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Our ref/Ein cyf: P/DS/NJ/ME/05/P/12985(E)

Date/Dyddiad: 17 January 2006

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Dear Sirs

**TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT) (ENGLAND & WALES) REGULATION 1999**
SCOPING OPINION FOR PROPOSED WASTE MANAGEMENT FACILITY
AT SHANKS CHEMICAL SERVICES LTD, PONTYFELIN INDUSTRIAL
ESTATE, NEW ROAD, NEW INN, PONTYPOOL

With reference to the above site, please find enclosed the Scoping Opinion of this Authority. I would request that 20 copies of the Environmental Statement and Non-Technical Summary accompany the application.

If you require further information, please contact Norman Jones, Area Team Leader on Tel. 01633 648403.

Yours faithfully

Duncan Smith
ASSISTANT DIRECTOR FOR THE ENVIRONMENT
PLANNING & ENVIRONMENTAL PROTECTION

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REPORT TO THE ASSISTANT DIRECTOR FOR THE ENVIRONMENT (PLANNING & ENVIRONMENTAL PROTECTION)

Date: 13 January 2006

SCOPING REPORT IN RELATION TO A PROPOSED WASTE MANAGEMENT FACILITY AT PONTYFELIN INDUSTRIAL ESTATE, NEW INN, PONTYPOOL FOR SHANKS WASTE MANAGEMENT LIMITED (SHANKS) – 05/P/12985(E)

1. Introduction

- 1.1 Shanks intend to submit a planning application for the development of a new Waste Management Facility on the site of an existing High Temperature Incinerator at this site.
- 1.2 On the 31 October 2005 a request was received for both a Screening Opinion and a Scoping Opinion under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.
- 1.3 A Screening Opinion was issued on the 21 November 2005, confirming that an Environmental Statement is required prior to the determination of the application.
- 1.4 The purpose of the Scoping Opinion is to identify the information which needs to be incorporated into an Environmental Assessment for the above scheme.
- 1.5 Before adopting a Scoping Opinion, the Council are required to take into account:-
 - a) The specific characteristics of the particular development.
 - b) The specific characteristics of development of the type concerned.
 - c) The environmental features likely to be affected by the development.

2. Location and Description of the Site

- 2.1 The site is 3.1 hectares in area situated at the southern end of the Pontyfelin Industrial Estate. The site lies adjacent to the A4042 (T) Newport to Abergavenny dual carriageway with the Afon Llwyd to the east, with New Inn on rising ground to the north east.
- 2.2 The site currently contains buildings plant and other infrastructure associated with a High Temperature Incinerator (HTI).

3. Proposed Development

3.1 The development of the site for a Waste Management Facility (WMF) will comprise the following elements:-

- Decommissioning of the existing HTI facility
- Demolition of the HTI infrastructure to ground level
- Assessment and remediation of the historic contamination of the site
- Construction of a new Mechanical Biological Treatment (MBT) Facility for the treatment of residual waste (i.e. waste residues following household and Civic Amenity sorting and removal of recyclables) – for a nominal throughput of 120,000 tonnes per annum.

3.2 The Mechanical Biological Treatment (MBT) is a process which treats residue/waste by stabilising it and reducing its biodegradability. It will comprise the following:-

- waste reception
- aerobic fermentation
- materials refining
- stabilise production

4. Consultation Responses

WALES & WEST UTILITIES: Provision of general conditions.

WELSH ASSEMBLY GOVERNMENT (TRANSPORT WALES): Whilst there will be an increase in traffic generation at the site arising from the proposal, it is small and well within the daily variability of traffic at this location. In the circumstances we do not require further work to undertaken on a Transport Assessment for the Trunk Road.

HIGHWAYS: Confirms that an EIA is necessary with a Transportation Impact Assessment being a necessary part of the EIA. With regard to the EIA Scoping statement, the Highways Officer has confirmed that the highways and traffic information contained in Section 24.5 is satisfactory.

WELSH WATER: "Sewerage - In relation to capacity to accept sewage flows from the proposed development we would confirm the following:-

The public sewerage system in the vicinity of the proposed development is generally of a combined type.

The Eastern Valley Trunk Sewer (EVTS) into which the foul flows from the proposed development would drain is presently hydraulically overloaded. Improvements are planned, hence no foul drainage connection will be allowed to the public sewerage system until the remedial works in the Eastern Valley Trunk Sewer drainage catchment have been completed. Completion of these works is currently scheduled for 1 January 2006.

In relation to the surface water flows from the proposed development, these will have to be disposed of separately by other means, i.e. using soakaways or discharging directly to a watercourse in liaison with the Land Drainage Authority and/or Environment Agency.

As stated in section 2.4.2.5 of your attached EIA statement, the proposed facility will give rise to trade effluent discharges. For this reason a discharge consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru Welsh Water. Please note that the issuing of a discharge consent is independent of the planning process and consent may be refused although planning permission is granted, for more information please contact the Trade Effluent department at Dwr Cymru Welsh Water.

As shown on the attached public sewer record plan (Ref. Pontyfelin Ind. Est.02), the site is crossed by the EVTS, which consists of two separate sewers running along side each other. Both sewers A and B cross the proposed development site and consequently no development (including the raising or lowering of ground levels) will be permitted within the required safety zones. The safety zones are as follows: EVTS A has a safety zone measured 3.5 metres either side of the centreline of the sewer (7 metres in total), and EVTS B has a safety zone measured 3 metres either side of the centreline of the sewer (6 metres in total).

If any onsite or offsite sewers are to be offered for adoption, they must be constructed to conform with the publication "Sewers for Adoption" – 5th Edition, and our addendum.

If a connection is required, the developer is advised to contact this office to apply under Section 106 of the Water Industry Act 1991.

Sewage Treatment -No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Water Supply - A water supply can be made available to service this proposed development. Initial indications are that a connection can be made from the 150mm diameter watermain Pont y Felin Road. The cost of providing new on-site watermains can be calculated upon the receipt of detailed site layout plans which should be sent to New Connections Design Department, Players Industrial Estate, Clydach, Swansea SA6 5BQ.

The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. I enclose our Conditions for Development near Watermains. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the Developer”.

ENVIRONMENT AGENCY: “The Environment Agency would not formally request an EIA. We would request that the following topics are addressed as part of any planning application submitted:

- Flood risk
- Groundwater and contamination issues
- Details of works during construction and mitigation/pollution prevention measures
- Drainage/surface water disposal/foul water disposal issues and suitable infrastructure
- Biodiversity issues
- Waste issues”

PONTYPOOL COMMUNITY COUNCIL: “The Council hope the assessment and decontamination of the site would be closely monitored. Members will accept the need for recycling in a processing plant for dealing with the rest of the municipal waste but the actual siting of the plant is much too close to residential areas in Griffithstown, Sebastopol and New Inn for people who live in that area to be completely comfortable with the proposals. One of the obvious concerns would be presence of the odours at the start of the process and safety procedures monitoring the maintenance of the biological filters should be carried out stringently to ensure that the community at large does not have to endure obnoxious odours.

Assessing the site is also a great concern as the so called Rechem roundabout is already congested during rush hour traffic and the weak bridge near the old Avesta Sheffield site leading to Station Road in Griffithstown already has traffic problems, also New Road where there is a narrow bridge which is unsuitable for heavy lorries. There should be a no go for access and egress. The Council is also concerned that Shanks might endeavour to secure contracts from other Authorities as indicated in paragraph 1.1 of the document where it states that at least “one other authority” would be receiving waste in addition to Torfaen and Blaenau Gwent.

This obviously would exacerbate the traffic situation with regard to the number of lorries using the site on a daily basis. Another problem is if Shanks does not secure the contract with Torfaen is whether Shanks would be looking at other Authorities for contracts for processing which would further exacerbate the traffic situation. On a more positive note the proposed 20 jobs generated by the scheme would be welcomed and also the end product of the process to be in pellet form to be used as renewable energy rather than buried in landfill”.

ENVIRONMENTAL HEALTH: “Are of the opinion that an EIA will be requested for the following reasons:

Land Contamination: It will be necessary for the applicant to identify and evaluate all potential sources of contamination and their impacts on land/or controlled waters, relevant to the site. A detailed site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. The study shall specifically include a risk assessment that takes into account the sites existing status and proposed new use.

The risk assessment must be completed by a competent person for any contaminant encountered. Such a risk assessment should use both the results of the site investigation and previous investigations in the area. The investigation should specially include a risk assessment that adopts the Source-Pathway-Receptor principle in accordance with the CLEA guidance as advocated by DEFRA. Should SGVs not be available for comparison for soil analysis, the applicant should follow guidelines set out in the CLEA 10 documentation and proceed to carry out Detailed Quantitative Risk Assessment (DQRA) to derive Site Specific Assessment Criteria (SSAC) for the *contaminants* of concern.

This assessment should identify:

- all potential end receptors both on and off the site (including ecological receptors).
- the potential risk to each identified end receptor from each contaminant encountered.
- Appropriate mitigating measures to protect end receptors.

Following the risk assessment process, a remediation options appraisal should be undertaken. The purpose of this stage is to develop a remediation strategy that will reduce or control unacceptable risks identified by the risk assessment. The options shall be capable of practical implementation and be robustly and scientifically justified against each identified pollutant linkage”.

5. Assessment and Conclusion

- 5.1 Given the previous use of the site and the remediation of existing contamination which is necessary for the development to proceed together with the nature and scale of the development, close to the Afon Llwyd, together with the responses of the consultees it is considered that the Environmental Statement should deal with issues which are included in Appendix 1 attached to this report.

Report Author: **Norman Jones, Team Leader (East)**

Proposed by:
Head of Development Control

Approved by:
Asst Director for the Environment
(Planning & Environmental Protection)

Date: 23/1/06

Appendix 1

1. Description of the development, including in particular:
 - a) A description of the physical characteristics of the whole development,
 - b) A description of the main characteristics of the product processes for instance, nature and quantity of the materials received.
 - c) An estimate by type and quantity of expected residues and emissions (water, air, soil pollution, noise vibration, light, heat, radiation etc) resulting from the operation of the proposed development.
2. An outline of the main alternatives studied in terms of process and location by the applicants and an indication of the main reasons for this choice taking into account the environmental effects.
3. A full ecological survey of the site and the surrounding area, including the Afon Llwyd.
4. A Flood Consequences Assessment, for the site development
5. Identification and evaluation of all potential sources of contamination and their impacts on land and/or controlled waters relevant to the site. With a risk assessment and a remediation option appraisal.
6. A description of the likely significant effects of the development on the environment which should cover the direct effects and any indirect, secondary, cumulative short, medium and long-term, permanent and temporary, positive and negative effects of the development resulting from:-
 - a) The existence of the development
 - b) The use of natural resources
 - c) The emission of pollutants, the creation of nuisances and elimination of waste and the description by the applicant of the forecasting methods used to assess the effects on the environment.
7. A description of the measures envisaged to prevent, solve offset any significant adverse effects on the environment.
8. A non-technical summary of the information provided under paragraphs 1-7 of this part.
9. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.