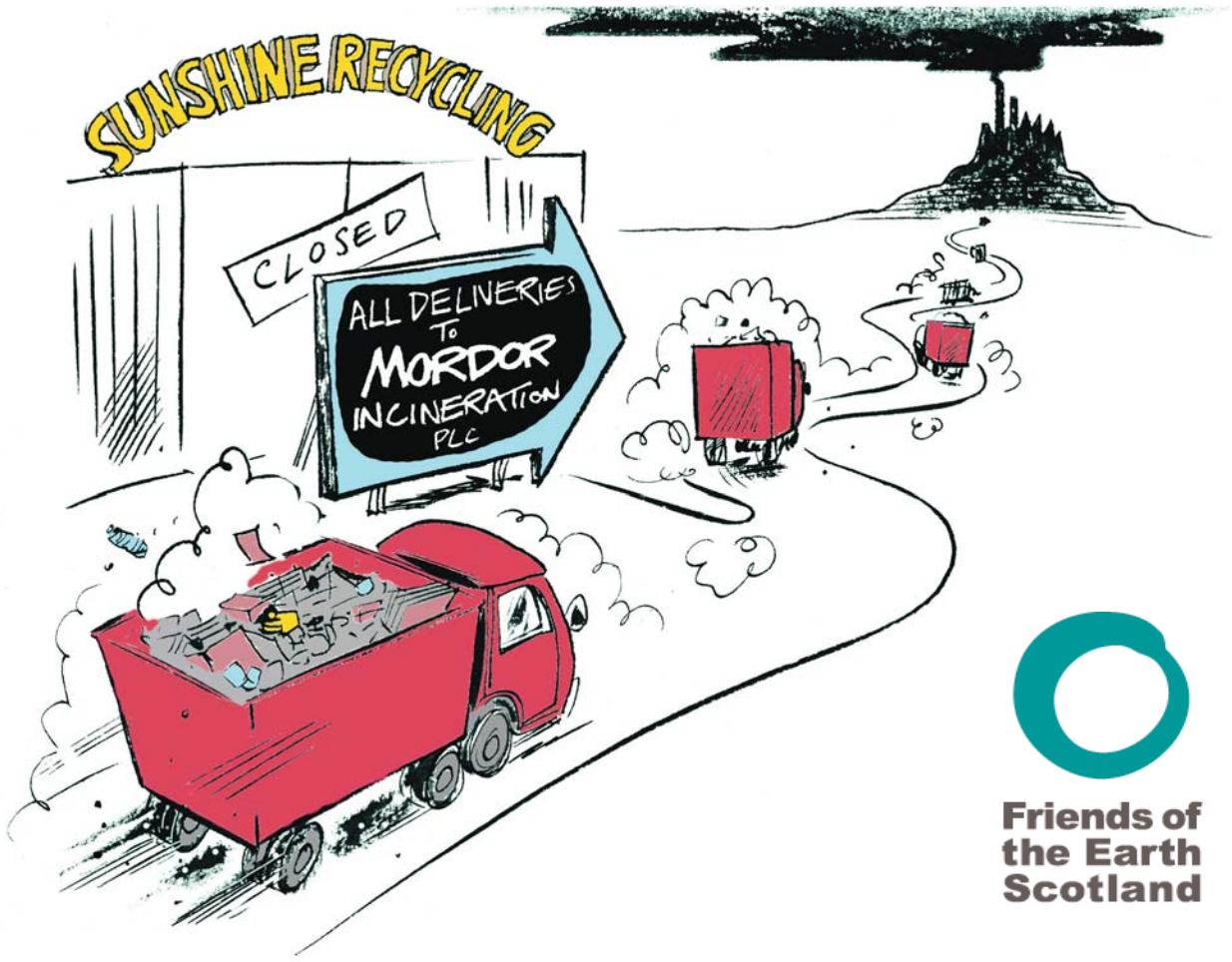
The Incinerator FAQs



Friends of the Earth Scotland

The Incinerator FAQs

This guide and FAQ-sheet is designed to answer your questions about incinerators, pollution, your health, your rights, and the law to do with incineration in Scotland. It starts at the beginning and it's written for you. You don't need any experience, just the time to read and the willingness to fight for your right to environmental justice.

Here's a run down of what's coming up…

1. Incineration FAQs: An Introduction

"So, what is an incinerator and why should I get involved?"

- Incineration and Energy-from-Waste explained
- Some of the arguments against incineration

2. Your Health FAQs

"Could my Health be affected?"

- Understand the risks to your health
- Toxic and man-made chemicals
- How we test chemicals
- Dioxin and air pollution from incineration

3. The Science FAQs

"What's going on inside the incinerator?"

- The workings of an incineration plant
- Burning the waste
- Electricity production
- Pollution control and ash collection

4. What's the Future FAQs

"Why are we using incinerators now, and what's the alternative?"

- The Landfill Directive and why we're building incinerators
- Scotland's National Waste Plan
- Incineration in your area?
- Alternatives to incineration

5. PPC Law FAQs

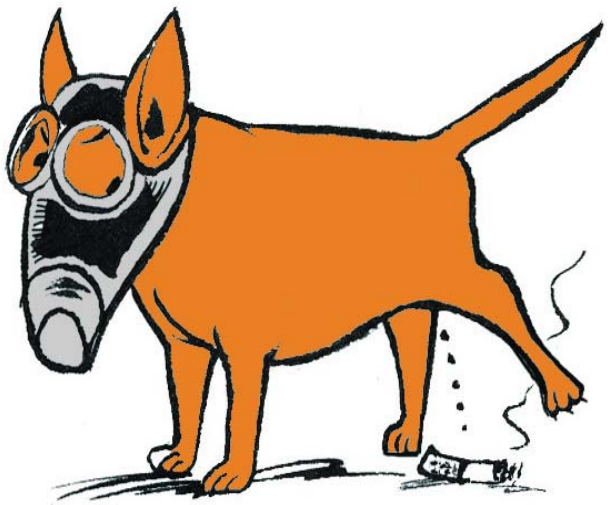
"I'm confused by the laws and regulations!"

- How the Pollution Prevention and Control (PPC) laws work
- Who's responsible for regulation?
- How the Scottish Environment Protection Agency enforces the law

6. Incineration Action FAQs

"I need help! What can I do"

- Action Now: influence developments in your area
- Action on Application: help with the planning system and PPC applications
- Finding Out More: reading the PPC files at your SEPA office
- It's Built: how Good Neighbour Agreements can help



1. Incinerator FAQs: An Introduction

What is an Incinerator?

Incinerators are industrial installations that burn the waste and rubbish that we throw out with our bins everyday. They aim to reduce the volume of waste going to landfill sites. Some incinerators can make electricity; these are often called 'Energy-from-Waste plants' or 'Waste-to-Energy' plants. Some incinerators use the heat produced to warm nearby homes or factories. This type of incinerator is called a 'combined heat and power' (CHP) plant.

"Energy-from-Waste' sounds great at first, but let's take a closer look…

• Incinerators destroy valuable resources

In the past people used fewer products. Nowadays we live in a 'consumer society' where we buy lots and throw away lots. This creates some problems. Natural habitats like forests, moors or rivers are damaged because we need their resources to continually make new products. Incinerators don't help; they burn resources such as paper and plastic that could be recycled into new products. Recycling would mean less damage to our health and environment.

• Incineration can pollute our air

Burning our rubbish produces smoke with toxins, particulates, heavy metals and dioxins. These chemicals can be dangerous to human health, especially for vulnerable groups like infants, pregnant mothers and people already ill.

• Incineration produces toxic ash

When we burn waste in incinerators it produces ash. This ash takes up 30-50% of the space that compacted unburnt waste would, and still needs to be landfilled. Ash that is collected from the chimney filter systems is called fly ash. This ash is highly toxic and needs to be carefully disposed of in a landfill. See our *Landfill FAQs* for more on landfill sites.

• Incinerators create traffic

Incinerators are large factories and the tall chimney can be seen for miles around. The number of trucks and lorries transporting waste on the local roads will increase. This can add to the local noise levels and traffic pollution.

• Recycling is 'crowded out'

The government have told local councils they need to reduce the amount of waste they landfill. Burning waste is one way to do this, but incinerators use up some of our most valuable recycling materials: paper, cardboard and plastic. If we recycled and composted more and minimised our waste there wouldn't be enough left to keep incinerators going. Councils that build incinerators 'crowd out' recycling because they remove the incentive to recycle more.

• Incinerators add to climate change

Incinerators may be called 'waste-to-energy plants' but they're still a bad idea when it comes to climate change. The energy produced is relatively small and because plastic is made from oil you're still burning fossil fuels and adding to carbon emissions. Recycling can save three to five times more energy compared with incineration.

• Recycling is cheaper and produces more jobs

In the long term, recycling is cheaper than building an expensive incinerator, and that means less tax for you. Recycling also creates more jobs compared with incineration.

Next Steps

It's important you know about the health effects so that you can fight incinerators and argue for recycling. You could start with the following pages:

- Your Heath FAQs - find out how pollution affects your health.
- Incinerator Health FAQs – find out what specific types of pollution incinerators produce.
- Up in Smoke briefing - there is more detail on why FoE opposes incineration at www.foe.co.uk

2. Your Health FAQs

So, What's Dangerous to my Health?

Most chemicals have the potential to harm your health. Toxicity measures how dangerous a chemical is. A highly toxic chemical will be dangerous in very small amounts while a chemical of low toxicity will only be dangerous if lots of it enters our body.

Moving From the Environment to You

Chemicals in the environment can only affect your health if they enter your body or touch your skin. This can happen through your lungs, your stomach and guts or through your skin. The amount of a chemical that enters your body is called the dose.

Accidents where toxic chemicals are spilt or released into the air can result in acute exposure. This means a one-off incident where your body is exposed to a large amount of toxic chemicals for a short time. You are likely to feel the effects of this straight away, for example coughing, headache, rash and in extreme cases you could even die.

You are much more likely, however, to experience chronic exposure. This means on-going exposure everyday to low levels of toxic chemicals over a long time. The effects and diseases caused by this type of exposure will not be felt straight away but possibly months or years later.

Toxic Chemicals in Your Body

Three things affect how your body responds to toxins:

- The more toxic chemicals that enter your body the more your health will be affected, in other words the bigger the dose the more your health will be affected.
- The more toxic these chemicals are the more your health will be affected.
- The longer these chemicals stay in your body the more your health will be affected.

Over time the human body will break most chemicals down into smaller chemical products that will dissolve in water, like sugar in tea. This allows the body to quickly and easily get rid of these chemicals when you go to the toilet or when you sweat.

Unfortunately some toxic chemicals, like dioxins, do not easily break down and will become stored in the body's fat. Chemicals that become stored in our fat reserves can stay in the body for a very long time.

Chronic (long-term) exposure to this kind of 'fat-seeking' chemical can be very dangerous. If you experience even very small amounts of a chemical everyday the amount in your fat will build up and up because your body can't remove it. Over time you may build up enough toxic chemical in your fat to create serious health effects, like cancer or problems with the nervous system.

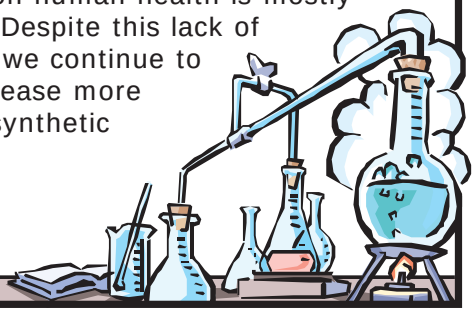
Also, old or young people and those who are already ill may be more affected by toxic chemicals compared to healthy people. Some chemicals may also affect men and women differently due to differences in the male and female body.

Man-Made Chemicals

Since the industrial revolution two hundred years ago humans have been making more and more synthetic chemicals. These are chemicals that do not exist naturally on the Earth but have been designed and made by man.

Today toxic and non-toxic synthetic chemicals are all around us. Detergents, drugs, soaps, deodorants, shampoo, paint, computers and plastics are all everyday things that contain synthetic chemicals. These products and the waste released by the industries producing synthetic chemicals are now in our air, water, soils, and increasingly in our bodies.

The long-term effect of many of these new chemicals on human health is mostly unknown. Despite this lack of knowledge we continue to use and release more and more synthetic chemicals.



The Precautionary Principle

If some tests on a chemical showed the possibility of it being toxic then most people would say we probably shouldn't use that chemical, "Better to be safe than sorry". In law this approach is called the Precautionary Principle. It says that lack of conclusive proof that a chemical is dangerous shouldn't stop us from using cost-effective ways to prevent environmental damage, which could include banning the use of that chemical. The Precautionary Principle is favoured by many environmental organisations as an approach for dealing with chemicals used in industry.

Testing Toxicity

Tests are done to help us decide how dangerous or toxic a chemical might be to human health. These tests are usually done on mice and rats in a laboratory and if possible include looking at human health after accidental exposure to the chemical.

One of the aims of this testing is to find a maximum amount of the chemical that has no effect on human health. This is called the No Observed Adverse Effect Level or NOAEL. This number is used to work out how much of the chemical it is safe for humans to release into the environment through things like factories and exhaust fumes.

These tests have some problems. In our environment we are exposed to a mixture of toxic chemicals from many different sources. In our bodies these different chemicals interact in ways we don't fully understand and some mixtures produce health effects that our tests on individual chemicals did not predict. Chronic exposure is especially hard to study as the tests need to run for a very long time and the health effects can take many years to become serious.

It is a fact that our tests are never conclusive. Because of this the risk of using a chemical must be balanced against its benefits. It's a bit like deciding to drive a car: you know you might be injured on the road (0.3% of people in Scotland were in 2006) but most of the time the benefit of getting to where you want outweighs the risk so you drive.

Silent Springs

In 1962 farmers were using the pesticide DDT. In the same year, research scientist Rachel Carson published the book 'Silent Spring' alerting the public to the dangers of DDT. She spoke of a spring in the future without songbirds because pesticides prevented their reproduction. Carson was personally and professionally attacked by the pesticide industry but the evidence proved her right. After years of campaigning DDT is now banned for agricultural use worldwide.

Next Steps

- Have a look at SEPA's substance information www.sepa.org.uk/spri/substance/sublist.aspx for information about the known health effects of specific chemicals.

Incinerator Health FAQs

Your Health FAQs talks in general about pollution and human health. This Incinerator Health FAQ-sheet talks about the main health issues of incineration: air pollution and dioxin release.

Air Pollution

Hundreds of chemicals are produced and released during the incineration of waste. These chemicals escape through the chimney stack and into the environment. Many are toxic and can affect human health.

How does it affect me?

There is no definite proof about the exact health effects of these chemicals on humans. It is difficult to identify exactly which chemical is causing a particular health problem from the mixture released by the incinerator. The 'cocktail effect' complicates things even more. Chemicals in your body can interact with each other in ways we don't yet understand.

But there is definite proof that many of the chemicals released by incinerators are toxic and potentially damaging to human health, it's just the exact effects are not well known.

Dioxins: what are they?

Dioxins are a group of chemicals formed when substances such as plastic (made from hydrocarbons and chlorine) are burnt. Dioxins are also called polychlorinated dibenzofurans (PCDFs) and polychlorinated dibenzodioxins (PCDDs).

How do they affect me?

The dioxin TCDD is one of the most toxic chemicals known to man and is known to cause cancer in humans.

Incinerators release dioxins to the air but the vast majority of your exposure will be from the food you eat. Dioxins are bio-accumulative or 'fat-seeking'. This means they concentrate in fatty tissues and move up the food-chain (e.g. air to cows to humans) becoming more and more concentrated. Because humans are at the top of the food-chain we receive the most dioxins.

Human Health Effects

Air Pollution

Nitrogen oxides (NOx gases), sulphur oxides (SOx gases), and small dust particles called particulates (PM_{10} and $PM_{2.5}$) all cause respiratory problems like shortness of breath or inflammation of the airways. Even at very low levels they can make the symptoms of breathing problems like asthma worse for people who already suffer them.

Chromium, cadmium, arsenic and nickel are all released by incinerators and are all carcinogenic, that is they cause cancer. Thallium, polycyclic aromatic hydrocarbons (PAHs), mercury, lead and many more are all released by incineration with various proven and suspected effects on human health

Dioxins

Dioxins cause cancer. We also know they can damage the immune system and interfere with hormonal systems. Birth defects, miscarriage, decreased fertility, reduced sperm counts, endometriosis (a condition of the womb), diabetes, learning disabilities, immune system suppression, lung problems, skin disorders and lowered testosterone levels have all been linked to dioxin pollution.

Some reports conclude the current dioxin levels in the environment do not affect the health of the general population. Other reports find there is no 'safe' exposure limit, in other words any trace of dioxin is a concern. This uncertainty, along with our knowledge that dioxins are toxic and carcinogenic at higher concentrations should suggest caution.

How do I argue against incinerator pollution?

There are lots of things that need to be carefully thought out when assessing how an incinerator will affect the local people. These include the pollution already present, the wind direction and weather conditions, the health of the people living nearby, health effects on vulnerable groups like children, and many more.

In areas where pollution from traffic or factories is already affecting air quality incinerators will add to the problem. Considering many of the chemicals have proven toxic and cancer-causing properties we should press for a 'precautionary approach' (see Your Health FAQs). A precautionary approach suggests we shouldn't allow more potentially harmful chemicals into our environment.

Too much dioxin already?

New legislation has dramatically reduced the amount of dioxin released by incinerators in the UK since the Nineties. Now all incinerators must have less than 0.1ng/m3 of dioxin in their emissions under the Waste Incineration Regulations 2003. This limit is policed by monitoring the amount of dioxin in emissions for a few hours every few months. Large dioxin releases between these monitoring periods will be missed.

There are no air quality standards or safe limits for dioxin but the UK has suggested a Tolerable Daily Intake (TDI) of 1.7pg per kilogram of bodyweight. The average person is thought to eat 1.8pg per kg bodyweight so we're already breaking this suggested intake. The USA has set their TDI at 0.1pg per kg bodyweight, 17 times lower than the UK.

Next Steps

- Read the Law and Science FAQs to learn more.
- The Action FAQs will tell you when and how to argue your case

Further information on health is available.

- A briefing on Incineration and Health by Friends of the Earth: www.foe.co.uk/resource/briefings/incineration_health_issues.pdf
- Detailed reports on Incineration and Human Health by the British Society for Ecological Medicine: www.ecomed.org.uk/content/IncineratorReport.pdf and Greenpeace: http://archive.greenpeace.org/toxics/reports/euincin.pdf

3. Incinerator Science FAQs

How does an Incinerator work?

Knowing how an incinerator works will help you understand where the sources of pollution are and how they can affect you.

12. Steam Turbine - Most of the heat needed to produce electricity comes from paper and plastics that we could be recycling. To replace the paper and plastic we must spend three to four times more energy than that produced from the incineration. 'Energy from waste' is a waste of energy!

11. Chimney - Burnt waste doesn't just disappear. The waste that doesn't become ash after burning becomes a mixture of hundreds of gases. Most of these gases are released into our atmosphere adding to climate change and possibly affect our health.

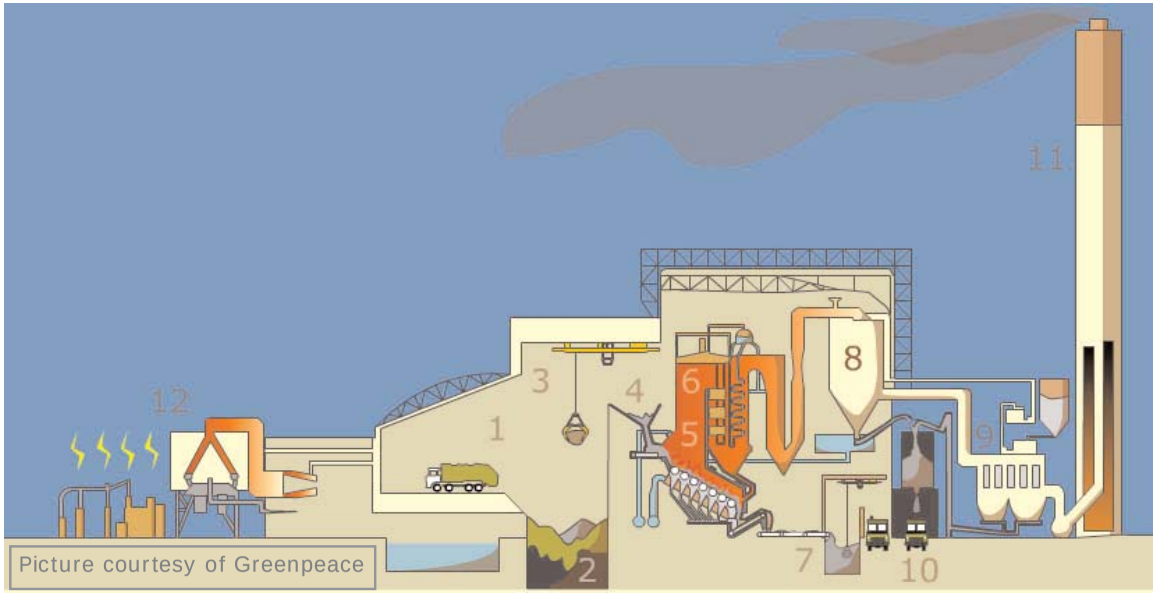
1. Rubbish Arrives - mixed waste, much of which could be recycled, is collected and brought to the site to be burned.

2. Waste Bunker - Much of the smell from incinerators comes from waste in the large bunker waiting to be burnt.

3. Overhead Grab Cranes - Large cranes move the waste to the feed chutes.

4. Feed Chutes - waste is fed into the furnace at a controlled rate. If the feed chutes become blocked or malfunction more carbon monoxide may be produced through poor combustion.

5. Incinerator grate - This is where the waste burns. The temperature should be above 850°. In theory this high temperature can minimise smoke and pollution formation, however it's not quite as simple in practice, read on...



Picture courtesy of Greenpeace

10. Fly Ash Removal - This is the highly toxic waste produced by the flue treatment and fabric filters. It's generally about 3-5% the weight of the original waste. After we landfill this dangerous waste it can threaten our water supplies and spoils the surrounding environment for generations

9. Fabric Filters - Dust particles have dioxin and other toxins stuck to their surface. These filters are designed to trap that dust but again the process is far from perfect and very fine particles still escape.

6. Boiler - The heat from the furnace is used to produce steam for electricity generation. Here there is a trade off. Dioxins are created as the gases from the burnt waste cool. The best way to stop this is to cool the gas quickly, but then you can't produce steam. It's thought most dioxins from incinerators are formed in the boiler tubes, but nobody knows for sure.

7. Bottom Ash - About 30% of the burnt waste ends up as bottom ash. This ash needs to be landfilled.

8. Flue Gas Treatment Plant - This is the pollution control bit. Substances like activated carbon, lime and ammonia are sprayed into the gases as they pass through. This neutralises the acid gases and absorbs some of the dioxins. Pollution control has improved greatly in recent years but neither process is perfect and toxic substances still escape. The pollution that is captured doesn't just disappear. A highly toxic substance called fly ash is produced that must be disposed of in special landfills.

4. What's the Future FAQs

Why are incinerators an issue now?

In 1999, the EU Landfill Directive (1999/31/EC) set targets for reducing the amount of waste that goes to landfill across Europe. These reduction targets are set for 2010, 2013 and 2020. Scotland has a two-year extension on these deadlines because we currently landfill so much of our waste.

To reach the targets Scotland has set up eleven Waste Strategy Areas. The local authorities responsible for our waste along with other environmental, recycling and business groups have researched and discussed how to deal with local waste. Each Waste Strategy Area has now produced an Area Waste Plan with how they will meet the EU targets.

In 2003 SEPA collected all the plans together and made the National Waste Plan for Scotland. This plan has set out how Scotland plans to achieve the EU targets.

What's in the National Waste Plan?

The plan aims to find a long-term solution for dealing with our waste that doesn't damage our environment or health. It sets out a hierarchy of ways to reduce the amount of waste we send directly to landfill called the three R's; Reduce, Reuse and Recycle (see boxed text).

After the three R's there will still be waste left over. According to the National Waste Plan's hierarchy the next best thing to do with this waste is to carry out 'Energy Recovery'. In Scotland this basically means incinerating the waste and using the heat to produce electricity. There are very few plans to build cleaner alternatives.

How many incinerators does the plan include?

There are currently two incinerators in Scotland in Lerwick and Dundee. The plan does not say how many incinerators will be needed but the amount of waste going to incineration is expected to increase more than eight-fold by 2020.

The three R's: How to waste less waste!

1. **Reduce**: Using less throwaway products is the best way to landfill less.
2. **Re-use**: the next best way is to re-use the products that we buy.
3. **Recycle**: The third best way is to recycle products like plastic, glass, food and metals into new materials

Next Steps

- Take action to stop incineration in your local area with our Incinerator Action FAQs.
- Read about the PPC application process for incinerators in PPC Law FAQs
- Find out what's planned for your area. Your local Area Waste Plan is available from your local council, local SEPA office or online at: www.sepa.org.uk/nws/areas/

Alternatives to Incineration

Scotland can meet its targets for reducing the amount of waste that goes to landfill without the use of incinerators that potentially endanger our health. Here's how...

Reduce Our Waste

Most of the things we buy today are designed to be thrown away. In the future why not have products designed with less disposable packaging. It's not hard – do you really need those individually foil-wrapped biscuits in their hard plastic tray covered again with plastic in a plastic bag?!

Use our Waste

Some communities have started to think about their waste as a useful resource instead of something that needs burnt or buried. Schemes where households sort waste into kitchen, garden, dry recyclable and other wastes have been hugely successful.

Composting waste like vegetable peelings, dinner leftovers, grass cuttings and fallen leaves make up over a quarter of what we throw away. This is not necessarily waste but can be a useful resource to Scotland. These products will break down to compost that can then be used to improve our soil and reduce our need for fertilisers.

Some people already recycle their dry recyclables like paper, card, plastics and cans but much more can be done. Councils can make things easier by collecting mixed dry recyclables door to door.

The left-over Waste

Zero Waste is the sustainable vision for the future but the reality today is that there will still be waste left over after we've recycled as much as we currently can. This waste is called the 'residual waste'. Councils may argue that this is where incineration can help us stop landfilling.

One solution is to treat the waste so that it doesn't produce methane gas or toxic liquids when we eventually bury it underground in landfills. This treatment is called Mechanical-Biological Treatment. Its similar to composting but the idea is not to produce compost just reduce the weight and toxicity of the waste before we put it in the ground.

Success Stories

Composting on the Isle of Wight

Tomato growers on the Isle of Wight use compost produced from the island's garden and kitchen waste. The only problem is they can't get enough! The lower quality compost made from residual waste is used as landfill cover.

Canada's waste plan

Canada is years ahead in its recycling. Scotland can learn from success in places like Toronto, Nova Scotia and Edmonton. Simplicity and education is the key to a good recycling plan. In Toronto residents separate their rubbish into only three bins: dry recyclables, organics and 'everything else'. This has reduced the amount of waste going to landfill and by 2010 they plan to stop landfilling completely.

Next Steps

- Read on to learn about the Law in Scotland and Actions you can take
- Virtual Tour of an Incinerator: www.downtozero.ie/tour.htm

There's more information out there.

- For alternatives to Incineration read the Greenpeace report – How to comply with the Landfill Directive without incineration: www.greenpeace.org.uk/MultimediaFiles/Live/FullReport/4478.pdf

5. PPC Law FAQs

Scottish law controls the pollution produced by our industries. You have the right to live without pollution affecting your health but to make sure this is the case it's important to understand how the law works.

So, where do I begin?

You've already begun! This FAQ-sheet will run you through what you need to know to start making a difference.

Scottish law controls industrial pollution through a set of rules called the Pollution Prevention and Control regulations, or PPC regulations for short. These regulations are pretty long and complex: here's a simplified version.

First thing: Who's responsible?

It's the job of the Scottish Environment Protection Agency (SEPA) to look after the running of the PPC regulations and to make sure all our industries are following them.

Ok, How do SEPA do that?

A company wishing to run a factory or industry that has emissions to the environment must first apply for a permit to do so from SEPA. On the application form the company must explain how their industry works, how they will manage their pollution (including noise, odour, solid liquid and gas waste, and heat releases to water and air), and how their operations will affect the environment and people's health.

SEPA looks at each application and decides if they should grant a permit that allows the company to operate their factory or plant. The public have the right to voice their opinions at this stage. SEPA should reject the company's application if:

- The factory hasn't made enough effort to minimise its environmental impact.
- Or, it is thought the factory will damage the environment or people's health in an unacceptable way.

There is more on how SEPA deals with PPC applications for permit and how to get involved at: www.sepa.org.uk/ppc/ppd

Different Types of Industry

The Pollution Prevention and Control (PPC) regulations were introduced in 2000 and are replacing Scotland's old regulations in steps (this will be mainly finished by October 2007). The PPC regulations talk about two types of industrial activity, called Part A and Part B.

Part A industries are generally larger industrial sites and the regulations cover all types of emissions to air, water or land. Part A industries have the greatest potential to pollute and include metal works, chemical factories, oil and gas works, pharmaceutical (medical drug) manufacture, landfills, paper making, intensive poultry and pig rearing and food processing sites.

Part B industries are smaller sites where the PPC regulations cover emissions to air. Emissions to water at these smaller sites may be covered by separate regulations known as Controlled Activities Regulations (CAR).

- Since 2000, the PPC regulations have been amended various times. These amendments clarify the original regulations and 'bolt-on' other regulations. The full PPC legislation document and amendments are available at: www.sepa.org.uk/ppc/legislation
- Ask SEPA whether your local industry is Part A or Part B. Or, full descriptions of Part A and Part B activities are included in Schedule 1 of the PPC regulations.

The industry near me has already got a permit!

The permit is a legal document and will state the level of emissions (chemicals) an industrial plant or factory may release. If more is released they are breaking their permit conditions and SEPA has powers to do something about it (see what below).

SEPA does keep a check on industries. The PPC regulations say that industries must measure the amount of some of the chemicals they release and give these measurements to SEPA. This information is called environmental monitoring data. This data will tell SEPA if the industry ever releases more pollution than they are legally allowed under their permit conditions. You can see this data too, find out how in Action FAQs: Finding Out More.

SEPA may also spot-check the factory and carry out independent monitoring. There should be more independent monitoring at factories where emissions are more likely to damage the environment and your health.

What if factories aren't following their permit?

- **Notices** - If the permit conditions are broken SEPA has the power in law to issue an Enforcement notice. These notices include the steps operators must take to start following their permit. Also, a permit may be suspended with a Suspension notice or withdrawn with a Revocation notice.
- **Court Action** - SEPA may take steps to bring a factory operator to court if they do not follow the Enforcement notices or seriously break conditions of their permit by reporting them to the Procurator Fiscal. Court actions and most notices are used when SEPA thinks they should. In addition if in SEPA's opinion there is a 'risk of serious pollution' SEPA must issue a Suspension notice or take steps to "remove that risk".
- **Appeals process** – A factory operator may appeal any Enforcement notice through the Scottish Ministers. The appeal may be discussed through letters or by a hearing if requested by SEPA or the operator. A Scottish Minister appointed person would decide whether this hearing will be public or private. Scottish Ministers may reject the operator's appeal or withdraw SEPA's notice and give advice. During the appeals process the factory must follow any notice already given, except in the case of a Revocation notice.
- **Polluter pays** - If there is a pollution problem that requires immediate action SEPA may arrange to clean the affected area and then charge the company responsible for the pollution. The company must pay SEPA, or prove that there was no pollution emergency or there were unnecessarily high costs involved.

Next Steps

So now you understand a bit more about the law and how SEPA regulates polluting industries you can find out more about the specific factory or industrial plant that might be affecting you and your environment.

All PPC applications, permits, environmental monitoring data and enforcement actions are available to the public. All this information is held on paper at SEPA offices around Scotland in their libraries, which are called Public Registers. Have a look at Action FAQs: Finding Out More for a guide to viewing the details of your factory at SEPA public registries.

5. Incinerator Action FAQs

Your Action Timeline

- Action Now: The Planning System's important!
- Action on Application
- Action Follow-up: It's built, or it's being built

Action Now: The Planning System is Important!

During the planning stage is when you and your community are most powerful. Action at this stage will give you a better say in local developments and can save a long fight in the future. And remember the more voices the better so get your community involved.

The National Planning Framework

The National Planning Framework (NPF) is the plan for Scotland's major developments (including incinerators) that the government makes and reviews every five years. Some communities specifically affected by the NPF are consulted but everyone has a chance to have their input.

You can view the current NPF online at www.scotland.gov.uk/Topics/Planning/national-planning. A new NPF is due to be completed in 2008. If you and your community want to have your views represented in this Framework write to or email the NPF Team at the Scottish Executive. This is your best chance to stop incineration in Scotland! There's no need to be an expert, everybody's view is important.

National Planning Framework

Email:

NPFTeam@scotland.gsi.gov.uk

Or Freepost:

Freepost RRHE-GBSA-BJLR
National Planning Framework Team
Scottish Exec Development Dept
Area 2-H, Victoria Quay
Edinburgh EH6 6QQ

How to be part of the Development Plan

Every council decides in advance what developments will happen in their area. This includes deciding where houses will be built, what green space must be preserved and where, for example, incinerators can be sited. Councils must consider the views of the public when making decisions. This means people like you have the right to influence what development is planned in their area, and more people and communities should!

Speaking to your local planning office should be your first action. Ask them about the Development Plan for your local area: are there consultations on your area's plan, when and how can you make your views known, which councillors are making the decisions? Ask to meet with the relevant planning officer. They will be knowledgeable about planning issues in your local area. Explain your concerns and ask then what you can do to have your views heard.

Further Information

- Local planning officer - phone your council, tell them where you live and ask for the local planning office.

- Planning Aid for Scotland offers free advice on planning and environmental matters to community organisations and the public.

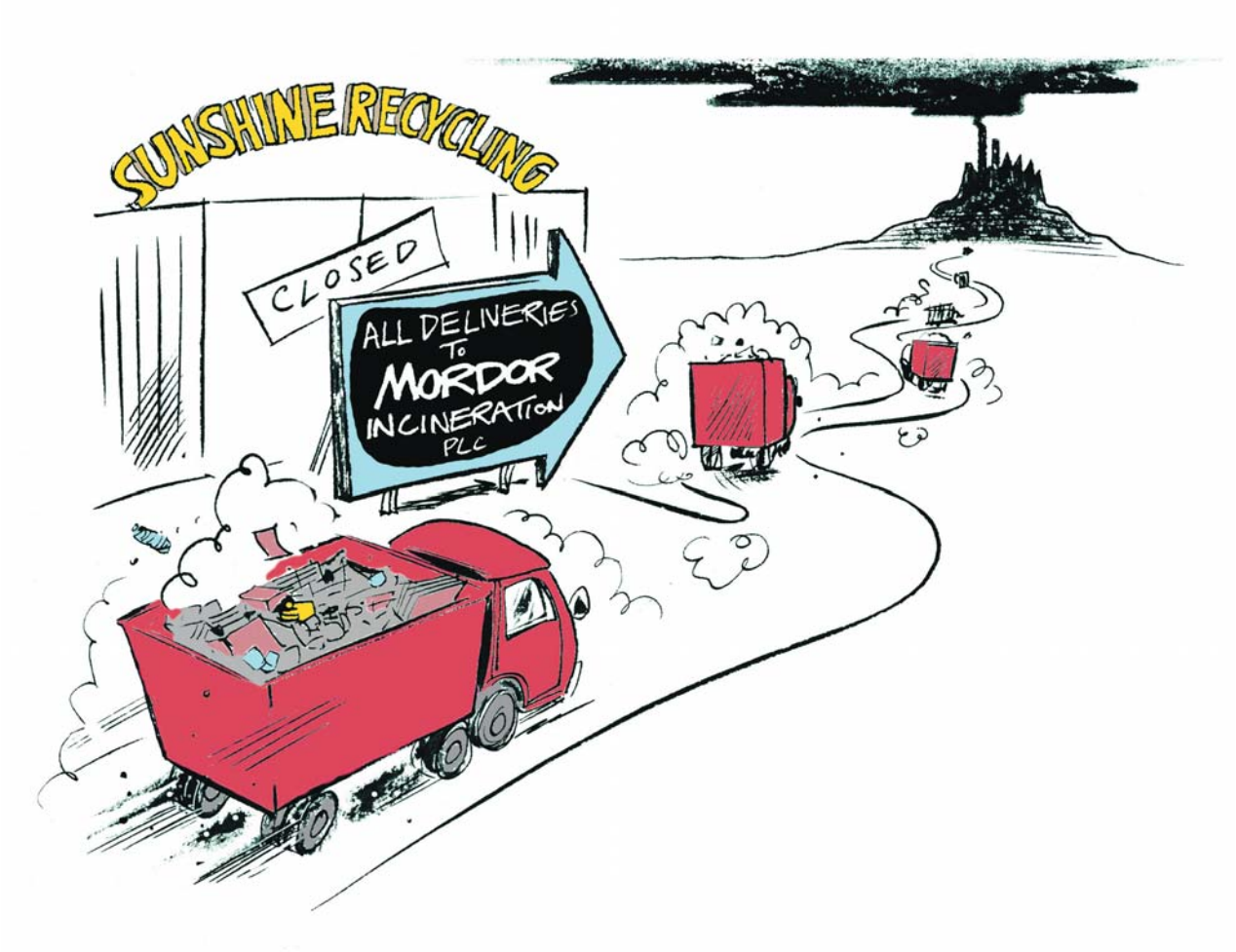
11a South Charlotte Street
Edinburgh EH2 4AS
0845 603 7602

office@planning-aid-scotland.org.uk
www.planning-aid-scotland.org.uk

The way the planning system works is changing with the introduction of a new set of rules called the Planning Etc (Scotland) Act 2006. These rules will come into force during 2007 and 2008 to replace the Town and Country Planning (Scotland) Act 1997. Your local planning officer and Planning Aid Scotland can help you with how some of your rights are changing under the new rules.

The Area Waste Plan

Your local Area Waste Plan is reviewed every few years and you may be able to get involved. Contact your Waste Strategy Area Coordinator for more information on your local Area. You can find out who your local Coordinator is by phoning your local SEPA office or online at www.sepa.org.uk/nws/areas.



Action on Application

When a company wants to run an incinerator they must have planning permission from the local council to build the plant and a permit to operate from SEPA. Companies normally submit the application for both planning and permit at the same time. You can make your views know on both of these. Read on for a 'how to'...

Opposing a planning application

The first many people hear about incinerators is when there's a planning application for one in their town or area. Under new planning laws communities should be told about major developments (like incinerators) before the application goes in.

Either way it's certainly not too late to act! You can object to the planning application. Community action is essential – the greater the number of valid objections the more likely the incinerator will be rejected.

Objections should be sent in before the advertised deadline and must be based on 'material considerations' for the planning committee to consider your views. In past experience, arguments about toxic emissions and human rights haven't been considered important. The best arguments are those that relate to:

- The Development Plan – does the incinerator application fit with the local plan? If not you have a stronger case to argue.
- Amenity – amenities are qualities and facilities that make your area a pleasant and convenient place to live, for example local parks or open spaces. Damage to amenity is a strong material consideration.
- Traffic – the effects of more lorries on local roads, for example congestion, increased danger, noise and damage to amenity are material considerations.
- The Area or National Waste Plan – does this incinerator follow the Area Waste Plan? Again, if not you have a stronger case.
- NPPG10 (and when it's finalised the SPP10) – These are the waste management guidelines for planners. NPPG10 contains five Waste Management Principles that Incinerators should follow. One of these is the Proximity Principle that says waste should be dealt with as close to where it is produce as possible. If applications don't follow these principles say so!

To find out how to get hold of these documents mentioned above see the '*Where to find*' box on the next page.

Sample letter to the Planning Department

Your Address

Date

Name and address of council

Reference number of planning application

Dear Sir/Madame,

Application for Energy from Waste plant at Greenfield, Anytown, Scotland.

I wish to object to the above proposal on the following grounds.

1. The land is not identified as land for waste disposal facilities in the current Structure Plan.
2. The development will degrade the local park amenity.
3. The development will lead to increased traffic in the area creating safety and noise issues. This is not in-keeping with the local traffic plan.
4. Waste will be transported to this development from a wide geographical area. This is inconsistant with the Proximity Principle.
5. The council have not fully explored the options to reduse, resue and recycle waste outlined in the Area Waste Plan.

I should be grateful if you would acknowledge this letter and take all my points into consideration before making any decision.

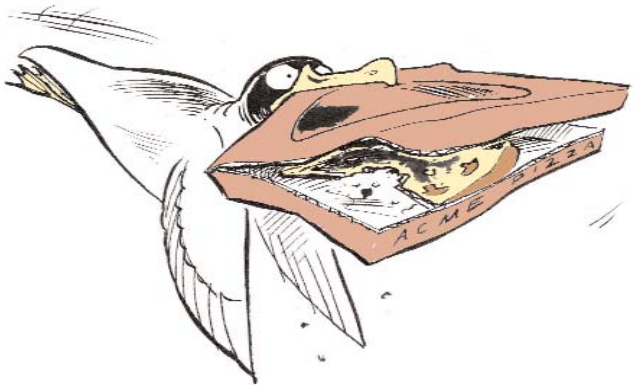
Yours faithfully,

You.

What more can I do?

A letter of opposition is unlikely to be enough to stop a development so here are ideas for more action:

- Start a community group - more voices means more power. Hold a public meeting, contact the local paper and get yourself heard.
- Let your local councillor know about your comments: he or she is elected to represent you and may even sit on the planning committee that makes the decision. Ask them what they intend to do after hearing your views.
- Learn more about what arguments have been successful in opposing incinerators the past from Friends of the Earth's Incinerator Inquiries briefing.
- Find out when the planning application is due to be considered by the planning committee, you have the right to attend the meeting and, if you write in beforehand, you may be able to state your views to the committee.
- Planning Aid Scotland provides free leaflets and advice on your rights on their website and in person.



Where to find:

- The Development Plan – Available from your local planning department at the council offices. See the 'Action Now' guide for more information.
- The Area and National Waste Plan – Available from www.sepa.org.uk/nws and your local SEPA office. See 'Action Now: Finding Out More' and 'Incinerator Law FAQs' for more information.
- NPPG10 with Waste Management Principles - www.scotland.gov.uk/Publications/1996/06/nppg10
- Lessons learnt from previous Incinerator Inquiries - www.foe.co.uk/resource/briefings/incinerator_inquiries.pdf
- Your Local Authority plans and policies are available to the public. They might be online but you'll probably have to phone the council and explain what your looking for.

Opposing a PPC application

Under the PPC regulations, before an incinerator may burn any waste they must apply for a permit to do so from SEPA. There's more information on these rules in the PPC Law FAQs.

The permit application has lots of information about how the incinerator will work and what impacts the company expects on the local people's health. This information is free to view at your local SEPA office. Find out how by reading 'Action FAQs: Finding out more'.

Applications for a new PPC permit will be advertised in the local paper and Edinburgh Gazette. You may comment on the application for 28 days after it's published but comments can only relate to areas which SEPA control, such as:

- Past history of the operator.
- Waste produced or the use of energy and other resources
- The amount of pollution, including noise & odour.
- Impact of incinerator on the environment or human health.
- Control and monitoring of the waste released.
- Types of technology used.
- Safety and ways to reduce accidents.
- Whether or not the application has everything required by PPC legislation?

Send your letter or email to your local SEPA office dealing with the application. If you do this before the 28-day deadline SEPA must consider your view during the decision process. SEPA will consider the application and publish a draft decision on their Current PPC Consultations webpage (see box). You then have another 28 days to comment again

Need more help on PPC applications?

- There's more information on how to comment on PPC applications online at www.sepa.org.uk/ppc/ppd
- A list of current consultations

www.sepa.org.uk/ppc/ppd/ppdconsultations.htm

Action FAQs: Finding out more

How SEPA can help: PPC applications and permits

SEPA holds all applications for PPC permits in their office libraries, called public registers. Public registries are just that – public. You can look at and make copies of the PPC application, permit and environmental monitoring data.

Your Visit to the Public Register

This can be a bit daunting but don't worry! This section will tell you what to expect and what to look for. Remember the public registers hold the factory's PPC application, the incinerator's permit from SEPA (if granted) to release a set amount of waste and the pollution monitoring information that has been collected in the past.

You don't need to make an appointment but phoning up beforehand means you can check the files exist at that office and find a quiet time to visit.

Understanding the Files

In the register the files with the PPC application, permit and environmental monitoring data will be brought to you and you'll be left to look at them yourself. There will be a large volume of paper organised with the most recent files at the front and older ones at the back. You may photocopy anything using the register's machine. The PPC application will be at the back of the folders. In front of this will be some letters followed by the permit document.

The permit document defines how much pollution that incineration plant may emit by law. In front of all this will be any monitoring data and amendments to the permit. By comparing the permit and its amendments with the monitoring data you can see if the incinerator is breaking the law by releasing too many pollutants.

For incinerators PPC application forms Chapter B4 contains the environmental impact and human health effect assessment and Chapter F10 contains a useful non-technical summary of every section written for easy understanding.

Help from an Environmental Protection Officer is available but you will have to ask for it. If you get stuck don't feel shy to ask - in our experience all the staff are very cooperative. Explain who you are and why you're there in order to best get the information your looking for.

Where are the Registries?

They're in Aberdeen, Edinburgh, Perth, Stirling, East Kilbride and Dingwall and all are open 9.30am to 4.30pm, Monday to Friday. Your local register will hold the information on your local industry. Check this page for the address and contact details of all SEPA offices www.sepa.org.uk/contact/index.htm.

If you can't visit a Public Register you can request SEPA to email or post you the information you need. If you request lots of pages SEPA may charge you for this service but often it will be free. The information is available under the Freedom of Information Act 2002 and Environmental Information Regulations 2004.

- Find out more from the Scottish Information Commissioner: www.itspublicknowledge.info or phone 01334 464610.

Next Steps

- Compose your letter to SEPA with help from Action FAQs.
- Read the Health FAQs and SEPA's Substance Information for more information on the health effects of the specific pollutants.
- The website Wikipedia can explain some of the difficult technical terms http://en.wikipedia.org/wiki/Industrial_process.

Action Follow-Up: It's built, or it's being built.

If the incinerator has already been given planning permission and a permit to operate but you feel the incinerator is not working well, there are still actions your can take.

Good Neighbour Agreements

Good Neighbour Agreements (GNAs) are one way in which the community and company can work together to improve upon the rules and regulations in law. GNAs have been used successfully in the USA for many years and in 2000 the first in Britain was signed between Douglas Community and an incinerator operator, Dundee Energy Recycling Ltd. Under the Planning Etc (Scotland) Act developers will be encouraged to set up a GNA with the local community

GNAs are a signed agreement between the company and the community. As a minimum the basic agreement should include the following, but could be much more:

- Community decisions are made at public meetings, community groups or even local ballot but without the company's influence.
- The GNA sets standards higher than the ones in law and can cover issues that are not in the law, like the consideration of school opening and closing times when planning truck deliveries.
- The GNA is not a fixed document but can be easily improved in the future by annual review or as problems arise.
- The community must be able to take action if the company does not follow the agreed GNA. Examples of action include bad press, boycott, protest and industrial action.
- Experts like scientists, engineers or lawyers that help the community must have the right to attend meetings.
- GNAs must be open to all those affected by the companies activities

Other examples of what could be included are the right to visit the incinerator with a SEPA representative, easy access to environmental monitoring information at a local library, consultation on the accident emergency plans, a community benefits fund, good employment opportunities for local people, better monitoring and a reduction in emissions.

To set up an agreement first look into what the company is required to do under its planning consent and PPC permit conditions. You as a community can then decide what extra you want to ask of the company. You could ask your local Councillor or a trade union representative to approach the Operational Manager, Chief Executive or Board of Directors for a meeting. If the company refuse to agree to a meeting, point out the benefits of improved relations and public image, and if they still don't agree contact the local paper and give them some bad press.

Further Action Reading

Good Neighbour Agreements:

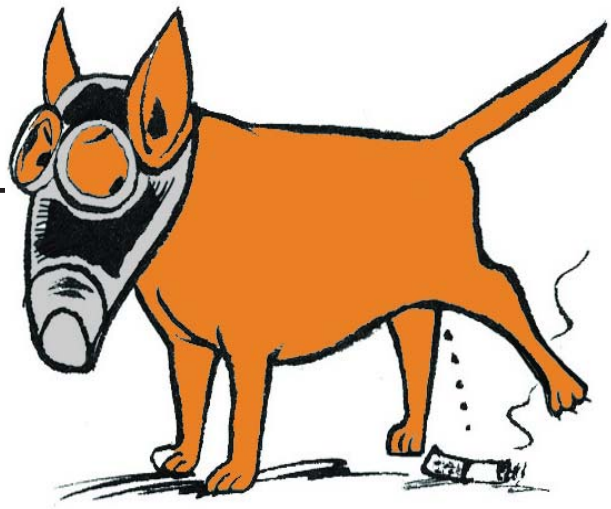
www.foe-scotland.org.uk/nation/good_neighbour.pdf

The last word

Hopefully this FAQ-sheet has been useful. You should now feel more willing to speak to and work with the people, authorities and companies that affect you and your community's life. Go for it!

If you have more questions about incineration in Scotland get in touch with Friends of the Earth Scotland. Our contact details are below.

We would also like to hear your feedback or comments to help us improve in the future.



Friends of the Earth Scotland

Friends of the Earth Scotland, Lamb's House, Burgess Street, Edinburgh EH6 6RD
Tel: 0131 554 9977 Email: info@foe-scotland.org.uk Web: www.foe-scotland.org.uk
Scottish charity: SC003442. Printed on 80% recycled post-consumer waste. July 2007
Working with people for a healthy environment. Supported by Sylvia Aitken Charitable Trust