

DR. CAROLINE LUCAS

Green Party
for the South East of England

Commissioner Dimas
DG Environment
The European Commission
200 Rue de la Loi
B1049 Brussels
Belgium

May 4th 2007

Dear Commissioner,

There is currently a petition before the European Parliament concerning the disposal of waste pulverised fuel ash (PFA) at a local beauty spot that falls within my constituency. RWE nPower own and operate Didcot Power Station near Oxford and have been granted planning permission to infill Thrupp Lake with ash from the plant. The proposal has met with strong opposition from local people, who use the lake on a regular basis and are concerned about the environmental impact of allowing waste ash to be disposed of in this way. They have petitioned the Parliament in an attempt to bring a halt to nPower's plans.

To the best of my knowledge, the granting of planning permissions does not breach any existing European legislation. However, it does raise some important environmental issues that I would like to take this opportunity to bring to your attention.

As I am sure you are aware, the risks associated with the landfilling of PFA mean it is banned in many EU countries, as well as in the US. These risks include potential contamination of water supplies with heavy metals (arsenic, cadmium, chromium, vanadium and lead). The Environment Agency has tested water currently discharged from Didcot Power Station, as part of the treatment of PFA destined for other landfill sites, and found heavy metal concentrations at around 0.2mg/l. These concentrations can always be reduced to below maximum permitted levels by dilution but at the expense of consuming more water. NPower gets its water from the nearby reservoir and it is estimated that 10% of the reservoir's capacity is used and contaminated each year. This water is passed into the Thames, where it is subject to bioaccumulation and biomagnification by plants and animals, posing an even greater environmental threat. Although the Environment Agency insists that PFA is non-hazardous, they have imposed certain conditions regards landfilling at the Radley Lakes, to which Thrupp Lake belongs. These include the use of bunded lagoons, which are visually unappealing and undermine the argument that landfilling is a sustainable disposal option for waste ash of this nature.

Given these risks, I am urging the Commission to revisit the legislation that allows pulverised fuel ash to be disposed of in this way. I also believe that consideration should be given to reclassifying PFA as hazardous waste. The Environment Agency clearly recognises that there is the need to prevent eg leaching from the ash and I welcome its efforts to contain any potential environmental threat. However, legislation that acknowledged the hazardous nature of PFA would enable the Environment Agency, and other similar bodies across the EU, to develop far better systems to protect against the risks. Please can you advise on whether or not the Commission has any plans to look at this issue?

RWE nPower operate across the EU, yet seem to employ very different practises in the UK compared to eg Germany when it comes to the management of PFA. I am advised that in Germany the company recycles the majority of the waste ash generated from its power plants, and undertakes the costly task of splitting the ash into its constituent elements in order to maximise the financial and environmental benefits of such an approach. If this process is not carried out, I understand that there is very little demand for PFA as a product. However, the components have considerable value in the construction industry and in Germany national policy encourages this kind of recycling. In the UK, on the other hand, taking the ash off site for recycling is more costly than landfilling and requires Waste Management Licenses and Waste Transportation Licenses. Clearly this does not serve the EU's goal of reducing the amount of waste that is

Suite 58, The Hop Exchange, 24 Southwark Street, London SE1 1TY, UK
Tel: 020 7407 6281 Fax: 020 7234 0183 E-mail: carolinelucas@greenmeps.org.uk
Web: www.carolinelucasmep.org.uk

sent to landfill and, in this instance, sends a signal that utilities companies are exempt from obligations to operate more sustainably.

I understand that the UK's Secretary of State, the Rt Hon David Milliband MP, has himself expressed an interest in the recycling of PFA using technology known as Rocktron. Yet, it would appear that the current regulatory framework still does not require companies such as nPower in the UK to commit to sustainable waste management. Whilst European legislation delivers increasing environmental protection, it appears that companies such as nPower are abusing varying national regulations to undermine the ultimate goal of sustainability. I believe the Commission has a role to play in preventing this and ensuring that the best environmental protection possible is delivered across member states. I would welcome your thoughts on how the Commission can tackle this problem.

Finally, any pressure that the Commission can bring to bear on the UK government or on RWE nPower to prevent Thrupp Lake and the local area being blighted in this way would, of course, be very welcome.

Yours sincerely,

A handwritten signature in black ink that reads "Caroline Lucas". The signature is written in a cursive, flowing style.

Caroline Lucas - Green Party MEP for South East England.