

Rivenhall Integrated Waste Management Facility draft decision consultation

Permit variation application reference **EPR/CP3906LP/V003**

What is this briefing note about?

As you may be aware from previous communications, Indaver Rivenhall Limited has applied to vary a permit for an energy from waste plant at Rivenhall Airfield, Woodhouse Lane, Kelvedon, Essex, CO5 9DF. We held our first online public consultation on the permit variation application from 12/12/2024 to 07/02/2025.

We have now carefully considered all the information provided in the variation application, further information that we requested from the operator, and the comments we received on the application, including from the local community.

We have found no reason to refuse the variation application and so we are now minded to grant the variation and are consulting on our draft decision.

This briefing note explains what we are consulting on and how you can make comments.

What are we are consulting on?

We have written two documents, the draft decision document and the draft permit variation.

The **draft permit variation** outlines all the conditions the operator will have to meet in order to operate the plant. The **draft decision document** explains how we have come to our draft decision including how we have considered the comments we received from the first consultation.

In the draft decision document we frequently say '*we have decided.*' This gives the impression that our mind is already made up, but as we have explained above, we have not yet made a final decision. The language enables the draft documents to become the final documents with no more re-drafting than is necessary if we issue the permit.

During our assessment process we requested and received further information from the operator which is also available on the consultation page, along with other relevant documents

How have we reached our draft decision?

We will only issue the permit variation if we are satisfied that the operator will meet all the legal requirements and the proposed plant will not cause a significant impact on the environment or harm to human health.

We have checked that the operator will use appropriate measures to prevent or minimise pollution and have reviewed the environmental impact assessment. As part of this we have also consulted with expert consultees and the local community. A summary of the responses received and how we have addressed them is included in the draft decision document.

We understand that this may not be the outcome that some people were hoping for, but we are legally obliged to issue a permit variation if a proposal meets all of the requirements of the Environmental Permitting Regulations.

How can you comment on the consultation?

Our second consultation is opening on 21/08/2025 and we invite you to comment on the draft decision document, draft permit variation and the other documents we have made available to you. You can view the documents and comment by visiting our online Citizen Space web page at the following link:

<https://consult.environment-agency.gov.uk/psc/co5-9df-indaver-rivenhall-limited-epr-cp3906lp-v3>

Once you access this page you will be directed to where you can make your comments in the 'Online Consultation', and if you scroll down this page, you will find the list of documents, including the draft permit variation and draft decision document.

We prefer people to comment using the online consultation system where possible, but you can also email us at: pscpublicresponse@environment-agency.gov.uk or post your response to us at: Environment Agency Permitting and Support Centre, Land Team, Quadrant 2, 99 Parkway Avenue, Sheffield, S9 4WF.

We must receive your comments by 11.59pm on 19/09/2025.

What do we consider when deciding whether to grant an environmental permit variation for an EfW plant?

Under environmental permitting we assess the impact from the proposed installation on the environment and human health, and whether it will meet relevant legislation, including whether it will use best available techniques (BAT) to minimise emissions.

An "installation" in this context is an industrial process carrying out a particular activity listed in the Environmental Permitting Regulations (EPR), including things like EfW plants (incinerators), power stations and chemical factories. A permit will say exactly what is included within the installation and will also show this on the site plan by drawing a line around the activities known as the "installation boundary".

What gets included inside the installation boundary is determined by the EPR and will include the incineration process itself and waste storage, but won't include things like the roads surrounding the plant.

If the application shows that the plant will meet all current environmental regulations and will operate in a way which will ensure a high level of protection of the environment and human health, we will issue it with an environmental permit variation.

Comments that we would particularly welcome from the local community include:

- Information on local population and sensitive sites (such as wildlife sites or planned new housing developments) in case they have been missed out of the applicant's assessment.
- Pointing out any information in the draft decision document which consultees think may be incorrect.

Please be aware that the purpose of the consultation is not to ask members of the public to carry out their own technical assessment of our draft decision.

We cannot take comments into account on:

- Whether waste incineration is the right solution to deal with waste in that area, including whether it could have a higher impact than alternatives such as landfill. This is because under the EPR we have a responsibility to assess whether the proposed incineration technology is BAT, but this does not extend to whether alternative waste treatment techniques should be used. Waste strategy is the responsibility of the relevant planning authority and addressed in the waste local plan, and so may be relevant to any related planning application. This also means that we cannot take into account the effect of the facility on climate change (including how it compares to other types of waste treatment), other than the extent that the global warming potential of the EfW plant is controlled by the use of Best Available Techniques (BAT) to maximise energy efficiency.
- The visual impact of the Energy from Waste (EfW) plant, or whether the environmental impacts would contravene local or national planning policies or strategies. These things are not covered by the EPR and are the responsibility of the planning authority when deciding whether to grant planning permission (or a development consent order for larger plants).
- Impacts from activities which are outside the installation boundary (such as traffic and noise from lorries) which will normally be considered under the planning process.
- Strength of public opposition to plans for the EfW plant. While we understand that people are often strongly opposed to the idea of having an EfW plant built near to their community, we can only assess the proposal against the requirements of the EPR.

What happens next?

We will consider all relevant comments we receive during this second consultation. You can let us know if you would like your comments to be made public when you submit your response on our Citizen Space consultation portal, or in the text of your email or letter.

The information we are already aware of is outlined and considered in the **draft decision document**. Unless we receive any new information which leads us to reconsider our draft decision, we will issue the permit [variation] shortly after the end of the consultation.

How can I get further information?

We will be providing updates where these are necessary, so please keep an eye on our local social media channels:

On X: **@EnvAgencyAnglia**

<https://www.facebook.com/environmentagency>

For more general information about our permitting process please see
www.gov.uk/topic/environmental-management/environmental-permits