

# CONCH : Communities Opposed to New Coal at Hunterston

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## **Re Ayrshire power application for coal power station at Hunterston under s36 Electricity Act.**

We are writing on behalf of CONCH to formally object to the proposed coal (multi-fuel) power station at Hunterston and ask that the Scottish Government reject outright Ayrshire Power Limited's (APL) planning application.

### **ABOUT CONCH**

CONCH, Communities Opposed to New Coal at Hunterston, was formed in July 2009. We are a voluntary, independent, community lead campaign, with no vested commercial interests and no party political affiliations.

CONCH gives a platform for people concerned about the proposed coal station at Hunterston to come together and speak with a stronger voice. CONCH's members primarily come from Largs, Fairlie and West Kilbride, but we have active members and supporters from across Scotland and beyond. In contrast to APL we are not backed by a billionaire tax-exile, do not have massive PR and marketing resources and are reliant entirely on volunteers from within the community to carry out our activities.

CONCH have met regularly over the last 12 months to discuss Ayrshire Power's plans, research their implications and discuss our common concerns. Unlike Ayrshire Power, we have also held two large-scale public meetings. The first was held in July 2009 and saw the launch of our campaign; the second, held in June 2010 was attended by over 160 people and supported by environmental NGOs from across Scotland.

### **OUR OBJECTIONS**

CONCH are calling on the Scottish Government to reject outright Ayrshire Power's planning application. WE OBJECT to these proposals on the following grounds:

#### **Objection 1 Failure to meet requirements to be carbon capture ready**

Since November 2009 any application for a new coal plant in Scotland will need to demonstrate Carbon Capture and Storage on a minimum of 300MW (net) of capacity from their first day of their operation.

Ayrshire Power have failed to properly establish how they will transport or store carbon. At paragraph 4.2.3 of Chapter 4 Project Description APL concede *“the full CCS process is comprised of capture, transportation and storage of CO2...the main focus of the information is upon the equipment associated with the capture of CO2 from the power station flue gas and it’s preparation before transport to the storage location. The remaining elements of the CCS chain are not included either in this chapter or in the Design Concept Report as they will not be located at Hunterston...”*

Their plans are therefore not carbon capture ready and do not satisfy the requirements of *Scottish Government* as set out in *Thermal Power Stations in Scotland : Guidance and Information on Section 36 of Electricity Act (2010)* (hereafter referred to as *Thermal Guidance*).

In particular APL have failed to satisfy the following requirements:

- 4.15 “Applicants are asked to demonstrate that there are no known technical or economic barriers which would prevent the installation and operation of their chosen CCS technologies.”
- 4.16 As part of their application for Section 36 consent applicants will be required to demonstrate:
- that sufficient space is available on or near the site to accommodate carbon capture equipment in the future;
  - the technical feasibility of retrofitting their chosen carbon capture technology;
  - that a suitable area of deep geological storage offshore exists for the storage of captured CO2 from the proposed power station;
  - the technical feasibility of transporting the captured CO2 to the proposed storage area; and
  - the likelihood that it will be economically feasible within the power station’s lifetime, to link it to a full CCS chain, covering retrofitting of capture equipment, transport and storage.

Although APL claim to have spent significant time and resource in the identification of a suitable storage area to accommodate the CO2 captured at the proposed Hunterston power station, they have refused to include these studies as part of the Environmental Statement on the grounds of “commercial sensitivity”. In truth, carbon capture and storage does not yet exist on a commercial scale for a plant of this size and APL claims to the contrary represent the worst type of greenwash.

We refer you to a research paper, published in the *Journal of Petroleum Science and Engineering*, by Christine Ehlig-Economides of Texas A&M University and Michael Economides of the University of Houston. This stated: "our very sobering conclusion is that underground carbon dioxide sequestration via bulk CO2 injection is not feasible at any cost." It also concludes that to use CCS on a commercial scale would, in some cases, require an underground area the "size of a small US state".

APL conclude that storage of CO2 in a depleted oil or gas field in the East Irish Sea is their preferred option, but fall woefully short of showing that there are “no known technical or economic barriers” to this option. Therefore their application should be rejected outright .

## **Objection 2 The application is incomplete and it should not have been allowed through gate-checking**

It is impossible to know the full environmental impact of Ayrshire Power’s proposals when you do not know how in practice the carbon capture and storage elements would work. In effect, the plans are for a normal coal-fired power station with something akin to a giant car park next door where something could be added to capture carbon, if and when it ever becomes technically and economically viable.

APL do not yet know the full environmental impacts of the complete plant, i.e. one with carbon capture infrastructure added – because they do not yet know how to run the full carbon capture process. The absence of detail on carbon capture, makes all of the APL's conclusions with regard to impact on the marine environment, wildlife habitats, noise and air pollution, transport of waste materials and the impact on public health to be mere conjecture.

We understand that SEPA have been asked undertake a separate study assessing APL's carbon capture readiness – yet this report will not be available until at least three months after the public consultation period has closed. This is undemocratic as it allows the public only a partial say on the plans.

Even if Thermal Guidance does countenance a separate Section 36 consent 9 (for further components of CCS) being submitted at a later date, this application should not be allowed to proceed as it stands as it lacks detail, credibility and sufficient information to assess the full environmental impacts.

There are also a wide ranging number of basic errors in the report, some of which are detailed in the following press article

<http://www.guardian.co.uk/environment/2010/jun/08/ayrshire-power-coal-stations-plans>

This application should not have been allowed to proceed past gate-checking process and now it has done so should be rejected outright.

### **Objection 3 Impact on Climate Change**

The Climate Change (Scotland) Act 2009 received Royal Assent on August 4, 2009, Part 1 of the Act, creates the statutory framework for greenhouse gas emissions reductions in Scotland by setting an interim 42 per cent reduction target for 2020, and an 80 per cent reduction target for 2050.

APL make inconsistent claims on what percentage of CO<sub>2</sub> will be captured. They have repeatedly and misleadingly claimed that it will be 25% from start up, but in their non technical summary (page 2) admit that only "...about 15% of the Carbon Dioxide (CO<sub>2</sub>) would be removed from the start of the operations".

In reality they do not know how much carbon they will be able to capture, how long it will take them to do it or how expensive it will be to do so. Nor do they know how much carbon will be emitted by the actual process of trying to capture carbon and what they will do if after trying carbon capture, they realise it simply does not work.

The climate crisis requires urgent action. Climate scientists warn that to avoid the worst effects, global greenhouse gas emissions must peak by 2015 at the latest and then start falling by at least 50% by 2050, compared to 2000 levels.

Coal is the most polluting of all fossil fuels and CCS cannot deliver in time to avoid dangerous climate change. The earliest possibility for deployment of CCS at utility scale is not expected before 2030. To avoid the worst impacts of climate change, global greenhouse gas emissions have to start falling after 2015, just five years away. CCS wastes energy. The technology uses between 10 and 40% of the energy produced by a power station. Wide scale adoption of CCS is expected to erase the efficiency gains of the last 50 years, and increase resource consumption by one third.

Storing carbon underground is risky. Safe and permanent storage of CO<sub>2</sub> cannot be guaranteed. Even very low leakage rates could undermine any climate mitigation efforts. CCS is expensive. It could lead to a doubling of plant costs, and massive electricity price increases. Money spent on CCS will divert investments away from sustainable solutions to climate change. CCS carries significant liability risks. It poses a threat to health, ecosystems and the climate.

Even APL admit (Carbon Capture Ready report page 34, Table 7.1) that due to the need for maintenance and down time, that they will be only able to operate Carbon Capture on the plant 50% of the time before 2020. If consent is granted, it is very likely that we will be left with a normal coal-fired power station; for after years of huge public subsidy carbon capture may well turn out to be a huge white elephant and APL's claims to be able to capture 90% of carbon prove to be a work of science fiction.

To grant permission, or even permission with conditions attached would mean the tearing up of Scotland's Climate Change Act and unprecedented hypocrisy from Scottish Ministers who boast of Scotland being a world leader on climate change.

A "rainbow coalition" of national and international organisations<sup>1</sup> agree with CONCH rather than APL and do not accept APL's claims that their plans are good for the climate.

If the Scottish Government are the slightest bit serious about reducing carbon emissions, they have to reject this planning application.

#### **Objection 4 : There is no need for a new coal-fired power station in Scotland**

Ayrshire Power have failed to establish the need for a new fossil fuel power station. In fact there is now overwhelming evidence to show that there is no impending energy gap in Scotland. APL's report "The case for clean coal" is deeply flawed and contains many misrepresentations as to the true state of energy needs in Scotland and the UK.

We refer you to the following reports for a more accurate representation of Scotland's future energy needs and the potential for meeting our energy requirements through more sustainable sources of energy.

Power of Scotland renewed [http://assets.wwf.org.uk/downloads/powerofscotland\\_renewed.pdf](http://assets.wwf.org.uk/downloads/powerofscotland_renewed.pdf)

The Offshore Valuation, A valuation of the UK's offshore renewable energy resource [http://www.offshorevaluation.org/downloads/offshore\\_valuation\\_full.pdf](http://www.offshorevaluation.org/downloads/offshore_valuation_full.pdf)

CONCH believe that priority should be given to greener and more sustainable forms of energy, rather than dirty coal.

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<sup>1</sup> <http://news.scotsman.com/environment/Axe-coalfired-power-plant-green.6473259.jp> and <http://www.heraldscotland.com/news/transport-environment/rainbow-coalition-prepares-to-fight-against-massive-coal-power-station-at-hunterston-1.1045206> for more details

## **OBJECTION 5 Impact on Health**

APL's plans will have an adverse impact on public health, due to waste products, emissions, noise and air pollution.

APL have used unreliable data and biased computer modeling in order to draw false conclusions. One example of this is in their reliance of meteorological data from Glasgow and Prestwick in their chapter on Air Quality (10.4.23), when anyone living locally can tell you that the weather at Hunterston is often entirely different. They have also failed to take account of the local topography and surrounding high hills, which will have major impact on dispersal of pollutants from the chimney stack.

In short no independent or reliable assessment of the health impacts of Ayrshire Power's plans has been carried out. Their plans for disposing of fly ash and gypsum lack any credibility. CONCH are deeply concerned that these plans will result in large ash lagoons or further infilling of the Clyde with toxic waste materials which will have long term health repercussions for our local communities.

Coal can contain bio-toxic levels of cadmium, lead, chromium, selenium, nickel, vanadium, copper, sulphur and fluorine as well as radioactive elements such as uranium, thorium and radium, amongst others.

For example, teeth and bone fluorosis has been documented in cattle (UK) and humans (China) exposed to the combustion of fluorine-rich coals in power stations. Fluorine is highly phytotoxic, as was demonstrated by its adverse effect on vines downwind of a power station in NSW, Australia.<sup>2</sup>

Radioactive particles have been shown to increase rates of lung cancer and coal dust is of a particle size that is readily inhaled and absorbed into the lungs.

These elements are capable of being taken up by plants and farming animals in toxic levels and thereby enter the food chain of humans. Many of these elements have been implicated in causing cancers, cardiovascular, gastrointestinal and respiratory diseases. Certain heavy metals have been shown to impair immunity, cause both hepatic and renal disorders, be neurotoxic, especially to children, and are implicated in numerous other neurological and neurobehavioural problems, diabetes, bone disorders, blood disorders and general oxidative damage.

Most of the toxic metals exert their effect by being absorbed 'accidentally' or taken up preferentially if the required nutritional minerals (eg. calcium, magnesium, zinc) are in deficit. Similar electrochemical charges and sizes can 'fool' the body's normal mechanisms for metal ion uptake. Once within the body, toxic metals interfere irreversibly with enzyme processes, like ramming a key into a lock that does not fit or block a process outright. The resultant dysfunction or cessation of biochemical processes is thought to account for the disorders that follow.

Alternatively, the body may try to excrete these toxic metals. Arsenic is particularly toxic in this regard because the body's own methylation processes, which it uses to release nutritional metals, actually make the mineral more toxic to human tissue. Excretion of heavy metals, once inhaled, ingested or absorbed by dermal contact is therefore problematic in animal tissue as there are very limited pathways for this to occur, since the body has not adapted over time to deal with such

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<sup>2</sup> see <http://nonewcoal.greens.org.au/coal/toxicity/dust/effects-on-health/coal-is-toxic/> for more information.

toxins. For example, the excretion of cadmium has been linked to hypertension and kidney damage.

Thus the tendency is for heavy metals to be stored in the bones, fatty tissue such as the breast or the prostate or in organs such as the liver and spleen. For example, cadmium has been implicated in prostate cancer as it is known to impair immunity and compete with zinc, required for prostate and immune health amongst its many bio-functions.

Scientists and health professionals are only just beginning to research the effects of low to medium toxic metal exposure on human health from the effects of extracting coal and coal-related sedimentary strata. Safe exposure levels for such metals in the air and drinking water are continually being revised downwards in the US as more light is shed on their deleterious action within the human body. Active and disused mines are proving much of the toxicity data. Children, with their increased needs for minerals are particularly at risk from heavy metal toxicity. Some of these metals, like lead, have half lives in the body of 20 years, which means that their effects will only be truly known over several decades.

Coal does not just contain one harmful material but many. The effect of low dose accumulation of multiple toxic metals in plants, animals and humans is almost certain to exert a compounding of individual harmful effects and cause ultimately a catastrophic breakdown in health to those affected.

The following table provides a useful summary of the **pollutants created by coal-fired power plants and their health impacts.**

Pollutant	What is it?	How is it produced?	Health effects	Most vulnerable populations
Particulate Matter (PM)	A mixture of small solid particles (soot) and tiny sulphuric acid droplets. Small particles are complex and harmful mixtures of sulphur, nitrogen, carbon, acids, metals and airborne toxics.	Directly emitted from coal burning. Formed from SO <sub>2</sub> and NO <sub>x</sub> in the atmosphere.	PM crosses from the lung into the blood stream resulting in inflammation of the cardiac system, a root cause of cardiac disease including heart attack and stroke leading to premature death. PM exposure is also linked to low birth weight, premature birth, chronic airway obstruction and remodelling, and sudden infant death.	Elderly, children, people with asthma.
Ozone	Ozone is a highly corrosive, invisible gas.	Ozone is formed when nitrogen oxides (NO <sub>x</sub> ) react with other pollutants in the presence of sunlight.	Rapid shallow breathing, airway irritation, coughing, wheezing, shortness of breath. Makes asthma worse. May be related to premature birth, cardiac birth defects, low birth weight and stunted lung growth.	Children, elderly, people with asthma or other respiratory disease. People who exercise outdoors.
Sulphur Dioxide (SO <sub>2</sub> )	SO <sub>2</sub> is a highly corrosive, invisible gas. Sulphur occurs naturally in coal.	SO <sub>2</sub> is formed in the gases when coal is burned. It is also produced from diesel fuel combustion. SO <sub>2</sub> reacts in the air to form sulphuric acid, sulphates, and in combination with NO <sub>x</sub> , acidic particles.	Coughing, wheezing, shortness of breath, nasal congestion and inflammation. Makes asthma worse. SO <sub>2</sub> gas can de-stabilize heart rhythms. Low birth weight, increased risk of infant death.	Children and adults with asthma or other respiratory disease.
Nitrogen Oxides	A family of chemical compounds including	NO <sub>x</sub> is formed when coal is burned. In the	NO <sub>x</sub> decreases lung function and is associated	Elderly, children, people with asthma.

(NO <sub>x</sub> )	nitrogen oxide and nitrogen dioxide. Nitrogen occurs naturally in coal.	atmosphere it can convert to nitrates and form fine acidic particles. Reacts in the presence of sunlight to form ozone smog.	with respiratory disease in children. Converts to ozone and acidic PM particles in the atmosphere.	
Mercury	A metal that occurs naturally in coal.	Mercury is released when coal is burned.	Developmental effects in babies that are born to mothers who ate contaminated fish while pregnant. Poor performance on tests of the nervous system and learning. In adults may affect blood pressure regulation and heart rate.	Fetuses and children are directly at risk. Pregnant women, children and women of childbearing age need to avoid mercury exposure.
Carbon Dioxide	Coal has the highest carbon content of any fossil fuel.	Carbon dioxide is formed when coal is burned.	Indirect health effects may be associated with climate change including the spread of infectious disease, higher atmospheric ozone levels and increased heat and cold-related illnesses.	People of color, children, people with asthma.

Table sourced from: Schneider, G.C.(2004) *Dirty Air, Dirty Power; Mortality and Health Damage Due to Air Pollution from Power Plants*. Clean Air Task Force.

Other evidence ignored by APL includes:

Physicians for Social Responsibility has released a groundbreaking medical report, “Coal’s Assault on Human Health,” which takes a new look at the devastating impacts of coal on the human body. Coal combustion releases mercury, particulate matter, nitrogen oxides, sulfur dioxide, and dozens of other substances known to be hazardous to human health. This report looks at the cumulative harm inflicted by those pollutants on three major body organ systems: the respiratory system, the cardiovascular system, and the nervous system. The report also considers coal’s contribution to global warming, and the health implications of global warming. <http://www.psr.org/resources/coal-assault-on-human-health.html>

A recent Observer investigation that uncovered a link between a dramatic rise in birth defects in the Punjab and pollution from coal-fired power stations. <http://www.guardian.co.uk/world/2009/aug/30/india-punjab-children-uranium-pollution>

Closure of Coal-Burning Power Plant in China Directly Linked to Improved Cognitive Development in Children <http://www.mailman.columbia.edu/news/article?article=651>

Hunter Valley Research Foundation’s 2008/09 report (Australia) into Newcastle and The Hunter reveals an increased mortality; decreased life expectancy; increased rates of lung, skin and colorectal cancer; and increased rates of death from breast, cervical and prostate cancer when compared to the rest of New South Wales in general. <http://nonewcoal.greens.org.au/coal/toxicity/heavy-metals/coal-is-not-clean-and-never-will-be>

### **OBJECTION 6 Noise Pollution**

CONCH are not satisfied by APL’s claims that there will be no adverse impacts in relation to noise pollution. Noise will result at all stages of the site’s construction and operation, for example from the constant turning of the coal to stop it combusting, the moving of trains along the sidings (both at night and day) and the transport of waste ash off site.

In their Noise Assessment APL concede at table 9.10 that there will be major and significant impact from noise, when the development is completed and also significant and major noise impact from the cumulative or combined elements of the plans. However they claim that an “*operational noise mitigation scheme*” will “*be developed at detailed design stage to ensure the likelihood of complaints is no higher than ‘marginal’*”.

CONCH do not believe that APL can mitigate noise to acceptable levels and believe that their plans will have significant and devastating impact on the well-being of the local community due to noise pollution.

APL also have yet to properly assess any additional noise pollution caused by introducing carbon capture technology.

### **OBECTION 7 Impact on Wildlife Habitats and Local Ecology**

APL’s plans will lead to the certain destruction of a significant part of the Portencross Coast Site of Special Scientific Interest (SSSI) which has nationally important eelgrass beds and the best intertidal mudflats for feeding wildfowl and waders on the Ayrshire coast.

The Portencross SSSI is an essential staging post for migrating birds and, if part of it is lost to development, this will put extra pressure on the birds that use it as they will have to look elsewhere for suitable stopping off points. The site is also important for other wildlife including otter, the nationally scarce plant seaside centaury, and a type of cuckoo bee which is rare in Scotland.

Many key bird species, including oystercatcher, ringed plover, shelduck and greenshank, are reliant on the abundant food sources found within the intertidal mudflats of the SSSI. Nationally, this is a scarce type of habitat as most of Scotland’s coastline is rocky, with only about 10% being made up of sandy beaches and mudflats. Nationally protected sites such as this make a vital contribution to conserving Scotland’s biodiversity and their protected status should be honoured.

The plans will also have an adverse impact on the SSSI and Special Protection area of Renfrewshire Heights. This area, located north of Lochwinnoch is of national and international importance for its populations of breeding hen harriers.

The implications for wildlife/ecology of infilling part of Southannan Sands to form a new land platform and of increasing water temperature (through thermal discharge) by up to 10°C are terrifying. We refer you to <http://news.scotsman.com/scotland/Power-plan-to-heat-seawater.6460411.jp> for more details.

Section 1 of the Nature Conservation (Scotland) Act 2004 places a duty on every public body and office-holder to further the conservation of biodiversity. CONCH believes the Scottish Government will be in breach of the 2004 Act if it gives the go-ahead to the Hunterston development as it will effectively destroy an important part of the Portencross SSSI. Nationally protected sites such as this, by their very nature, make a vital contribution to conserving Scotland’s overall biodiversity.

A host of wildlife and environmental groups share our concerns about APL’s proposals. We refer you to the representations made by the likes of RSPB, Scottish Wildlife Trust, Clyde Muirshiel Regional Park, Ayrshire Rivers Trust, Friends of Earth Scotland Scotland, WWF for more detailed analysis of the impact of APL’s plans on wildlife, marine ecology and our wider ecosystems.

### **OBJECTION 7 Impact on local Economy**

Only 160 permanent jobs will be created. The visual impact of the plant (including its 155m high stack) combined with massive levels of noise and dust pollution will have a devastating impact on a local economy which is heavily reliant on tourism. Many more jobs will be lost than created in the long term.

The plans will deter day visitors, sailors, walkers, cyclists and holiday makers upon whom the economies of Largs, Millport, Fairlie and West Kilbride are all reliant. The coal station will destroy an area of scenic beauty for generations to come. APL's claims that the coal station will not have an adverse impact on tourism are risible.

### **OBJECTION 8 Local Infrastructure Cannot Cope**

Ayrshire Power's claims that no upgrades will be required for either road or rail are not plausible. The local infrastructure cannot cope with a plant of this size being built or for the need to transport 860,000 tonnes of ash/gypsum off site each year. There are many flaws in the calculations used by APL to assess impact on traffic, for example they take no account that rail wagons would have to return to the plant empty; the delays already endured by commuters on the Largs to Glasgow railway line when coal trains come out from Clydeport at inconvenient times and the heavy congestion and high frequency fatal road crashes already occurring on the A78. Nor do APL's plans properly explain how the existing jetty will cope with all the extra ships arriving to deliver coal.

### **OBJECTION 9 Human Rights Abuses**

As you drive into Fairlie, you are greeted with "Welcome to Fairlie, Scotland's first fair-trade village" signs. If APL got their way then those signs would have to be taken down and Fairlie would become a village known more for its unwitting support for human rights abuses than its proud commitment towards fair-trade.

APL's plans will increase the amount of coal (4.6M tonnes pa) imported from countries such as Colombia where miners and communities suffer from human rights abuses and exploitation. APL's website <http://www.ayrshirepower.co.uk/enquiries/faqs> has confirmed that "the coal would come from international sources such as Australia, South Africa or South America by ship" and para 4.6.14 of their Project Description specifically mentions Columbia as being one of the countries from where coal will be shipped in.

In April 2010 CONCH held a meeting at which a guest speaker explained to us the terrible human rights abuses occurring in Colombia. This is what she told us:

*"Thank you for inviting me to your meeting last week. I found the conversations really great. Just last year it was revealed that Colombian state-sponsored death squads has used ovens to burn traces of people they had killed in the Catatumbo region. The death squads were sent in to terrorise the people into submission allowing the Colombian state and Multinationals access to the natural resources , primarily coal, palm oil and oil. Arriving into West Kilbride on the train and seeing the coal infrastructure already there I was struck with the horrific irony that Catatumbo coal, got out of the ground by literally burning bodies, could potentially be burnt at the proposed coal fired power station. Later that evening at the CONCH meeting, I was struck again, this time positively, by the humanity of you who were present as you saw the connections between the violence in Colombia, the determination of Colombians there to keep fighting to protect their communities and futures, and the need to connect these dots and many more to oppose the*

*destructive fossil fuel energy economy. So thank you CONCH for strengthening my, and many Colombians', faith in humanity."*

Colombia's coal mines are filled with stories of displacement and terror. A number of entire communities in the coalfields have been displaced, including Tabaco, a 700-person Afro-Colombian village that was razed in 2001. People living near the coalfields have faced malnutrition, diseases such as ringworm, and restricted access to land since the large mines opened up.

The Drummond Company (operator of la Loma mine) has been the subject of numerous lawsuits regarding the murders of 70 union miners and railroad workers, collectively. The murdered Colombians were killed by the notorious paramilitary group, United Self Defense Forces of Colombia (AUC), which had been hired by Drummond to act as security. In addition to those killed, a lawsuit against Drummond describes "how hundreds of men, women, and children were terrorized in their homes, on their way to and from work... innocent people killed in or near their homes or kidnapped to never to return home, their spouses and children being beaten and tied up, and people being pulled off buses and summarily executed on the spot."

More information about human rights abuses in Colombia can be found at <http://www.southernstudies.org/2009/06/alabama-coal-mining-company-sued-over-slain-colombian-unionists.html>

[http://www.sourcewatch.org/index.php?title=Colombia\\_and\\_coal#Colombian\\_Coal\\_and\\_Human\\_Rights\\_Violations](http://www.sourcewatch.org/index.php?title=Colombia_and_coal#Colombian_Coal_and_Human_Rights_Violations)

[http://www.espacio.org.uk/globalisation/entwined\\_communities.pdf](http://www.espacio.org.uk/globalisation/entwined_communities.pdf)

### **OBJECTION 10 Lack of long term energy security**

APL's plans do not properly address long term energy security issues that will result from being reliant on millions of tonnes of imported coal each year. Indeed at page 16 of their Case for Clean (sic) Coal Generation in Scotland report, they somewhat bizarrely described becoming reliant on imported coal as a good thing, because relying on imported gas has become too risky. They fail to explain why this is the case or mention that the countries who they are concerned about in relation to security of gas supply will be broadly the same ones they will import coal from.

CONCH believe investment should be given to energy that is sustainable, green and secure and APL's plans are none of these.

### **OBJECTION 11 Lack of Consultation**

Ayrshire Power's level of public consultation was totally inadequate and their claims to have consulted widely and be committed to "open and wide community consultation" are simply contemptuous.

APL have consistently and repeatedly refused invitations to take part in public meetings. Page 36 of their non technical summary includes a photograph of a public meeting, but this is not one which occurred in connection with this planning application. This is deliberately misleading.

CONCH invited APL to join a panel of speakers our public meeting on 28.6.10 in West Kilbride and gave them an opportunity to also have an information stall. This meeting was attended by around 160 people. APL advised us that "we do not believe that large public gatherings offer a suitable

forum for a balanced discussion, nor do we believe they will enable true engagement with members of CONCH or of the wider community.“

Instead, in order to “truly engage” with CONCH they offered to meet with us in private and asked that we limit the numbers of people attending to 20 and wanted questions submitted in advance. When we advised APL that we would only be happy to meet in a public and open forum with no strings attached, they refused to do this. Their failure to consult properly has rightly angered many local people and is in breach of guidance contained within Planning Advice Note 81 Community Engagement.

Invitations to public meetings organised by West Kilbride and Largs Community Council were also declined. APL have reneged on assurances given to Kenneth Gibson MSP in March 2010 that they would be holding a public meeting when the plans were lodged.

APL have made themselves available to the public only 7 times. Six of these consultation events took place on week days. The timing of their surgeries made it difficult for people who lived locally, but for example worked in Glasgow to attend. Only three surgeries were held after the plans were lodged and none of these were held in central Largs or West Kilbride.

No direct consultation took place with the public between October 2009 and June 2010 and for the vast bulk of this period APL website was not updated. Distribution of their newsletter was patchy, with a number of people reporting locally that they did not receive them (including ourselves who have not received a single newsletter).

APL's Newsletters breached good practice accessibility guidelines, being printed in a very small and faint font (the Equalities and Human Rights Commission recommend all materials are printed in 14 font arial). No information was provided on how they could be accessed in alternative formats for people with visual impairments.

Many areas of North Ayrshire have had no opportunity to take part in community consultation events. For example APL have held no public consultation events in Skelmorlie, Wemyss Bay, Bute, Arran, Ardrossan, Kilbrinie, Dalry, Saltcoats, Ardrossan or Stevenston.

In addition no opportunity was given to local people to express their views on this development prior to its inclusion in the National Planning Framework, something which came about as a result of direct lobbying of the Scottish Government by Peel/Clydeport.

### **OBJECTION 12 Failure to meet requirements on combined heat and power**

In developing proposals for new thermal generating stations Scottish Government now expects developers to demonstrate that they have seriously considered how waste heat from any thermal station could be utilised for use by local households or industry.

APL's Waste Study states that they might consider in the future the development of a heat network and identify several possible heat clusters, but admit that “capital costs cannot be accurately determined” (page iii). APL are really only at the infancy in their thinking as to what they will do with their waste heat.

Their options lack detail and are not sufficient in scope or scale to deal adequately with the waste heat from a coal station of this size. Therefore they are in breach of Scottish Government's Thermal Guidance requirements:

3.14 In considering the opportunities for utilising waste heat, developers should include information such as site selection. The location of the site will affect whether it is possible to utilise waste heat and this should be taken into consideration with the application. As part of the application the following points should be shown to have been considered;

- If an application considers that heat will not be utilised, then a full assessment as to why utilisation is not feasible should be stated as part of the application.
- an outline of the provisions that will be employed by the developer to ensure that any potential future heat demand could be met by the proposed plant.
- an assessment of any future heat potential in the area which could be met by the proposed plant; and
- a full assessment of why heat utilisation is not feasible.

### **OBJECTION 13 Major Public Safety Concerns**

The proposed development is to be built adjacent to a nuclear power station, on an area of flood risk and due to its coastal location is often exposed to extremely high winds. Inadequate consideration has been given to the major health and safety risks posed by particular setting of this power plant. There are major public health risks from spontaneous combustion of the coal heaps, and from experimenting with compressed carbon right next door to a nuclear power station.

In 1986, 1800 people and 3500 livestock were killed due to an escape of CO<sub>2</sub> from below the floor of Lake Nyos in Cameroon. The village was over 15 miles from the lake. While this was a natural occurrence the amount of CO<sub>2</sub> involved was significantly less than the volume of CO<sub>2</sub> that will be piped from the station in the event of full CCS operation. The risks associated with CCS are not yet fully known.

Inadequate consideration has also been given to health risks associated with large quantities of ammonia being transported on and off site.

Clydeport who operate the existing coal transshipment facility are not trusted locally and have a poor record in protecting local health from coal pollution. CONCH fear that APL's plans represents a ticking time-bomb and have no confidence in APL being able to safeguard public health in the event of any health and safety incidents or industrial accidents on site.

### **OBJECTION 14 Exclusion of APL's plans from the National Planning Framework**

Hunterston's late and undemocratic inclusion within the National Planning Framework (NPF) is the subject of an ongoing legal challenge. A judicial review was lodged in September 2009 on the grounds that the Scottish Government had not consulted the public according to standards required by European law and that assessments that were carried out did not adequately examine alternatives to a coal-fired power station. CONCH were instrumental in getting this legal challenge off the ground and have maintained direct involvement with the case up to and including the preliminary hearing.

CONCH are very surprised that this planning application has been allowed to proceed past gate-checking when it remains unclear if the application should or should not be considered as being part of National Planning Framework .

Hunterston's inclusion within NPF has had a bearing on the scope and type of objections that both individuals and organizations have lodged, as is evidenced by reading consultation responses on Energy Consents Unit website. There has been a lack of guidance provided by Scottish Ministers as to the implications of Hunterston's inclusion within NPF and we fear many people may not have

commented on why Hunterston coal station is not needed, due to its current inclusion within NPF, even though the legal challenge may result in it being removed from the NPF.

Irrespective of the outcome of the legal challenge it is the view of CONCH that APL's plans should not be considered as being included within the NPF. The development included within the NPF's is described as a "clean coal fired power station". APL's plans are not for a clean coal fired power station, but a coal station that would create 860,000 tonnes of ash/gypsum a year and capture at very best 15% of CO2 emissions. Their plans are for a dirty coal station and are not consistent with that described within the "description of development" at Hunterston within the NPF.

### **OBJECTION 15 Parliamentary Democracy**

In the Scottish Parliament on March 18<sup>th</sup> 2010 MSPs voted by 66 votes to 26 to back a motion calling on the Scottish Government to "oppose new unabated coal power capacity". MSPs called on the Scottish Government "to reject plans to build a new coal-fired power station at Hunterston, given that large-scale carbon capture and storage at existing coal or gas plants has never been successfully demonstrated." Scottish Ministers should take note of the wishes of Parliament when they come to consider this application and reject it outright.

### **Further evidence**

As more information comes to light concerning APL's plans, it is CONCH's intention to submit further evidence. It was confirmed in an email from the Energy Consents Unit dated 9th August, that "Scottish Ministers stay open to representations right up until a case is determined" and "we would be more than willing to accept representations from CONCH, or any other organisation, which are received at any point before a decision is made."

If you needed any clarification as to the contents of our objections to date, then please do not hesitate to get in touch.

We would be grateful if you could acknowledge safe receipt of this letter.

Yours sincerely

Tim Cowen

Maggie Kelly

Co-chairs CONCH

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