Riverside Energy Park

Applicant's response to Greater London Authority's comments on the draft Development Consent Order from Deadline 7 and Deadline 7A

VOLUME NUMBER:

08

PLANNING INSPECTORATE REFERENCE NUMBER:

EN010093

DOCUMENT REFERENCE:

8.02.89

September 2019 | Revision 0 (Deadline 8A) | APFP Regulation 5(2)(q)

Planning Act 2008 | Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

CORY
RIVERSIDE ENERGY

Applicant comment		GLA/TfL - Response to Draft DCO (Rev 3) [REP7-022]; and GLA/TfL mark up of Draft DCO [REP7a-005]	Applicant response
Draft DCO (Rev 3) (with tracked changes) Document 3.1			
1.	**Schedule 1** Work No. 1A (v) provides for "a steam turbine and electrical generator (if not constructed and installed as part of Work No. 2)". Work No. 2 (b) provides for: "if not constructed and installed as part of Work No. 1A, a steam turbine and electrical generator and a steam turbine building to house all or part of the same". Work No. 3 provided for "Works to construct and install combined heat and power equipment including heat exchangers, pipework (including flow/return pipework, valving, pumps, pressurisation and water treatment systems)". Work No. 6 provides for "Works to construct and install supporting infrastructure, including - (a) pipework (including flow/return pipework), cables, telecommunications, other services and associated infrastructure;"	Schedule 1 as drafted does not include a clear requirement for heat off-take from the steam turbine nor adequate provision for the associated plant, equipment and pipework. Consequently, the GLA is concerned about its enforceability. The GLA requests amendments to the description of Works to require the undertaker to install a steam turbine with heat off-take and accommodation for the district heating plant and equipment, and safeguard the route for the on-site heat network pipework to the site boundary. This aligns with the principles placed on the NLWA in their DCO. The proposed amendments are as follows: Work No 1A(v), after "a steam turbine…" add "…incorporating a 30 MW heat off-take for district heating…". Work No 2(b), after "a steam turbine…" add "….incorporating a 30 MW heat off-take for district heating…". Work No. 3, the Applicant should be required to show the extent of the Work (flow/return pipework valving, pumps, pressurisation and water treatment systems) on the Works Plan to ensure sufficient space has been provided. Work No. 6, the Applicant should be required to show a safeguarded route for the flow/return pipework from Work	1.1 The Applicant is content to include the GLA's amendments for Work No 1A(v), but has replaced "a" with "at least" so it reads "*incorporating at least 30 megawatts heat off-take for district heating*…". This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. **At the ISH on the dDCO held on 19 September 2019, the GLA AGREED with the Applicant's position.** 1.2 The Applicant is content to include the GLA's amendments for Work No 2(b), but has replaced "a" with "at least" so it reads "*incorporating at least 30 megawatts heat off-take for district heating*…". This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. **At the ISH on the dDCO held on 19 September 2019, the GLA AGREED with the Applicant's position.** 1.3 In relation to Work No. 3, Sheet 2 of the Works Plan (2.2, REP2-004) shows the extent of Work No. 3. The CHP assessment (5.4, APP-035) states there is sufficient space for the 30 MW heat off-take. However, the Applicant has amended Requirement 2 (detailed design approval) in the dDCO (3.1, Rev 4) submitted at Deadline 8a to require the Applicant submit a plan to the relevant planning authority for approval demonstrating that within Work No. 1A and Work No. 3 there is sufficient space to support an at least 30MW heat export system. This plan must be submitted prior

	At Deadline 7a GLA sought an overall cap of 655,000 tonnes per annum for Work No. 1 A.	No. 3 to the site boundary on the Works Plan. The proposed amendments at Deadline 7a are as follows: Work No. 1, amend the cap of the ERF from 805,920 to 655,000 tonnes per annum. The Carbon Assessment does not include the climate change impact of the proposed ERF managing any more than 655,000 tonnes per year. The inclusion of a dedicated bottom ash storage area as per LBB's proposals.	to commencement of Work No. 1A and Work No. 3. 1.4 In relation to Work No. 6, at this stage of the Proposed Development there is no defined route from Work No.3 into Work No.6 to the site boundary as this depends where the point of connection will be to the future district heating network. In recognition of this, the Applicant has amended Requirement 24 (combined heat and power) in the **dDCO (3.1, Rev 4)** to provide that where the working group identifies the likely connection point at the site boundary for any district heating, the undertaker is to safeguard the pipework route from Work No. 3 to that point. 1.5 The Applicant has agreed to cap the throughput of Work No. 1A to the throughput assessed in the Environmental Statement, 805,920 tonnes per calendar year. There is no justification for a lower cap based on the two reasons given by the GLA in its Deadline 7a mark up of the dDCO (REP7a-005). The carbon benefit of REP would improve if it processed the maximum throughput rather than the nominal throughput of 655,000 tonnes. This is further explained in the Maximum Waste Throughput Carbon Note (8.02.85, REP8-XXX). There is also no justification in the National Policy Statement for a cap to be imposed that is below the throughput assessed in the environmental statement; EN-3 at paragraph 2.5.13 states that throughput limits are a matter for the Applicant, particularly as the Proposed Development is privately funded and the ES has demonstrated that there are no significant adverse effects arising from the Proposed Development at 805,920 tonnes per calendar year with the mitigation secured through

			the dDCO. **It is noted that at the ISH on the dDCO held on 19 September 2019, the LBB AGREED to the Applicant's position.** 1.6 The Applicant has not applied for a dedicated bottom ash storage area, or assessed within the ES, in its description of development, or identified on any of the Work Plans a dedicated bottom ash storage area. Therefore, this amendment cannot be made. The Applicant can confirm that in the design of Work No. 1A, there is an ash storage bunker with a volume of 1,900m3 capacity. Taking a conservative assessment approach, this volume represents a minimum of 5 days storage. GLA appears to be asking for a contingency on a contingency. **Following the ISH on the dDCO held on 19 September 2019, the LBB has AGREED to the Applicant's position and agrees to the Applicant's assessment that in the event of a jetty outage there would be no significant adverse effects on the road network with both RRRF and REP operating (Supplementary Note to the Temporary Jetty Outage Review (8.02.86)).** 1.7 **Following the ISH on the dDCO held on 19 September 2019, the GLA has AGREED to amendments to Schedule 1 of the dDCO (3.1, Rev 4) submitted at Deadline 8a.**
2.	**Requirement 5: biodiversity and landscape mitigation strategy** Insertion in subsection (1)(c): "required to achieve biodiversity net	GLA consider this insertion necessary at Deadline 7a to ensure compliance with national policy on biodiversity net gain. This is also articulated in part D of Policy G6 Biodiversity and access to nature in the draft London Plan, which states that "development proposals should manage impacts on biodiversity and aim to secure net biodiversity	2.1 The Applicant is content to accept this insertion and include in Requirement 5(1)(c) "*evidence that the off–setting value provides for the required biodiversity compensation, risk factors including temporal lag, long term management and monitoring (25 years) and a minimum of 10% net*

	gain"	gain. This should be informed by the best available ecological information and addressed from the start of the development process".	*gain*". This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 2.2 **Following the ISH on the dDCO held on 19 September 2019, the LBB has AGREED to the Applicant's position.** 2.3 **Following the ISH on the dDCO held on 19 September 2019, the GLA has AGREED to the Applicant's position.**
3.	**Requirement 11: Code of construction practice** Amendment of (f), (g) and (p)	The proposed amendments at Deadline 7a are as follows: (f) construction, demolition and excavation waste management effectively meeting 95% reuse or recycling rates as a minimum; (g) statement demonstrating how the development will deliver circular economy outcomes and aim to be net-zero waste. This includes measures for the maintenance of construction equipment and other measures in the development design and construction that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible. The GLA consider that these inclusions are necessary for the development to promote resource efficiency and maximise reuse and recycling to comply with London Plan Policy 5.16 B(e) and draft London Plan Policy SI7A and B. GLA agreed with the insertion of "*appropriate procedures to provide for a vehicle booking management system*" in Requirement 11(1)(p).	3.1 The Applicant is content to accept the amendments to (f) and (g). This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 3.2 Regarding the insertion into the CoCP of a booking management system, the **outline CTMP** already refers to the booking system, section 12, so the Applicant has included express reference to the vehicle booking management system in **Requirement 13** the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 3.3 **At the ISH on the dDCO held on 19 September 2019, the GLA AGREED with the Applicant's position.**
4.	**Requirement 11: Code of**	GLA also proposed the following insertions at Deadline 7a:	4.1 The Applicant considers that the outline CoCP already makes provisions for NRMM by referring to

	construction practice Insertion of sub-paragraphs (3) and (4)	(3) All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of pre-commencement works or the authorised development shall comply with the emission standards set out in the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. An up to date list of all NRMM shall be kept on the online register at https://nrmm.london/ throughout the pre-commencement works and the authorised development. (4) 'Non-road mobile machinery' means any mobile machine, transportable equipment or vehicle with or without bodywork or wheels, not intended for the transport of passengers or goods on roads, and includes machinery installed on the chassis of vehicles intended for the transport of passengers or goods on roads. The GLA consider that these inclusions are necessary for the development to promote resource efficiency and maximise reuse and recycling to comply with London Plan Policy 5.16 B(e) and draft London Plan Policy SI7A and B	the SPG. However, the Applicant will expressly refer to NRMM, including the register, in an updated version of the outline CoCP to be submitted at Deadline 8 and as a result there would be no need to include the GLA's proposed Requirements 11(3) and (4). 4.2 **At the ISH on the dDCO held on 19 September 2019, the GLA AGREED that the reference to NRMM does not need to be expressly referred to in the Requirement and that reference in the CoCP would be sufficient. The CoCP submitted at Deadline 8 has been updated with the wording proposed by the GLA.** 4.3 **Following the ISH on the dDCO held on 19 September 2019, the LBB has AGREED to the updated CoCP.**
5.	**Requirement 13: Construction traffic management plan(s)** Deletion of "*for streets within the London Borough of Bexley*" and addition of (d) and (i)	GLA consider that impacts are not necessarily limited to the streets of Bexley and so the geographical limitation is deleted. GLA proposed at Deadline 7a: That "*measures to ensure maximum use of the river for transportation of the materials used and waste arising in the*	5.1 The Applicant is content to accept this deletion. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 5.2 The Applicant does not accept the GLA's/TfL's insertion of reference to maximising the use of the river. The jetty is a working jetty, so the priority is to allow movements of waste to, and bottom ash

		construction of the authorised development" is necessary as the outline CTMP does not include sustainable transport; That "*a procedure for reviewing and updating the CTMP*" is necessary as the CTMP does not explain the process for updating the plan. The GLA agrees with the LBB in respect of junction appraisals and road condition surveys.	from, that jetty for RRRF. The wording suggested by TfL would conflict with this. However, the Applicant has updated the **outline Construction Traffic Management Plan (6.3 App L to B.1)** at **Deadline 8a** to include that the Applicant will carry out a written assessment of opportunities during construction for when and how the Applicant will be utilising the river, such evidence and opportunities to be submitted to the LBB for approval. 5.3 The Applicant is content to accept the insertion of reference to reviewing and updating the CTMP. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 5.4 In relation to GLA's agreement with LBB over junction appraisals and road condition surveys, please refer to **the Applicant's response to LBB's comments on the dDCO** at **reference 14 and 15**. **Following the ISH on the dDCO held on 19 September 2019, the LBB has AGREED to the Applicant's position in respect of junction appraisals and road condition surveys.**
6.	**New Requirement 13A** Addition of a requirement for a Delivery and Service Plan	GLA adopt LBB's point a Delivery and Servicing Plan.	6.1 The Applicant is content to accept the addition of a requirement for the submission of a delivery and servicing plan (other than for deliveries of waste that fall within Requirement 14). However, the Applicant does not accept a cap on vehicle movements – a cap is not justified as the EIA shows that there are no significant adverse effects on the transport network even at 100% of waste deliveries by road. Given the cap in Requirement 14, there is even more headroom available. This is reflected in **Requirement 31** of the **dDCO (3.1,**

			Rev 4) submitted at Deadline 8a. 6.2 **It is noted that at the ISH on the dDCO held on 19 September 2019, the LBB AGREED to the Applicant's position.**
7.	**Requirement 14: HCV movements** New subsection (2): "Save in the event of a jetty outage, the volume of waste delivered by road to work number 1A and work number 1B during commissioning and the operational period must not exceed 240,000 tonnes per annum".	The GLA welcomes the Applicant's new proposal to apply a limitation to the volume of waste delivered by road. However, it remains concerned about the quantum of waste (200,000tpa of residual waste) that would not be required to be delivered by river. At c. 30% of total inputs on the nominal case, this undermines the stated intention to maximise river transport, and falls short of the minimum 75% of total journeys to come by river, which applies to the RRRF DCO and was requested by the GLA at Deadline 3 - Sheet 4: GLA commentary on other documents prepared by the Applicant for Deadline 2. The 30% road-based limit does not appear to be justified in relation to the quantity of waste that could be sourced from the local area (Bexley). The GLA would not support the Applicant's proposed road-based limitation on the basis that London Borough of Bexley (LBB) is proposing a cap of 10% of the nominal throughput by road, i.e. 65,500tpa. LBB is concerned that a higher volume would draw in waste deliveries by road from a wider area, as well as potentially impacting recycling activities in Bexley. For further discussion on this point, please refer to comments below in respect of Applicant's response to GLA and LBB comments on the draft DCO, Requirement 14.	7.1 The Applicant and the LBB have agreed various amendments to this Requirement as follows: 7.1.1 the cap on daily two way vehicle movements for both Work No. 1A and Work No 1B is reduced from 90 (90 in/ 90 out) to 75 (75 in/ 75 out). 7.1.2 the tonnage restriction by road will be split out between Work No. 1A and Work No. 1B. The cap will be 130,000 tonnes per calendar year for Work No. 1A and 40,000 tonnes per calendar year for Work No. 1B. 7.1.3 the wording on bottom ash will state "Save in the event of a jetty outage, 100% of incinerator bottom ash produced by the operation of Work No. 1A must be transported from it by river to a riparian facility." 7.1.4 the Applicant will provide quarterly reporting. 7.1.5 the Applicant will insert "as well as the volumes of waste delivered to both...." and "such number to be split out clearly so that the number of movements and waste tonnages to the authorised development" in

			this sub-paragraph as LBB has requested. 7.2 The amendments are incorporated into Requirement 14 as set out in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 7.3 **At the ISH on the dDCO held on 19 September 2019, the GLA welcomed all amendments put forward by the Applicant, other than the quarterly reporting.** 7.4 **Following the ISH on the dDCO held on 19 September 2019, the GLA has since confirmed its AGREEMENT to quarterly reporting.**
8.	**Requirement 14: HCV movements** Amendment to subsection (5) [formerly (3)]: requirement to provide the relevant planning authority with vehicle records no longer restricted to 4 times a year	The amended is welcomed as it was that which was requested.	Noted.
9.	**Requirement 14: HCV movements** Amendment to subsection (6) [formerly (4)]: definition of jetty outage increased to 4 days instead of 48 hours.	The increase from 48 hours to 4 days is acceptable. TfL would, however request, that there is also a commitment to using reasonable endeavours to bring an outage to a close as soon as possible.	9.1 The definition of a "jetty outage" refers to "*circumstances caused by factors beyond the undertaker's control*....", so would not capture a situation where a piece of equipment belonging to the undertaker had broken down. 9.2 Given the causation is beyond the undertaker's control, it would not be appropriate to place a commitment on the undertaker to bring the outage to a close given. No amendment made.

10.	**New Requirement 15: Emissions Limits Work Number 1A [ERF]** "15.—(1) During the operational period of Work No. 1A, the average emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through the emissions stack comprised in Work No. 1A for each day must not exceed 120mg/Nm3 (expressed at 11% oxygen, dry flue gas, 273.15K), except in such exceptional circumstances as agreed by the Environment Agency. (2) During the operational period of Work No. 1A, the annual emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through the emissions stack comprised in Work No. 1A must not exceed 451 tonnes per annum. (3) In sub–paragraph 1, "day" means a period of twenty–four hours beginning at midnight".	New Requirement 15(2) is a welcome amendment to the DCO and reflects the GLA's recommendations. Given the concerns raised over other pollutants, however, we would recommend that now the principle of this type of control has been accepted it should be extended to the other pollutants of concern, as listed in the Environmental Statement. Similarly, 15(1) & (3) are welcome. We would however ask that the Applicant explain what it would consider to be "exceptional circumstances" to be agreed by the Environment Agency. This does not alter the GLA's position that we believe that there should be an overall tonnage cap on the size of the plant to ensure the ERF operates within the parameters and commitments set out in the Applicant's Environmental Statement.	10.1 The Applicant has agreed to a tonnage cap, resulting in the deletion of Requirement 15. Refer also to the Applicant's oral summary on this Requirement contained in the **Applicant's Oral Summary of the dDCO Hearing held on 19 September 2019 (8.02.77).** 10.2 **At the ISH on the dDCO held on 19 September 2019, the LBB AGREED to the Applicant's position.**
11.	**New Requirement 16: Emissions limits Work Number 1B [AD] [now Requirement 15]** "16.—(1) In the event that biogas is utilised in the CHP engine, during the	As with the new Requirement 15 the GLA supports this addition. We note that the 3 tonnes per annum limit appears to imply that the CHP will only be operational for around 2,000 hours per year. Given the precise wording of the requirement, this	11.1 The GLA has miscalculated the operational hours of the CHP engine as the Applicant's limit value is 125mg/Nm3. It appears that the GLA has assumed an emissions release rate from the CHP engine based on the maximum NOx emission limit permitted under the MCPD, rather than the lower

	operational period of Work No. 1B, the average emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through Work No. 1B must not exceed 125mg/Nm3 (expressed at 5% oxygen, dry flue gas, 273.15K). (2) In the event that biogas is utilised in the CHP engine, during the operational period of Work No. 1B, the annual emission limit value for nitrogen oxide and nitrogen dioxide, expressed as nitrogen oxides, of the combustion emissions discharged through Work No. 1B must not exceed 3 tonnes per annum."	could also mean that for the remaining hours the plant is running on gas other than biogas. For the avoidance of doubt the Applicant should confirm that the intention of this requirement is to limit the operational hours of the CHP engine, and that the facility will not be operated in power-only mode. Notwithstanding the above comments, the GLA maintains that the Applicant should adopt gas-to-grid application instead of biogas or gas-CHP that will improve energy efficiency and align with the Mayor's Air Quality policies. At deadline 7a GLA proposed the following amendments: 16(1): removing "bio" from "biogas". GLA consider that NOx will be emitted from the engine regardless of whether the gas burned is biogas or natural gas. The GLA considers that the emission limit is necessary to apply, regardless of the source of the gas, in order to ensure that the development as built does not exceed the impacts on air quality described in the Environmental Statement. 16(2) – amendment of "nitrogen oxide" to "nitric oxide" and to be expressed as "oxides of nitrogen".	limit proposed by the Applicant. On the basis that the lower limit is secured through Requirement 16(1), the Applicant is satisfied that the tonnage limit stipulated in Requirement 16(2) will not result in curtailment of CHP engine operational hours. **At the ISH on the dDCO held on 19 September 2019, GLA CONFIRMED that it had most likely used the wrong figure and ACCEPTED the Applicant's explanation.** 11.2 There is no policy that supports GLA's request that the Applicant should adopt a gas-to-grid application instead of biogas or gas-CHP. The Applicant has demonstrated in the **Anaerobic Digestion Mitigation Note (REP4- 021)** that with the addition of technology such as SCR, the impacts on air quality will be Negligible and therefore there are no significant effects. The Applicant's commitment to lower emission levels for Work Number 1B, which could be achieved through technology such as SCR, is secured through Requirement 16. The Applicant will review the viability of gas to grid, but if it is not technically or commercially viable, then the Applicant will seek to re-use the gas in the CHP engine. This is a binary decision at the start of the Anaerobic Digestion plant operating, as the Applicant will want to maximise the Anaerobic Digestion plant. Given the negligible impacts of the CHP engine with SCR, this re-use should be supported not hindered. 11.3 The Applicant is content to accept the amendment of "biogas" to "gas". This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 11.4 The Applicant proposes the exact wording will be

			"*oxides of nitrogen (nitric oxide and nitrogen dioxide expressed as nitrogen dioxide)*", so as to avoid any inconsistency between the dDCO and the Environmental Permit during the operational phase of REP. The Applicant considers that this minor but necessary revision would deliver the clarity which the GLA is seeking. 11.5 **Following the ISH on the dDCO held on 19 September 2019, the GLA has AGREED to the Applicant's position on Requirement 16.**
12.	**New Requirement 17: Ambient air quality monitoring** "17.—(1) Prior to the operational period of Work No. 1A and Work No. 1B, the undertaker must submit to the Environment Agency for approval an ambient air quality monitoring programme to monitor compliance with the emission limits specified in requirements 15 and 16, such programme to also incorporate any monitoring requirements required under any environmental permit for the authorised development. (2) The ambient air quality monitoring programme must be implemented as approved".	Subject to any comments from the Environment Agency, the GLA supports this new requirement. However as there is no proposal for a S106 agreement, and therefore no contribution to funding of local authority monitoring, the GLA will continue to support Bexley's request for funding, should they continue to pursue it.	Requirement 17 has been deleted as the Applicant and the LBB have agreed a section 106 obligation to contribute towards ambient air quality monitoring in the LBB, as the relevant Local Planning Authority.
13.	**New Requirement 18: Waste hierarchy scheme [now Requirement 16]**	The GLA welcomes the constructive approach taken by the Applicant in respect of application of the waste hierarchy. However, we would emphasise that the efficacy of the proposed measures in ensuring that feedstock processed	13.1 The Applicant does not accept requiring consultation with GLA. LBB should approve the scheme, as the relevant Local Planning Authority..

	"18.—(1) Prior to commissioning, the undertaker must submit to the relevant planning authority for approval (in consultation with the Greater London Authority) a scheme setting out arrangements for maintenance of the waste hierarchy in priority order, which aims to minimise recyclable and reusable waste received at the authorised development during the commissioning and operational period of the authorised d (2). The waste hierarchy scheme must include details of— (a) the type of information that shall be collected and retained on the sources of the residual waste after recyclable and reusable waste has been removed such information shall include a quantitative review of the level of recyclable content through materials composition analysis on at least a quarterly basis, and for the findings of the analysis to be provided to the local planning authority; (b) the arrangements that shall be put in place for ensuring that as much reusable and recyclable waste as is reasonably possible is removed from waste to be received at the authorised development including contractual measures securing maximum limits on recyclable material	by the REP ERF will indeed be truly residual waste will ultimately be contingent on the detail of the scheme to be submitted in accordance with the proposed requirement, in particular how the key criteria for suppliers to the ERF are established, and their ongoing effective enforcement, monitoring and reporting to the local planning authority. The waste hierarchy scheme should apply to all suppliers of waste to the ERF (e.g local authorities), and not be limited to 'commercial suppliers' as stipulated in point 2(c). In respect of point 2(a) regarding the "type of information", above and beyond the sources of residual waste feedstock it is essential that the level of recyclable content is quantitatively demonstrated through periodic materials composition analysis (i.e. sampling and sorting of REP ERF feedstock to determine an assay of material contents). We would propose that additional text is inserted after (2)(a) as follows: "such information to include a quantitative review of the level of recyclable content through materials composition analysis on at least a quarterly basis, and for the findings of the analysis to be shared with the local planning authority". With regard to point 2(b) "arrangements that shall be put in place", we would request confirmation that these would include contractual measures stipulating maximum allowable limits on recyclable material content for feedstock processed at the REP ERF (having established levels on the basis of the above composition analysis). This could be supplemented by capture process description(s) and minimum capture thresholds for reusable and recyclable items remaining in the waste stream. With regard to point 2(c), the baseline for removal of recyclable and reusable waste demonstrated by suppliers	13.2 Requirement 18 does apply to all suppliers of waste. Reference was made to commercial suppliers in 18(2)(c) in order to differentiate them from Local Authority clients, who are less likely to have an Environmental Management System (EMS). If the word "commercial" was deleted from paragraph (2)(c), then any local authority that does not have an EMS would not be able to supply residual waste to REP and so this residual waste would either go to a less appropriate facility or to landfill. 13.3 **Goes beyond the purpose of the Requirement:** The requirement is about giving confidence to the LBB and the GLA that the existing process (as described Section 3 of **Applicant's response to Greater London Authority Deadline 3 Submission (8.02.35)**) is being implemented, rather than providing an inappropriate level of scrutiny regarding the outcome of that process and placing the burden of increased recycling activities on facilities such as REP. As an example, if a local authority is undertaking separate kerbside collections of recyclables and then passing the residual waste through a MRF before supplying the remaining residual waste to REP, this should be sufficient to demonstrate that the waste is residual. It should not, and cannot be, the responsibility of the Applicant to audit the outcome of the local authority's waste management processes. Indeed such a Requirement would be unreasonable. The proposed Requirement is one of the most detailed Requirements for a waste hierarchy system placed on an energy recovery facility. 13.4 **There is no element of practicability to the**

	content for feedstock processed at Work No. 1. and supplemented by capture process description(s) and minimum capture thresholds for reusable and recyclable items remaining in the waste stream; (c) the arrangements that shall be put in place for ensuring that commercial suppliers of residual waste operate a written environmental management system which includes establishing a baseline of at least 65% for recyclable and reusable waste removed from residual waste and specific targets for improving the percentage of such removed reusable and recyclable waste; (d) the arrangements that shall be put in place for suspending and/or discontinuing supply arrangements from commercial suppliers who fail to retain or comply with any environmental management systems; and (e) the form of records that shall be kept for the purpose of demonstrating compliance with (a) to (d) and the arrangements in place for allowing inspection of such records by the relevant planning authority. (3) The waste hierarchy scheme must be implemented as approved	to the ERF should be set at 65% as a minimum, with commercial waste suppliers setting higher targets in line with those set in the European Commission's Circular Economy Policy package which the UK Government has committed to adopting. This will help ensure achievement of the Mayor's 65% municipal waste recycling target by 2030. The GLA emphasises that the efficacy of these measures will ultimately be contingent on the detail of the proposed scheme that will be submitted in accordance with the proposed requirement, and its ongoing effective enforcement, monitoring and reporting performance to the LPA.	**request:** The recyclable content of the waste is not possible to be determined by a waste composition analysis anyway. For example, if there is a bit of paper in the sampled waste, it cannot be determined whether that paper was capable of being recycled before it entered that waste stream, or if it was already covered in paint. However, the Applicant is content to carry out an annual waste composition analysis and for this to be included into the requirement. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 13.5 **Turning to the specific amendments proposed by the GLA**: 13.6 The Applicant is content to carry out an annual waste composition analysis and for this to be included into the requirement. In addition the Applicant is content to include in the Requirement that it will look at contractual measures to encourage as much reusable and recyclable waste being removed as far as possible. 13.7 Regarding the suggestion that maximum allowable limits on recyclable material content should be included in contracts and a target of 65% should be placed on suppliers, again, this is neither reasonable nor appropriate. First, what is an appropriate level of recycling?: 13.7.1 Circular Economy Policy targets seek MW recycling of 55% by 2025; 60% by 2030; and 65% by 2035, alongside packaging recycling of 65% by 2025; and 70% by 2030; 13.7.2 The London Environment Strategy sets

	development (the "waste hierarchy scheme").		LACW recycling target of 50% by 2025 and aspires to achieve: 45% household waste recycling rate by 2025; and 50% household waste recycling rate by 2030. The ability to meet a municipal waste recycling target of 65% by 2030 is reliant upon C&I waste recycling. 13.8 Whilst Government has said it will implement Circular Economy Policy recycling targets, it has not specified how as yet; it is likely not to be a single/standard recycling rate applied across all authorities, but will recognise the relative ability of different areas to meet different levels. 13.9 Currently the UK and local authorities are working to a 50% target by 2020, but many local authorities are likely not to meet this target. LACW recycling across London has hovered around the 30% level over the past 10 years; Household waste recycling across London has hovered around 33% over the past 10 years. The London Environment Strategy (page 276 and 307) states a current municipal waste recycling rate within London of 41%. 13.10 Furthermore, the GLA appears to be suggesting that any waste supplier should take the waste it receives or collects and recycle 65% of it. This ignores the composition of the waste and whether any separation has taken place before the waste supplier receives it. This further ignores the regulatory responsibility of the Environment Agency and the fact that only waste that is permitted in the Environmental Permit can be managed at REP. Commercial waste companies,

			in particular, may only take the residual waste from their customers, with the separately collected recyclable materials being collected by a different company. There is no way for the waste company collecting the residual waste to know what the overall recycling rate could be for the waste producer, and certainly no way that this can be determined by looking at a compositional analysis for the residual waste when it is delivered to REP. 13.11 As demonstrated at Figure 2 of the **Applicant's response to Greater London Authority Deadline 3 Submission (8.02.35)**, REP is just one element of the overall waste management infrastructure network in London. It needs additional infrastructure in London to achieve increased recycling; the London Environment Strategy identifies a recycling capacity gap of 1.4 million (page 325). 13.12 What the above all demonstrates, is that it is not reasonable, or indeed possible, to place the burden of increased recycling activities on facilities such as REP.
14.	**Requirement 23: Community benefits [now Requirement 21]** "(2) The employment and skills plan must include the undertaker's accreditation to the Mayor's Good Work Standard including payment of the London Living wage as a minimum	The GLA consider the amendment is necessary to ensure that the development will effectively deliver social value and best practice employment practice in line with the Mayor's Good Work Standard. The Good Work Standard, launched on 29 July 2019, sets the benchmark for every London employer to work towards and achieve, including payment of the London Living Wage.	The Applicant rejects the insertion of the London Living Wage in Requirement 23 as it is not a planning policy position and would apply to the whole company, not just the Proposed Development.

	and must be implemented as approved by the relevant planning authority."		
15.	**New Requirement 25: Phasing of construction and commissioning [now Requirement 23]** "Work No. 1B must be constructed in the same phase as Work No. 1A".	This proposed amendment requires that the Anaerobic Digestion plant must now be built and commissioned at the same time as the ERF. This is in line with the position taken by the GLA consistently through the Examination process, and is welcomed.	The Applicant agrees to the commencement of construction for Work No. 1A and Work No. 1B in the same phase.
16.	**New Requirement 25: Phasing of construction and commissioning [now Requirement 23]** No Applicant comment, but the GLA requires some amendments to charge the relevant planning authority with approving that the steam turbine heat off-take has been provided.	In Requirement 25 (1), after "Work Number 1 C" add and Work Number 1D and Work Number 2 (b)'. This amendment will allow the relevant planning authority to ensure that the steam turbine with district heating off-take is commissioned at the same time as the ERF, giving more certainty to the ERF operating in CHP mode. This aligns with the requirements placed on the NLWA in their DCO (see Schedule 2, Requirement 18 of the North London Waste Authority DCO. Relevant text in Requirement 18 is set out at the end of this Schedule 1 Appendix A. The full DCO can be found at https://infrastructure.planninginspectorate.gov.uk/projects/london/north- london-heat-and-power-project/?ipcsection=docs&stage=7)	16.1 The Applicant is content to add in Work No. 1D and, if applicable, Work No. 2(b). The words "if applicable" are included in respect of Work No. 2(b) as Work No. 2(b) may not be constructed if the steam turbine is installed as part of Work No. 1A. 16.2 This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 16.3 **At the ISH on the dDCO held on 19 September 2019, the GLA AGREED to the Applicant's position.**
17.	**New Requirement 25: Phasing of construction and commissioning [now Requirement 23]** Phasing programme for Work No. 1C	The phasing programme shall provide for the anticipated final commissioning of Work No 1C and Work No. 1D as soon as practicable and in any event in the same phase as Work Number 1A.	17.1 The Applicant will include in the requirement that the phasing programme is to provide for the anticipated date of final commissioning of Work No 1C and Work No 1D as soon as reasonably practicable. This is reflected in the dDCO (3.1, Rev 4) submitted at Deadline 8a. However, the

	and 1D		Applicant cannot confirm that they will be commissioning at the same time as Work No. 1A. This is primarily due to the fast moving developments in battery technology.
18.	**New Requirement 25: Phasing of construction and commissioning** Commencement of Work No. 1B	Work No 1B must commence operation construction in the same phase as Work Number 1A.	18.1 The Applicant has to secure contracts for Work No. 1A and Work No. 1B and therefore the Applicant needs the ability to stagger the commissioning and operation of those elements of the Proposed Development. If the Applicant goes through the expense of constructing Work No. 1B, it will want to realise the value from it, but the Applicant cannot commit to commencing operation in the same phase because this depends on when the waste contracts are secured and commence. It would be perverse for one facility to be dependent on the commencement of a waste contract in respect of the other.
19.	**New Requirement 25: Phasing of construction and commissioning [now Requirement 23]** Insertion of (3)	Insertion of (3): "The steam turbine with district heating off-take forming part of the authorised development must be completed at the anticipated date of final commissioning of Work Number 1A"	The Applicant is content for this to be included into the requirement but has amended the language so it aligns to Schedule 1. The Requirement reads, "The steam turbine incorporating at least 30 megawatts heat off-take for district heating forming part of the authorised development must be completed at the anticipated date of final commissioning of Work No. 1A and, if applicable, Work No. 2(b)." This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a
20.	**Requirement 26 [formerly 20]: CHP [now Requirement 24]** Insertion of (1): Work No 1A must be constructed to produce combined heat and power through the provision of	GLA consider amends necessary to demonstrate the intent to ensure that CHP opportunities are fully explored and delivered to maximise carbon saving benefits. This will ensure the development effectively complies with NPS Policy EN-1 and meets the Mayor's London Plan carbon	20.1 The Applicant has amended the Requirement in line with the GLA' proposals. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 20.2 **Following the ISH on the dDCO held on 19 September 2019, the GLA has confirmed to the**

	steam and hot water pass-outs and the preservation of space for the future provision of water pressurisation, heating and pumping systems. Prior to the operation of the authorised development the undertaker must submit to the relevant planning authority for its approval a report ("the CHP review") updating the CHP statement	intensity floor and energy policies. These amends match those set out in Requirement 18 of the North London Power incinerator DCO.	**Applicant that the GLA agrees with the Requirement save that the reviews should be every two years rather than every three.**
21.	**Requirement 26 [formerly 20]: CHP [now Requirement 24]** New subsection (2) replaces the former text requiring establishment of a working group: "(2) Work Number 1A may not start commissioning until the undertaker has established a working group (its members including the relevant local authorities, the Greater London Authority and potential heat customers, that will combine with the working group established in respect of combined heat and power opportunities from RRRF, to no later than 12 months after commissioning— (a) reasonably agree the scope of each CHP review; (b) engage with the Department for Business, Energy & Industrial Strategy (or such successor government department with	This clause is saying that the main plant (Work No 1A) 'may' not start commissioning until the working group is established, which seems acceptable provided 'may' is interpreted as 'must'. The GLA would request that the working group should comprise the GLA, LLB (relevant local authority) and other relevant boroughs as a minimum, as has been the case for the working group established for the Beddington incinerator. The GLA considers that the RRRF and REP working group should be one and the same. Regarding "each CHP review", the GLA would be content that the first CHP review is updated at the subsequent review dates to reflect any changes. The GLA would not expect an entirely new CHP review to take place at the subsequent review dates. There should be a clear understanding up front as to what comprises 'agreement' to the scope of the CHP review - for example, majority vote, unanimous, etc.	21.1 The Applicant is content to change 'may' to 'must', rather than 'shall' in accordance with legislation drafting practices. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 21.2 The Applicant has amended the requirement to require the Applicant to submit the terms of reference of the working group to LBB for approval. As part of the terms of reference, the Applicant is to include a list of organisations who would be invited to the working group, specifying GLA. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 21.3 Given a separate working group is already constituted, all the requirement can do is state that the working group established for REP may combine with the working group for RRRF. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 21.4 The Applicant notes that an entirely new CHP review taking place at subsequent reviews is not expected.

	responsibility for energy) and the Heat Network Investment Programme (or any such equivalent government funding programme) to identify funding for any financial shortfall identified by any CHP review; and (c) progress the actions in each approved CHP review and to monitor and report on the progress of those actions to the relevant planning authority".		21.5 In relation to what comprises 'agreement', this will be for the working group to identify. The terms of reference will be submitted to LBB for approval. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 21.6 **Following the ISH on the dDCO held on 19 September 2019, the GLA has confirmed to the Applicant that the GLA agrees with the Requirement save that the reviews should be every two years rather than every three.**
22.	**Requirement 26 [formerly 20]: CHP [now Requirement 24]** Addition of: "(3) The CHP review under sub–paragraph (1) must be undertaken by a competent CHP consultant appointed by the undertaker after consultation with the working group and must be in accordance with the scope agreed by the working group established under sub–paragraph (2) and—" Amendment to 3(a) "assess potential commercial opportunities that reasonably exist for the export of heat". Amendment to 3(b) to refer to certainty: "state whether or not there is sufficient details are known certainty about the likely district heat network to	(3) After '...CHP consultant...' add, 'agreed with the working group, such agreement not to be unreasonably withheld, and...'. The working group should have a say in which consultants should not get appointed. 3(a): The GLA accepts deletion of 'reasonably'. However, the GLA in its earlier submission has stated that the Good Quality CHP (CHPQA) Scheme is not relevant in terms of the CHP review criteria - this is set out in more detail below, see Applicant's response to GLA and LBB comments on the draft DCO (document 8.02.54), Requirement 26 [formerly 20]: CHP. 3(b): GLA is content with the proposed change. Amendment to 3(c) to refer to actions "which are technically feasible and commercially viable". 3(c): the wording appears similar to that put forward by the GLA and is therefore acceptable.	22.1 The Applicant is content for a list of CHP consultants to be presented by the Applicant for approval by the working group. The Applicant would then choose one of those approved consultants. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 22.2 The Applicant has amended the requirement so that the Applicant is to "(a) assess potential commercial opportunities that reasonably exist within a 10 kilometre radius for the export of heat from Work No. 1 as at the time of submission of the CHP review; and (b) to assess how the opportunities in (a) meet the Combined Heat and Power Quality Assurance. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 22.3 The Applicant is content with the deletion of *"(without material additional cost to the undertaker)"*. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a.

	enable the undertaker to install the necessary combined heat and power pipework". Amendment to 3(c) to refer to actions "which are technically feasible and commercially viable" and deleted the wording "(without material additional cost to the undertaker)".		22.4 **Following the ISH on the dDCO held on 19 September 2019, the GLA has confirmed to the Applicant that the GLA agrees with the Requirement save that the reviews should be every two years rather than every three.**
23.	**Requirement 26 [formerly 20]: CHP [now Requirement 24]** Amendment to subsection (4) [formerly (2)]: "The undertaker must take such actions (which are technically feasible and commercially viable) as are included within the timescales specified, in the approved CHP review".	The GLA is content with the change. It clarifies the criteria which trigger the developer to take such actions.	Noted.
24.	**Requirement 26 [formerly 20]: CHP [now Requirement 24]** Subsection (5): amended to two yearly reviews	The GLA maintains the requirement for the two-yearly review frequency (as does LBB) for the reasons previously submitted to the ExA. We accept that the subsequent reviews could be in the form of an update (or 'revised' CHP review as the Applicant has proposed) of the previous review and therefore more 'light-touch'.	24.1 The Applicant notes that subsequent reviews could be in the form of an update. The Applicant has therefore amended the Requirement to state that the CHP review is required three years after the date on which it last submitted the CHP review (this aligns with LBB's request at Deadline 7). This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 24.2 The Applicant has also amended the requirement so that even after heat is exported, the Applicant is to continue with the CHP review, but every five years rather than every three. 24.3 **Following the ISH on the dDCO held on 19**

			September 2019, the GLA has confirmed to the Applicant that the GLA agrees with the Requirement save that the reviews should be every two years rather than every three.
25.	**Requirement 26 [formerly 20]: CHP [now Requirement 24]** No Applicant comment, but the GLA requires additional clause to safeguard the route for the on-site heat network to the site boundary. This aligns with the requirements placed on the NLWA in their DCO.	The GLA proposes the addition of the following new clause (9): "the Applicant shall safeguard the district heating pipework route to the site boundary shown as part of Work No 3 and Work No 6."	25.1 As stated in paragraph above, the Applicant is content to include a requirement that when the working group identifies the likely point of connection, the Applicant can then safeguard the route within the REP site. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 25.2 **Following the ISH on the dDCO held on 19 September 2019, the GLA has confirmed to the Applicant that the GLA agrees with the Requirement save that the reviews should be every two years rather than every three.**
26.	**New Requirement 27: use of compost material and gas from Work Number 1B [AD plant] [now Requirement 25]** "27.—(1) Prior to the date of final commissioning, the undertaker must submit to the relevant planning authority for its approval a report ("the Anaerobic Digestion review") on the potential use of the compost material and gas produced from Work Number 1B.	The proposed Requirement 27 states that the requirement to review outlets for gas only exists for the first review i.e. 12 months after commissioning (subsection 6). This is considered unacceptable. In relation to point (4), relating to the interval at which an Anaerobic Digestion review is undertaken, the GLA considers that a review period of five years is insufficiently frequent. Much of the environmental benefit associated with anaerobic digestion is associated with the use of compost output (digestate) on land, and this benefit is lost if outputs are disposed by incineration or landfill. In the event that compost outputs are not used beneficially on land, the GLA considers that the anaerobic digester will not in fact be	26.1 The review outlets for gas only exists for the first review as this is a binary decision, where the plant will either be built as a CHP engine or for the gas to grid injection. The Applicant will not be constructing both and therefore a review of the outlets is not necessary. 26.2 The Applicant is content with the Anaerobic Digestion review to be prior to the date of final commissioning. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 26.3 The Applicant is content with the insertion of "*including measures to ensure that the quality of*

	(2) The Anaerobic Digestion review must— (a) consider the technically feasible and commercially viable opportunities that reasonably exist for the export of the compost material produced from Work Number 1B for use as a fertiliser; (b) consider the technically feasible and commercially viable opportunities that reasonably exist for the export of the gas produced from Work Number 1B to the gas grid network; and (c) identify any technically feasible and commercially viable actions that the undertaker can reasonably carry out in order to progress the identified opportunities together with the timescales of such actions, including measures to ensure that the quality of the compost material and gas is optimised to the prevailing technical standards to allow beneficial use. (3) The undertaker must carry out any identified technically feasible and commercially viable actions within the timescales specified in the approved Anaerobic Digestion review. (4) On each date during the	genuinely 'recycling' food waste process (and therefore a key benefit claimed by the Applicant will not occur). Under current DCO wording, circa 100,000 tonnes of compost output could potentially be lost to incineration or landfill over a five year period. If the claimed benefits of the REP anaerobic digestor are to be realised, it is essential that the Applicant works on a continuing basis to secure outlets for use of compost output on land. An annual report to the relevant local planning authority is therefore considered appropriate to demonstrate commitment to achieving recycling of the AD output. The GLA would wish reviews for both gas and compost to be undertaken on an annual basis. As with Requirement 26, we accept that subsequent reviews could be in the form of an update of the previous review and therefore more 'light-touch'. The GLA has expressed its concern in previous submissions, not only that the REP needs to show full commitment to obtaining the recycling benefit from the Anaerobic Digestion plant, but also that the burning of gas and digestate on site is unacceptable.	*the compost material and gas is optimised to the prevailing technical standards to allow beneficial use*" in (2)(c). This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 26.4 The Applicant is content to amend the Requirement to require the review to be undertaken for the Anaerobic Digestion facility every two years. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a and aligns with LBB's request at Deadline 7.In addition, following the export of compost material, rather than ceasing the review of market opportunities, the Applicant remains under a duty to continue to review opportunities, with the review to be carried out every three years. 26.5 **Following the ISH on the dDCO held on 19 September 2019, the GLA and the Applicant are in AGREEMENT over the Requirement except that the GLA's position is the review should be annual rather than every two years.**

	operational period of Work Number 1B that is one year after the date on which it last submitted the Anaerobic Digestion review or a revised Anaerobic Digestion review to the relevant planning authority, the undertaker must submit to the relevant planning authority for its approval a revised Anaerobic Digestion review. (5) Sub–paragraphs (2) and (3) apply in relation to a revised Anaerobic Digestion review submitted under sub-paragraph (4) in the same way as they apply in relation to the Anaerobic Digestion review submitted under sub- paragraph (1).		
27.	**New Requirement 27: use of compost material and gas from Work Number 1B [AD plant] [now Requirement 25]** Deletion of sub-paragraph (6)	Deletion of (6) – "The undertaker is only required to consider the technically feasible and commercially viable opportunities that reasonably exist for the export of the gas produced from Work Number 1B to the gas grid network in the first Anaerobic Digestion review submitted on the date that is 12 months after the date of final commissioning."	27.1 The Applicant is only required to undertake the review of export of gas once and then no further review is required. This position remains, as it is a binary investment decision that the Applicant will need to make prior to commissioning as to whether it is operated as gas to grid or, if gas to grid is not technically and commercially viable, deploy the CHP engine to generate renewable heat and power. There is no policy justification for preventing the Applicant from operating CHP given the **Anaerobic Digestion Mitigation Note (REP4- 021** concludes that with the emission limits secured in Requirement 16, there are no significant adverse effects. Therefore this sub-paragraph has not been deleted. 27.2 **Following the ISH on the dDCO held on 19 September 2019, the GLA and the Applicant are**

			in AGREEMENT over the Requirement except that the GLA's position is the review should be annual rather than every two years.
28.	**New Requirement 27: use of compost material and gas from Work Number 1B [AD plant] [now Requirement 25]** Insertion of sub-paragraphs (7), (8) and (9)	GLA at Deadline 7a proposed the following amendments: "(7) In the event that the Anaerobic Digestion review or any revised Anaerobic Digestion review demonstrates that the export of compost material or gas produced from Work Number 1B is technically feasible and commercially viable and identifies the technically feasible and commercially viable options for the undertaker to carry out, the undertaker is not required to carry out any further Anaerobic Digestion reviews. (8) Compost material produced from Work 1B must be used for compost where it meets the necessary quality standards and where a technically feasible and commercially viable market exists. (9) Gas produced from Work 1B must be used heating or as a vehicle fuel where it meets the necessary quality standards and where a technically feasible and commercially viable market exists."	28.1 As the requirement is currently drafted, the Applicant is only required to undertake the review of export of gas once and then no further review is required. This position remains, as it is a binary investment decision that the Applicant will need to make prior to commissioning as to whether it is operated as gas to grid or, if gas to grid is not technically and commercially viable, deploy the CHP engine to generate renewable heat and power. There is no policy justification for preventing the Applicant from operating CHP given the **Anaerobic Digestion Mitigation Note (REP4-021**concludes that with the emission limits secured in Requirement 16,, there are no significant adverse effects. Regarding the compost material, the Applicant will undertake reviews every two years and then following the export of compost material, rather than ceasing the review of market opportunities, the Applicant remains under a duty to continue to review opportunities, with the review to be carried out every three years 28.2 The Applicant is content with the insertion of sub-paragraphs (8) and (9). However (9) includes "electricity generation", which the GLA at the ISH agreed should be included. This is reflected in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. 28.3 **Following the ISH on the dDCO held on 19 September 2019, the GLA and the Applicant are in AGREEMENT over the Requirement except that the GLA's position is the review should be**

			annual rather than every two years.
29.	**Waste tonnage cap**	GLA agrees with LBB's position that inclusion of a maximum waste throughput is required to ensure that the operation of the development does not exceed the basis of the assessment presented in the ES. The GLA consider the inclusion of this maximum waste throughput is necessary to ensure that the operation of the development does not exceed the basis of the climate change assessment presented in the Applicant's Carbon Assessment (document 8.02.08 submitted at Deadline 2). The Carbon Assessment does not include the climate change impact of the proposed ERF managing any more than 655,000 tonnes per year. The maximum throughout is also considered necessary and effective to minimise the amount of waste managed at the ERF that could otherwise be recycled, and to minimise the likelihood of surplus incineration capacity. The GLA has set out in its Representations to the ExA, namely its Local Impact Report and Written Representation submitted at Deadline 2 that London does not need any further energy from waste capacity and is facing a 300,000 tonne per annum energy from waste surplus by 2030. GLA considers that the amendments placing a cap on waste imports are required to ensure that the development remains a strategic facility for London as advocated by the Applicant, and that it will support the achievement of the Mayor's 100% net waste self-sufficiency target by 2026. The proposed cap is set at 15 per cent of the nominal tonnage to be managed at the ERF. This requirement	29.1 The Applicant is content to include an overall tonnage cap in the **dDCO (3.1, Rev 4)** submitted at Deadline 8a. However, the Applicant strongly disagrees with the 655,000 figure proposed by GLA, as stated in reference 1 above. 29.2 The Applicant does not agree with the additional requirement restricting the amount of waste imports from outside London. As set out in **The Project and its Benefits Report (7.2, APP-103)** and the **Supplementary Report to the Project and its Benefits Report (7.2.1, REP2-045)** there is a need for the Proposed Development in London and the regions surrounding London. Given the national infrastructure nature of REP, its strategic location on the River and in light of the cap proposed in Requirement 14, there is a clear emphasis on the river which justifies why there should not be a regional cap.

		matches that in the RRRF planning permission.	