline, in the even of any incident the magnitude of impact could be increased.	4

Response from Royal Society for the Protection of Birds : Richard Archer (RSPB Somerset & Severn Estuary Conservation Officer)		
Issue	Comment	See Section
Ecology (Waterbird Populations)	We strongly recommend that you carry out or have access to at least one year of recent field data covering both core winter period and spring and autumn passage. You will need sufficient data to cover all of St Georges Wharf intertidal area and adjacent Portbury intertidal flats as a minimum	3.5
Ecology (monitoring)	We would like you to assess the requirements for a full SPA waterbird monitoring programme during construction and for at least 3 years following commissioning of the proposed plant.	3.5

Comments not addressed in the main Environmental Statement:**Comment 1:**

Several comments were received in relation to the statement that biomass energy generation is considered carbon neutral. Although it was accepted that CO₂ emissions resulting from the combustion of the biomass would be considered carbon neutral, it was asked that the carbon emissions relating to the transport of fuel from overseas and within the UK be considered.

Answer 1:

E.ON commissioned ARUP to undertake a carbon footprint analysis of the carbon dioxide emissions relating to the operation of the proposed plant, the results of the carbon analysis are presented in a report separate to the Environmental Statement. It has been presented to DECC and the local planning authorities. It can be viewed at locations described within the Preface of the Environmental Statement.

Comment 2:

The Environment Agency asked that consideration should be given to undertaking a study on the potential impacts of raised water temperature of macro invertebrate populations of the Severn Estuary.

Answer 2:

A 3D hydrodynamic model of the dock was used to predict the impact of the proposed plant on water quality. The model assessed the impact on the mean temperature of the dock resulting from the release of the purge flow from the cooling water system, the net temperature increase predicted over the operational life of the plant was deemed insignificant (it reached equilibrium around 1 degree Celsius above the existing mean). It was considered that there would not be any impact on the temperature within the Severn Estuary resulting from the proposed development. Therefore it was assumed that no study on the macro invertebrate populations of the Severn Estuary was necessary.

Comment 3:

Comments were raised concerning the potential impact of stack height on aviation.

Answer 3:

The Civil Aviation Authority (CAA) has been consulted. The CAA suggested contacts for consultation with Bristol International Airport, BAE Systems Bristol, Filton site and operators of the Avonmouth helipad. All have been contacted and made aware of the stack height. In addition E.ON consulted the Ministry of Defence (MOD). No concerns have been raised by any of the organisations consulted. A copy of the ES has been sent to each contact.

Comment 4:

Portbury Parish Council: Fuel imports should be handled in such a way so as to eliminate all potential of importing diseases such as 'Dutch Elm'.

Answer 4:

We will comply fully with the 2005 Plant Health (Forestry) Order, which implements the European Council Directive on protective measures against the introduction into the [European] Community of organisms harmful to plants or plant products (Directive 2000/29/EC) in Great Britain. In practice, this entails the heat treatment, drying or processing of material to ensure that it is pest- and disease-free, followed by official inspection by the relevant authorities prior to export from the country of origin. We will work closely with the Forestry Commission and the relevant authorities to ensure that the necessary standards and measures are in place and upheld during the import of relevant material.

Comment 5:

Portbury Parish Council: Concerns regarding the proximity of the proposed plant to the kerosene pipeline; in the event of any incident the magnitude of the impact could be increased.

Answer 5:

E.ON is committed to ensuring the health and safety of all its employees, and other people who may be affected by its activities. This includes the safe design, construction and operation of plant and apparatus and the provision and maintenance of safe and

healthy working conditions, equipment and systems of work. We will work closely with the appointed contractors and The Bristol Port Company to ensure that during the construction period the kerosene pipeline is fully protected from potential damage. During the operation of the proposed plant we will work closely with The Bristol Port Company to ensure that all necessary safety precautions and procedures are in place to minimise the risk of any incidents.

Comment 6:

Environment Agency: If waste wood is to be imported into the country for burning at the plant then it must comply with the requirements of the Transfrontier Shipment of Waste Regulations 2007.

Answer 6:

We do not foresee importing waste wood.