



# COMHAIRLE NAN EILEAN SIAR

Balivanich, Isle of Benbecula HS7 5LA

Bail' a'Mhanaich, Beinn na Faoghla HS7 5LA

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████████████████████  
Permitting Service  
SEPA

Telephone direct line : ██████████  
e-mail : ██████████@cne-siar.gov.uk  
Writer : ██████████  
Our reference : 22/00165/CONSEP  
Your reference : PPC/A/5001983  
Date : 3 May 2022

By email to: [registry@sepa.org.uk](mailto:registry@sepa.org.uk)

Dear ██████████

## WHITESHORE COCKLES: CONSULTATION RESPONSE TO PART A PPC PERMIT APPLICATION

Thank you for the opportunity to comment on the Part A Pollution Prevention and Control application submitted by Whiteshore Cockles.

It is noted that in the application submissions (IPPC Technical Report Supporting Document) Table 1 on page 7 refers to the storage, handling and dispatch of by-products and waste as a directly associated activity. However, in column 3 of the table, which identifies the details of the activity, the removal of effluent and wastewater from the facility by tanker is not detailed, nor is the subsequent intended disposal of those waste products to land and to AD plant elsewhere.

Reference is made throughout the report to the island's (North Uist) wastewater treatment works. Beyond small package treatment works serving a small number of houses, no such treatment works exist and the location of the intended site for the disposal and treatment of wastewater (human waste) is queried. It is also questioned whether Scottish Water have indicated that sufficient capacity exists at an identified suitable wastewater treatment facility, through their PDE process, and whether written agreement has been provided by Scottish Water and SEPA to such an approach?

It should be noted that details of the intended surface water drainage for the site have been requested, as part of the planning conditions discharge process. Given the nature of the process, it is considered necessary for these details to be provided at this stage, prior to the operation of the facility.

In terms of Appendix 6 (the Blackwell Water Consultancy Ltd Technical Report for treating fish rendering effluent), it is noted that removing effluent by tanker is not recommended to be considered further, due to it being highly expensive and onerous. However, the removal of effluent by tanker formed part of the details recently submitted by the applicant in respect of discharging the conditions applied to one of the recent planning permissions for the facility (Ref 20/00007/PPD).

It did not, however, form part of the application proposals that were the subject of that planning permission, or the permission reference 19/00288/PPD. These applications indicated an intention to dispose of effluent to sea, which would be controlled by a Marine Licence. As a result, the applications were screened for EIA and assessed under the HRA regime on the basis of materially different impacts to those currently proposed.

Further information in this regard has been requested from the applicant and none of the planning permission conditions has been discharged, to date. A copy of the planning authority's response to the applicant has previously been provided to SEPA. It remains unclear at this stage whether the relevant conditions of the planning permissions will be able to be discharged as requested. As these are suspensive conditions, this calls into question whether the planning permissions previously granted will be able to be implemented.

The information provided within Appendix 7 (the [REDACTED] report) focusses on the potential for agricultural benefit to Vallay by the proposed discharge to land of some 25% of the condensate from the proposed facility. However, overall and given the conclusion within the report, it is not clear that the potential environmental impacts have been appropriately assessed.

The report highlights the potential for impact pathways to lead to significant effects on the qualifying habitats of the SAC, the qualifying species of the SPA, and the features of the SSSI. Consequently, the planning authority expresses strong concerns about such an approach and would query whether consent from NatureScot has been sought and obtained, or confirmation received that consent is not necessary. It is noted that the final row of Table 17 'Risk Mitigation and Score' of the application Technical Report does not consider the potential impact on these sensitive sites.

It is also queried whether the odour impact reasonably likely to result from the proposed disposal of 25% of the effluent to Vallay has been adequately assessed? The [REDACTED] report (Appendix 13) focusses on odour impact from the plant itself, with the subsequent method of waste disposal to land only considered briefly. However, Appendix 7 notes that, in respect of the character of the odour, processes involving septic effluent are considered to be the most offensive. The comparison of the resulting odour to that of seaweed is also queried. Whilst seaweed has a distinctive odour, there is no substantive evidence within the report of the current extent of seaweed fertilisation on Vallay, or a robust comparison with the likely resulting odour from the application proposals.

The limitations on the potential for this means of disposal to be feasible on the site identified, including for reasons of soil depth, amongst other reasons, are also of concern. The crop requirement for proposed treatment is also queried. It is noted that the Executive Summary of the report concludes that, under a next phase of the investigation, further consideration may be given to alternative sites and crops for agricultural benefit assessment.

It is therefore considered that further assessment should be undertaken to establish whether the proposed means of waste disposal to land is sustainable in this location in the long term and what impacts are likely to result to ecological features and nearby sensitive receptors. It is considered that any 'agricultural benefit assessment' should be undertaken by persons qualified in that science and the timing of that assessment should be established prior to it being undertaken.

The figures given within the Blackwell report are such that the removal of effluent by tanker option is considered unlikely to be financially viable for the facility. There would therefore appear to be a disconnect between the recommendations within the supporting documentation and the proposed course of action. This raises some serious concerns about whether the preferred effluent disposal system (with 75% of the total effluent removed by tanker for treatment at an AD plant on the mainland) would be sustainable in the long term and, if not, what the resulting outcome may be, particularly given the history and continued use of the wider site for waste disposal.

In addition to the above, it is considered that the removal of all effluent and wastewater from the site (with the exception of wash down water) would result in significantly greater volumes of HGV movements to and from the site than previously indicated. It is anticipated that a typical processing of 150 tonnes of fish morts per week would result in 97,500 litres of condensate being produced. The on-site condensate storage capacity is intended to be 50,000 litres. Removal from the site is stated to be in 25,000 litres tanker loads.

This would therefore appear to require 4 tanker loads of condensate removed per week, with storage capacity on site for only half a week's typical production. In addition, the removal of fish oil would also be regularly required, with sufficient storage capacity on site for 10 days production. Notwithstanding the conditions imposed on the planning permissions, it is considered that the level and type of traffic generation could result in detriment to the amenity of nearby residential occupiers.

Furthermore, in addition to the concerns raised above concerning the viability of such a waste disposal regime and the feasibility of disposing of 25% of this waste by disposal to land in Vallay, it is also queried whether consideration has been given to the practicalities of removing this quantity of waste product from North Uist on a weekly basis? Restrictions on ferry capacity, particularly during busy summer months, can limit availability, as can technical faults or weather conditions, which regularly results in the cancellation of services at other times of the year. Consequently, it is questioned whether the condensate (and fish oil) storage capacity on site would be sufficient, given the intended method of removal and disposal.

The process whereby non-conforming loads of fish would be removed from the site is queried. The supporting report does not make clear where quarantined loads would be stored prior to removal from site or the length of time the loads would be anticipated to remain on site before removal. Nor is the end location of the quarantined loads provided, or the method proposed to be used to transfer the loads out from the reception pit, if intercepted during unloading. In the absence of details to the contrary, this aspect of the proposal would appear to have the potential to result in unacceptable odour emissions.

The location of the intended disposal facility for the resulting bottom ash from the boiler/incinerator is also queried. This does not appear to have been provided and the waste concerned is not identified in Table 15 – Waste streams within the Technical Report.

The planning authority has no comments to make on the competency or otherwise of the proposed operator, apart to note that this is a novel process and it is hoped that a suitable level of skill and expertise would be expected to be demonstrated by the permit operator, in order for SEPA to be satisfied that they are technically competent.

We have no comments to make in respect of the noise impact assessment, except to note that the provision of a noise barrier (identified as a potential BAT in section 4 of the Atmos Consulting report) along the north western edge of the boundary of a minimum of 2.8m in height would require planning permission and did not form part of either of the recently approved schemes. Whilst this could be the subject of a separate application, given the topography of the site and the local climatic conditions, it is considered unlikely that such a barrier (a close-boarded fence was suggested within the report) would represent an effective means of mitigation in the longer term.

In summary, the planning authority object to the proposed means of disposal of effluent and wastewater from the proposed facility as proposed, pending receipt of the points of clarification/further information, for the reasons given above.

Yours sincerely

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Communities Department