HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	DCS/EH/JPD/110907001	Your Ref:	[As Application No.]
Ext. No:	6677	Date:	07/09/2011

DC Case Officer:
Keith Oliver

Application Number:
APP/11/01469 & APP/11/01470

Site Address:
Amenity Tip & Broadmarsh Salt Barn (Former Havant Incinerator Site, Harts Farm Way, Havant, PO9 1JN

Present Development:
Consultation by Hampshire County Council for construction of the construction of

Proposed Development: Consultation by Hampshire County Council for construction of two new salt storage barns with associated supporting facilities, small office unit, drainage, lighting, landscaping and vehicle parking.

And

Consultation by Hampshire County Council for provision of a new Havant Household Waste Recycling Centre (HWRC) on the former Havant incinerator land, Harts Farm Way, Havant and an access road to the land to the Northwest of the former incinerator land.

Observations / Comments:

I have had opportunity to review the supporting documentation to this application, and would like to provide comments with respect to Ground Condition (Contamination).

Ground Contamination (General)

The supplied intrusive investigation report focuses primarily on geotechnical testing, undertaken for the purpose of informing the design criteria for the HWRC structures. Trial pits were therefore exclusively completed within the proposed HWRC site, and no new sampling has been undertaken within the Southern portion of the site (now referred to as 'Broadmarsh Salt Barn').

As a result of the geotechnical focus of the investigation, both the number and spatial distribution of the samples was of limited scope for a site of this scale and previous use. The environmental sampling suite used was relatively comprehensive however, and does not appear to have identified any concentrations of determinants that would be considered to be significantly elevated for a proposed commercial landuse.

Notably, the investigation has not identified any elevated concentrations of PCB's resulting from the previous use of the site for municipal waste incineration.

The investigation also confirms that the site has been subject to some form of land filling, with thicknesses of made ground being reported up to 2.4m BGL depth, in line with that reported previously. This waste material appears to be largely uncontaminated, however elevated EPH is common to all sample locations, to varying degrees.

The sample analysis suite selected did not include sampling for any of the 17 dioxin congeners known to be toxic to humans, and similarly, no groundwater samples were tested, and no attempt was made to identify groundwater flow direction.

As mentioned in my previous response to the proposals (Development Control Reference GEN/11/00620) the chalk stream present on the adjacent site was considered by the Environment Agency in 2004 to be a sensitive receptor as an basal (aquifer)-fed chalk stream, and this may be considered to be a sensitive controlled water where relevant environmental quality standards (EQS) may apply.

Upon further research, contrary to my previous response, it is now considered likely that the below ground FST referred to is present on the site immediately adjacent to the Eastern boundary of the for incinerator site. It is unclear whether the identified elevated hydrocarbons are a result of mobile contamination migrating on site from outside the curtilage of the incinerator site, or whether the hydrocarbons originate from the subject site in connection with it's current or previous site uses.

Contamination (Specific Determinants)

- Hydrocarbons shown to be elevated as total extractable hydrocarbons. As the sampling suite omitted Speciated results, it is difficult to assess the likely risk to controlled waters (surface water stream), but it is possible that the presented results might represent a theoretical risk.
- BTEX / MTBE Results indicated values < LOD, suggesting possible alternative source of EPH, (i.e. potentially not fuel oils). It is possible that this result indicates the presence of a combustion residue from the Incinerator, or a combustion residue or biological decomposition component of buried organic waste.
- Poly-Aromatic Hydrocarbons shown not to be significantly elevated. PB1 & PB3 samples returned low concentrations corresponding with the lower EPH values for these samples (0.134 mg/kg & 0.229 mg/kg respectively). Max PAH16 recorded at 1.68 mg/kg, not significantly elevated for commercial landuses. B(a)P levels are acceptable for domestic land use w/plant uptake, and again are not considered to be an issue for a commercial landuse from a Human Health perspective.
- PCB's expected to be present, but not identified at concentrations above the Laboratory Limit of Detection.
- Dioxins & Furans not sampled. Dioxins are known to have been present within the vicinity of the site, and known to be persistent within the environment.

Conclusions

As discussed in my response to the GEN/11/00620 application, I accept that the proposals are for a continued commercial use on this site, and as such I am broadly in agreement with the conclusions of the report that the site is unlikely to present a health risk to future site users.

However, there is no confirmation of concentrations of dioxins or furans present within soils at the site, and consequently no quantitative risk assessment. WHO guidelines are for a tolerable daily intake of 2pico-grammes per kilo of body weight per day for the most toxic dioxin congener, amidst a background mean daily intake exceeding this value by an order of magnitude. Uptake & bioaccumulation are known to be efficient by means of ingestion & inhalation, and therefore the Council should be concerned about exposure of future site workers to these compounds, if present.

It is accepted that it is likely that dioxins produced at this site would have been distributed widely via atmospheric emissions, however it is similarly possible that dioxins could be present on site from ash handling or disposal. Given the environmental persistence and potential toxicity of this group, it is considered prudent to sample for dioxins & furans, and undertake a quantitative risk assessment if found to be elevated.

Similarly, in the absence of any speciated hydrocarbon sampling, groundwater monitoring, or groundwater level analysis, it is difficult to assess the potential risk to surface waters. It is considered reasonable to obtain confirmation from the appropriate authority (the Environment Agency) of the perceived sensitivity status of the surface water stream, and undertake sampling and risk assessment as appropriate to address any concerns relating specifically to identified

elevated hydrocarbon concentrations.

I have no objections to the proposed development, however on the basis of the above, and the reasoning presented in my previous response, I would request the following conditions be applied to any outline or detailed consent granted in respect of both of the proposed schemes.

Condition 1

Prior to the commencement of the development approved by this Planning Permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing by the Local Planning Authority.

1. A site investigation scheme based on previous investigation reports, for the purpose of provide informing an appropriate assessment of the risks to all receptors that may be affected, including those off site.

2. The results of the site investigation and risk assessment (1) and if appropriate, a method statement based on these results giving full details of the remediation measures required and how they are to be undertaken.

3. A verification report shall be prepared on completion of the works set out in (2) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting

All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: To prevent site users / employees being exposed to unacceptable risks from potential dioxin contamination; and to mitigate the risks to controlled waters from contamination arising on the site from previous land uses; and having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011)

Condition 2

"If, during development, contamination not previously identified on site is found to be present, no further development shall be undertaken until a report has been submitted to and approved by the Local Planning Authority detailing how that contamination is to be dealt with. Unless otherwise agreed in writing with the Local Planning Authority, all works outlined in the submitted report shall be adhered to."

Reason: To ensure that risks from land contamination to the future users of the land and controlled waters are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers.

Contamination issues should be considered in the context of the proposed SUDS scheme.

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Jonathan Driver Environmental Control Officer