

## Planning Inquiry Meeting BEC

- Dr Hon Kit Chow
- MB BCh 1982
- FRCR, FFR RCS(Irel) 1989
- Consultant Radiologist 1993

## Planning Inquiry Meeting BEC

### MOTIVE:

- I will use treatments for the benefit of the ill in accordance with my ability and my judgment, but from what is to their harm and injustice I will keep them

- Hippocratic Oath

## HIPPOCRATIC OATH, MODERN VERSION

- I will prevent disease whenever I can, for prevention is preferable to cure.
- I will remember that I remain a member of society, with special obligations to all my fellow human beings, those sound of mind and body as well as the infirm.

## BEC

### Health Issues of BEC system

#### System of Process

- Waste
- Thermal Treatment
- Gasification
- Combustion

## System of Process

- Chemistry:
  - Raw Material  
(Molecules & Atoms)
  - Oxidation to recover energy  
(Mainly Carbon & hydrogen)
  - Residual Waste material  
(Modified Molecules & Atoms minus Carbon & hydrogen)

## Planning & Health Issues

- Section 7.64 of Waste Core Strategy of Nottinghamshire County Council (adopted Dec 2013) states "The factors that are likely to affect health such as air, water and soil quality can only be assessed properly at the application stage."

## Modified Molecules & Atoms minus Carbon & hydrogen

- Fundamental Principle Science:
  - Atoms cannot be destroyed.
- Science of Dispersion:
  - Air is 1000 times more efficient than via water.
- Health Concern:
  - Public Health England.

## Planning & Health Issues

- National Planning Policy for Waste.
- "When determining waste planning applications, waste planning authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced."
- Issues of:
  - Delegation
  - Assumption

## Planning & Health Issues

### Assumption:

- "the relevant pollution control regime will be properly applied and enforced".
- Assumption can only be made with known process backup with historical data. BEC is a new innovative Design with many new processes with unknown health effect.
  - What kind of pollution is being produced?
  - How are we to regulate the unknown pollutant?
  - Where are the heavy metals?
- Legal presumption apply to BEC?

## Planning & Health Issues

### Delegation:

- If assumption is not possible, can this planning duty be properly delegated?
  - When determining waste planning applications, waste planning authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities.
  - Environment Agency is a regulatory & enforcement Authority.
- Legal duty of Proper Delegation.

## Lesson Learnt?

- 4.3.4\* Dr Chow appears to be comparing the regulated discharge of a small amount of treated effluent into a regulated sewage treatment system with the discharge of untreated mining waste from a large zinc mine in Japan into a river for over fifty years in the first half of the 20th century, with the river water being used directly for irrigation. This is simply not a reasonable comparison to make.
- This is perfect comparison:
  - A case study of water pollution by Cadmium in Japan took 30 years to detect, 67 years to prove and obtain legal compensation.
  - Illustrates the effects of Unknown cumulative pollution

\* Proof of Evidence of Stephen O'Brien

## Lessons Ignored?

- BBC report 14<sup>th</sup> April 2014 on China:
- Almost a fifth of China's soil is contaminated, an official study released by the government has shown.
- Conducted between 2005-2013, it found that 16.1% of China's soil and 19.4% of its arable land showed contamination.
- Cadmium, Nickel and arsenic (cumulative pollutants)

### Eaking ( Nottinghamshire )



Britain's first commercial Oil Well.  
Spudded on the 26th March 1939 and found oil at 1978 feet.  
Picture taken in June 1964 when the well was still producing. In 1964 the  
Eaking Oil field had produced more than 47million barrels of oil, before any  
North Sea Oil had been discovered.

### Eaking (Nottinghamshire)

