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Date: 2<sup>nd</sup> May 2024

Our Ref: TA1061/12/02.R0  
Your Ref: EA/EPR/BP3328SP/A001

Dear Harriet,

**ENVIRONMENTAL PERMIT APPLICATION  
TARMAC TRADING LIMITED, WEEFORD QUARRY, LONDON ROAD, SUTTON  
COLDFIELD, B75 5SY**

We are in receipt of your Request for Further Information of 19<sup>th</sup> April 2024 to support the application for an Environmental Permit to facilitate the operation of an Asphalt Recycling Facility at Weeford Quarry, Sutton Coldfield. Responses to each of your information requests are outlined below in [blue](#) text.

**Form Part B3**

**Question 1, Table 1, a;**

Provide justification for the requested D14 code.

*Reason: D14, repackaging prior to submission to any of the operations numbered D1 to D13, does not seem relevant to the process Tarmac are proposing. Justification is needed for its inclusion.*

*Response:*

*The D14 code is no longer required and has been removed from the list of activities present in the Table 1a to Part B3 of the application forms. A revised version of the Part B3 application form is attached.*

**List all directly associated activities (DAAs).**

*Reason: The supporting document states that the site uses a generator to provide power. It should be listed as a directly associated activity. If the generator has a net thermal input over 1 MWth, form Part B2.5 should also be submitted. If the site also intends to store raw materials and waste pre and post treatment, these should be listed as DAAs. Process water storage would also be a DAA.*

*Response:*

*'Raw materials storage' and 'Collection and storage of surface water have been added as DAAs in Table 1a of Part B3 of the application forms.*

*The generator stated in the application will be used to provide power to activities that are not directly associated with the waste operation, such as the office and welfare buildings. This is set out in the Supporting Statement. The net rated thermal input of the generator to be used on site is below 1MWth, as such it does not fall under the Medium Combustion Plant Directive and is not a Directly Associated Activity for this permit and has been omitted.*

**Question 1, Table 2;**

List all emissions to air.

*Reason; The site's generator is a source of emissions to air.*

*Response:*

*As stipulated in the Supporting Statement (Doc. Ref.: TA1061/05) the generator used on site supports non-permitted activities, such as providing power to office accommodation and welfare facilities. This activity does not therefore satisfy the Limb ii requirements present in RGN2.*

*Moreover, the net rated thermal input of the generator to be used on site is below 1MWth, as such it does not fall under the scope fo the Medium Combustion Plant Directive.*

#### **Question 4**

Complete question 4 if required.

*Reason: If the site's generator has a net rated input over 1 MWth monitoring measures should be described.*

*Response:*

*As per the response provide above, the net rated thermal capacity of the generator capacity is less than 1MW and is not therefore captured by the MCPD.*

#### **Form Part F1**

##### **Question 1, Table 2;**

Add the waste activity to Table 2 and pay the application charge.

*Reason: As discussed with the application triage officer. Treatment of non-hazardous waste is a waste operation activity. It is classed as reasonably associated to the main S5.3 A(1)(a)(ii) physico-chem hazardous waste treatment activity. The percentage reduction for an associated activity is 50%, therefore the charge is 1.16.12, Physical treatment of non-hazardous waste, £3,965.*

*Response:*

*Whilst we continue to refute the additional fee requested to assess the non-hazardous waste treatment process, to ensure that the application moves forward for determination, the applicant has reluctantly made the decision to make payment to the sum of **£3,965** via BACS transfer. The payment reference used against this additional BACS transfer is 'PSCAPPTARMA004'. This payment has been made by Sirius Environmental Limited.*

*It should be noted, this payment is being made alongside an **application for fee abatement** on this basis that it is considered that the additional charge (albeit with the 50% reduction) is above the level of assessment required for a secondary activity which is not inherently different from the primary charged activity. Please consider this submission document as a formal application for fee abatement.*

*The additional background to your decision to only apply the 50% discount is based on the activity being a separate activity to the primary activity and processing different waste codes, which EA consider offer different sources/levels of risk than the hazardous wastes streams to which a full fee has already been paid.*

*Firstly, I would like to point out that 17 03 01 and 17 03 02 are both processed via the same process line, but separately on the basis that hazardous and non-hazardous waste streams can not be mixed.*

*Secondly, the aforementioned wastes coded are mirror waste entries within the List of Wastes that forms part of the legal waste classification system, with the key variant that defines which code is allocated to the waste stream being the chemical constituents of the coating/binder i.e. the PAH content. There is no significant variation in the physical characteristics of tar or bitumen bound/coated road stone that would result in the non-hazardous waste treatment activity presenting a significantly increased risk to the environment or human health than that posed by the hazardous waste treatment activity, to which the full fee has already been paid. Further detailed assessment of the non-hazardous waste activity above what is required for the hazardous waste activity shouldn't be necessary or require significant additional time to determine this environmental impact of this activity.*

*It is our understanding from the discussion held during determination of the similar application made by the applicant for its existing similar facility at Armthorpe Quarry that the EA Charging Scheme guidance would be updated to make clearer that secondary activities such as carried out at asphalt recycling facilities of this nature would qualify for the 90% discount to the associated activity application fee.*

**Question 1, Table 3;**

You need to send us a Noise and Vibration Management Plan. This should meet the requirements of our guidance on noise and vibration management (<https://www.gov.uk/government/publications/noise-and-vibration-management-environmental-permits>). The charge for our assessment of your plan is not included in your baseline application charge. You will therefore need to make an additional payment of £1,246.

*Reason: The proposed treatment type and the size of the operation is likely to generate noise and vibration and it is within 1 km of residential properties. A noise impact assessment must be carried out and if noise impacts are not screened out a noise management plan will be necessary to mitigate adverse effects.*

*Response:*

*The request for a Noise Impact Assessment was withdrawn by the Environment Agency as stated in your email dated 22<sup>th</sup> April 2024. The additional fee of £1,246 associated with the assessment of an Noise Management Plan has not been included in the additional payment made (see above).*

Should you require any further information to support this application, please do not hesitate to contact me.

Yours sincerely

*Dylan Thomas*

Dylan Thomas  
Principal Environmental Consultant  
For and on behalf of The Sirius Group

Enc:

Forms

*Part B3.R1*

*Part F1.R1*