



**Cyfoeth
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**Natural
Resources**
Wales

**The Natural Resources Body for Wales Statement for Hearing Session 1:
Strategic/Policy Considerations**

Tuesday 23 March 2021 10.00am

Bwriad / Proposal: Proposed construction and operation of an energy recovery facility, including the formation of a new access on to Newlands Road and ancillary infrastructure.

Lleoliad / Location: Land off Newlands Road, Cardiff, CF3 2EU.

Eich cyf/Your ref: DNS/3236340

3. Need for the ERF and rationale for site location/consideration of alternatives

It is important to note that the need for an Energy Recovery Facility / Energy from Waste facility or the rationale behind site location does not form part of NRW's permit determination.

- i. *What are the key waste statistics (including source references) that provide the most authoritative, reliable and accurate basis for assessing the need for the ERF within the S E Wales context and through the lifetime of the development?*

The application proposes to treat Industrial and Commercial waste generated within 30 miles of the site. NRW does not hold data on waste arisings generated within the 30 miles limit, but we have data available for Industrial and Commercial waste arisings in Wales via a survey undertaken in 2018.

The data used on waste arisings in the Waste Planning Assessment has been derived from surveys dating back to 2007 and 2012, alongside data taken from the Collections, Infrastructure and Markets (CIMs) sector plan from 2012. A more recent survey of waste arisings from the Industrial and Commercial sectors was undertaken in 2018¹ and published last year. The table below provides an update on the quantity of residual waste produced by the Industrial and Commercial sectors going to landfill and incineration, as set out in Section 4.4.4 of the Waste Planning Assessment (WPA) (DOC10):

Area	Management Method	2019 Tonnage	2007 Tonnage
South East Wales	Landfill	140,127	468,000
South East Wales	Incineration	106,739	5,000
	Total	246,866	473,000

The 2019 data shows a significant reduction in the volume of residual waste going directly to landfill for disposal, with an increase in waste going to Energy from Waste (EFW). There is an overall combined decrease of nearly 50% of waste going to both EFW and landfill.

It should be noted that not all waste which is currently landfilled is suitable for treatment via EFW facilities.

The following table summarises NRW's current understanding on existing and proposed energy recovery infrastructure from residual waste in South East Wales.

¹ [Lle - Industrial and Commercial Waste Survey Wales 2018 \(gov.wales\)](https://gov.wales)

Site Name	Capacity, Tonnes per annum	Waste sources	Operational	Planning Permission	Permitted
Trident Park, Cardiff	425,000 (136,000 I&C estimate)	Municipal and I&C	Yes	Yes	Yes
Alexandra Dock, Newport	220,000	Industrial and Commercial	No	Yes	No
*Uskmouth Power Station	900,000	Municipal and I&C	No	No	No (in determination)
**Enviroparks Hirwaun	180,000	Industrial and Commercial	No	In Part	In Part
Total capacity with current planning	825,000				

*The permit application/applicant propose to use a waste fuel pellet supplier in North East England

** The EFW aspect of this facility is not permitted and operator would need to apply to NRW for a substantial variation to their permit before this could be operated. It is our understanding that only aspects of this facility benefit from planning permission.

In 2020, Trident Park in Cardiff handled 180,000 tonnes of Municipal waste directly from the original Prosiect Gwyrdd local authorities², with an estimated further 111,000 tonnes of Municipal waste from other Local Authorities via third party intermediaries³. Given their current permitted limits, this leaves an estimated 134,000 tonnes of capacity available for industrial and commercial waste.

On the 2 March Welsh Government released their updated Waste Strategy for Wales, *Beyond Recycling – a strategy to make the circular economy in Wales a reality*. The new strategy contains the following statement:

We will place a moratorium on any future large scale energy from waste developments, as the increase in recycling and reduction in waste already seen means that we will not need any new large scale energy from waste infrastructure to deal with the residual waste generated in Wales. We will also work with the UK Government to explore whether the introduction of an incineration tax would be desirable as a means to support progress along the transition to a circular economy.

² Caerphilly County Borough Council, City of Cardiff Council, Monmouthshire County Council, Newport City Council and Vale of Glamorgan Council.

³ LA WasteDataflow waste stats published by StatsWales: [Local authority municipal waste \(gov.wales\)](https://gov.wales/local-authority-municipal-waste)

It is NRW's understanding that the future waste projections included in the current Collections, Infrastructure and Markets (CIMs) Sector plan will be updated to reflect more recent surveys and available data.

4. Waste Planning Assessment and Sustainability Considerations

i. How will it be ensured that the ERF only takes commercial and industrial residual waste that would otherwise go to landfill? What specific kinds of waste fall within this definition and from what types of facility would such feedstock be sourced?

There are no mechanisms within the Environmental Permitting Regulations which would allow NRW to specify, in the environmental permit, that the facility could only accept waste otherwise destined for landfill.

The Waste Hierarchy only allows for waste which are unsuitable for reuse or recycling to be treated via Energy from Waste facilities. That would mean that the only waste which should be available for the facility is the residual fraction of collected waste which remains once recyclable waste has been removed.

ii. How much certainty can be placed on the availability of sufficient amounts of such waste within a 30 mile radius (within Wales) for the lifetime of the development?

The latest survey data when compared against the capacity with existing planning permission does raise questions as to whether there is sufficient feedstock available for any new development within Wales. We expect the future waste projections to be updated in the near future, but the Welsh Government commitment to zero waste to landfill by 2025, and further emphasis on reusing and recycling waste in the new strategy would suggest that residual waste is expected to reduce rather than increase.

It should be noted that the permit decision will not consider where feedstock is sourced or how much is available.

iii. How significant is the possibility that advances in waste recycling technologies will diminish the availability of residual feedstock over the lifetime of the development? Alternatively, is there a risk that the development would disincentivise the development of such technologies?

The Waste Hierarchy requires waste producers to take all such measures, as are reasonable in the circumstances, to apply the Waste Hierarchy to prevent waste and to apply the hierarchy as a priority order when transferring waste to another person⁴. In theory, proper application of the Waste Hierarchy should ensure that any waste which can be reused or recycled should not be going to an Energy from Waste facility for treatment.

Upon the introduction of the Waste (Circular Economy) (Amendment) Regulations 2020, which came into force on the 1 October 2020, the Environmental Permitting (England and Wales) Regulations 2016 have been amended to introduce a statutory permit condition for Landfills and Incineration plant to prevent waste that was separately collected for re-use or recycling from being accepted for landfill or incineration. This condition supports and strengthens the application of the Waste Hierarchy.

iv. What alternative feedstock sources would be used if adequate feedstock falling within the above parameters could not be obtained?

Only residual waste should be considered for treatment via Energy from Waste facilities. On the basis that there is sufficient capacity to manage all of the municipal waste generated in South East Wales at Trident Park facility (and municipal waste from Welsh Local Authorities further afield), it is difficult to foresee a scenario where alternative feedstock is available without moving beyond the 30 mile radius; or sourcing waste within the 30 miles limit in England.

viii. How realistic is the stated opportunity for heat from the ERF to be supplied to local businesses

This issue would be assessed during a permit determination. We would expect the facility to be designed in such a way to make the utilisation of heat possible. However, there are limits to the permitting regime, for example, if the site is not located near potential heat customers. If a permit application positively identifies a third-party user and committed to providing waste heat from the outset, there would be some permitting control over this.

⁴ Welsh Government Guidance on the Waste Hierarchy; [Applying the Waste Hierarchy \(gov.wales\)](https://gov.wales)

5. Publication of WG strategy “Beyond Recycling” (2 March 2021)

What is the materiality of the newly published Welsh Government strategy document “Beyond Recycling” to the determination of the Môr Hafren DNS application?

How well does the Môr Hafren proposal fit with the published strategy and its milestones towards zero waste by 2050, including the intention to place a moratorium on all future large-scale energy from waste developments?

What implications do the strategy and milestones have for the reliable availability of an adequate supply of feedstock (200,000 tonnes pa of residual commercial/industrial waste which would otherwise go to landfill, sourced from the stated catchment area) throughout the intended lifetime of the Môr Hafren proposal?

We note that comments made so far in this Hearing statement have some relevance to the above questions. However, in terms of Beyond Recycling strategy itself, NRW are still considering the detail. Where appropriate, we would be happy to discuss further at the Hearing session.