

Summary of the detailed minutes of the meeting chaired by Jane Hutt between DIAG and NRW on May 8th 2017.

The minutes and the appendices run to 51 pages, all densely packed with information, much of it scientific. It is clear that the DIAG representatives had done a superb amount of preparation for the meeting with Natural Resources Wales and that they had succeeded in educating NRW in order to help them understand not only the concerns and growing fears of people in Barry, but also the sloppiness of the Biomass application.

DIAG asked questions about the following areas, for which DIAG experts had prepared and presented compelling evidence for NRW to consider:

- The flawed meteorological data from Rhoose airport used by the Applicant to justify false assurances regarding how the wind direction would affect the local area.
- Impact on health, particularly the young, the elderly and those vulnerable with issues such as asthma and COPD.
- Unknown impact on the unborn and new born babies.
- Air quality.
- Fire risk.
- Evacuation of the area in the event of a serious incident, such as are regularly seen around the country at other incinerator plants.
- Noise pollution.
- Impact upon local businesses and the increased risk of fire considering the many local businesses which deal with flammable materials nearby.
- Impact upon housing, particularly new developments on the Waterfront.
- Impact upon tourism, with the reputation of Barry as a polluted town causing day trippers to go elsewhere.
- Impact upon future development plans in Barry for tourism, e.g. the future of the Barry Graving Dock as a Country Park (as set out in the Vale of Glamorgan LDP).

DIAG asked for clarification of the use of the term “receptors” in the Application. It was pointed out that “receptors” actually means:

- Human health receptors
- Hospitals
- Schools
- Private residences
- Places where public exposure is likely, e.g. public parks
- Ecosystems receptors

NRW did say at this point that they were not happy with the “rough modelling” in the Biomass application. NRW to ask for maximum readings and that all schools must be included.

There are several points in the meeting, following compelling evidence given by DIAG about serious flaws in the Biomass application, where Diag formally pose the question: ***should the application be refused at this stage?***

NRW explained that they cannot reject the application out of hand as they have a duty as a Regulatory Body to be reasonable under the Regulator’s Code. NRW also explained that if they were to reject the application in its entirety at this stage, the applicant has the right of appeal and NRW

would be unlikely to be successful against such an appeal, which would be a waste of time and public money.

This is why a Schedule 5 Notice is being issued to the Applicant (Biomass) to give them the opportunity to respond to questions and concerns. Dr Ji Ping Shi, Air Quality Modelling / Risk Assessment Team Leader from NRW confirmed that the Schedule 5 notice actually posed questions to the Applicant ***which are more searching than the Capita Report, including requirements for additional modelling to be undertaken.***

Once the response to the Schedule 5 notice is received, NRW will invite interested parties to respond within a fresh 28 day window. This will include, specifically:

- Cardiff and Vale University Health Board
- Public Health Wales
- DIAG

This outcome represents a significant positive result for DIAG as it shows that NRW is listening to us and have taken note of the Capita Report, the expertise in DIAG and the fears of a rapidly growing section of the town.

DIAG felt that 28 days was not enough time for us to respond to the new application, and gave compelling reasons why this time frame should be extended.

DIAG also reminded NRW that Public Health Wales relies on NRW for their expertise when making decisions.

The meeting was productive and professional. All parties agree that the relationship between DIAG and NRW is now more positive and NRW welcomed the awareness raising that the group had done.

It was agreed that NRW and DIAG would meet again when the company had responded to the Schedule 5 Notice.

Refinements to the modelling grid requested from the applicant will enable NRW to see what the predicted impact is for specific locations / receptors and for areas marked for future housing development close to the proposed Incinerator.