

# Clark, Wayne

**Subject:** FW: EPR/GP3733FE/V004 We Need More Information About Your Application CRM:0185004  
**Attachments:** FBQ landfill EMS.pdf; Monitoring Data 2017-2023.xlsx; COPY OF ECS FEB22 SUB LEASE AREA TO W MAHER-Layout1.pdf; 17722004restoration.pdf; 3125-R6-2 Fletcher Bank Cell 1 Validation Report - complete.pdf

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**From:** Phil Roberts <PhilRoberts@Ayesa.com>  
**Sent:** Monday, November 6, 2023 12:39 PM  
**To:** Audrey MacIntyre <Audrey.MacIntyre@environment-agency.gov.uk>; SM-Defra-RESP-notifications (DEFRA) <RESP-notifications@defra.gov.uk>  
**Cc:** Terry Annis <terry@churchillenviro.com>  
**Subject:** FW: EPR/GP3733FE/V004 We Need More Information About Your Application CRM:0185004

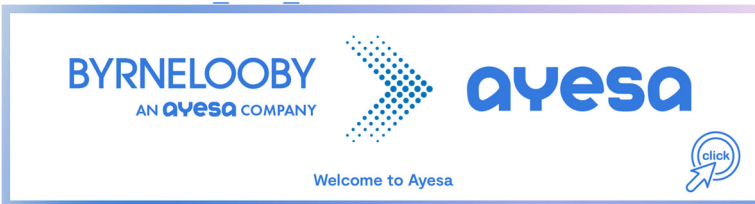
You don't often get email from [philroberts@ayesa.com](mailto:philroberts@ayesa.com). [Learn why this is important](#)

Dear Audrey,  
Thank you for progressing with the review of the Fletcher Bank permit variation. Please see below and attached (as applicable) our response to your questions inserted as green text.

Kind regards,  
Phil

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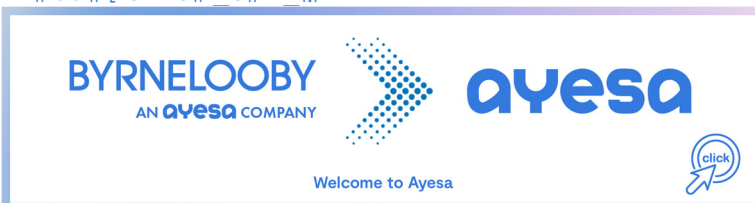


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**From:** SM-Defra-RESP-notifications (DEFRA) <[RESP-notifications@defra.gov.uk](mailto:RESP-notifications@defra.gov.uk)>  
**Sent:** Wednesday, October 25, 2023 6:16 PM  
**To:** Phil Roberts <[PhilRoberts@ByrneLooby.com](mailto:PhilRoberts@ByrneLooby.com)>  
**Subject:** EPR/GP3733FE/V004 We Need More Information About Your Application CRM:0185004



Dear Phil

**Environmental Permitting (England and Wales) Regulations 2016**  
**Application reference:** EPR/GP3733FE/V003  
**Operator:** Churchill Enviro Limited  
**Facility:** Fletcher Bank Quarry Landfill Site

**We need more information about your application and Underpayment of application charge.**

Thank you for your application received on 14/04/2022. The following is to confirm our conversation of 23/10/23 and emails of 23 and 24/10/23.

I need to ask you for some missing information before I can do any more work on your application. Please provide us with more information regarding the items below. We need to know or receive the following or request the additional payment:

1. Your application requires an assessment under the Habitats Regulations. The charge for this assessment is not included in your baseline application charge. You will therefore need to make an additional payment of £779 as we will have to complete an assessment of the potential impact on the protected species within the screening area.

**The Operator made a payment of £779 on 31 October 2023**

2. As you are increasing the rate of deposition, particularly as you are more than doubling it, provide a review of the stability risk assessment or a justification to why it is not necessary. Please include all relevant drawings and cross sections (such as conceptual site model, schematic cross section of the assessment scenarios and phases, geotechnical monitoring plan, if relevant).

**We understand the Agency's concern regarding landform stability is associated with the increased rate of loading leaving less time for pore water to dissipate, potentially increasing the risk of instability. The SRA submitted in support of the application considered this scenario and modelled the completed landform under very conservative undrained conditions in the subgrade, liner and waste (see relevant extract from the SRA below). This resulted in an over design factor of 1.04 which was considered to be satisfactory.**

**Table SRA8: Calculated Over Design Factors for Waste Mass and Capping Analysis**

FILE REF	COMMENTS	OVER DESIGN FACTOR
A-B RUN 011 Restoration	<ul style="list-style-type: none"> <li>• Fill levels as per Drawing No 1772/2/004</li> <li>• Undrained conditions in subgrade, liner and waste – extremely pessimistic as filling will take much time.</li> <li>• Drained conditions in rock.</li> <li>• Groundwater at 200 m OD in rock falling to 185 m OD.</li> <li>• Deep rotational failure through rock and subgrade.</li> </ul>	1.04  Safe

3. We will need to review the financial provision expenditure plan as the current agreement is calculated with 11 years remaining for the operator to fill the site and pay toward the financial provision. If the operator wishes to increase their throughput the numbers within their legal agreement will have to be adjusted to reflect this. Please provide a calculation to determine the number of years it will take to infill the site. Please consider if any of this information will be confidential.
4. Provide copies of all environmental monitoring data in an excel format (extending at least 6 years backwards in time)

Please see attached file referenced *Monitoring Data 2017 to 2023*

5. Provide a current copy of the site’s topographic survey in a pdf format.

Please see attached drawing referenced *COPY OF ECS FEB22 SUB LEASE AREA TO W MAHER*

6. Provide a copy of the proposed restoration profile with labelled contours.

Please see attached drawing referenced *1772/2/004* which shows the ground elevations of the restoration contours.

7. Provide an indication of the remaining void space, phasing plan to achieve the proposed restoration profile at the higher rates of waste input, and confirm any areas of the site that are now at final levels.

The operator has advised that the remaining capacity at Fletcher Bank is c.1,2,000,000 cu.m. This is based on figures calculated in April 2022 less the tonnages accepted since that time converted to volume at a rate of 1.8T/cum.

There is no strict phasing plan at the site as restoration of the void is still contingent on other parties completing quarrying activities. Material is placed evenly across all areas currently available so no one area is significantly higher than another, subject to seasonal and operational requirements.

As a result of the above there are no areas on site which are at final levels on site.

8. Provide details of the timing of install of in waste landfill gas monitoring wells.

The in-waste gas monitoring points will be installed when the site achieves its final levels. Under the current economic climate it is uncertain when this will be and presently it is unlikely the proposed increased rate of waste input will be utilised. At the earliest it could be 2029 and the latest (based on the current permitted input rate) 2035.

9. Provide a copy of the 2020 CQA Report for Phase 1 Cell 1 referenced in the HRAR.

Please see attached report referenced *3125-R6-2*

10. Although not strictly for duty making - please can you provide the most recent Monitoring and Extraction Point Plan (MEPP) for the site. Also, please provide a revised accident/incident management plan as per the requirements of the [site accident and incident management plan](#).

The current MEPP is attached at drawing referenced 1772/3/013 Rev D. This requires updating to show the indicative locations of the in-waste gas monitoring points. The Accident Management Plan is incorporated into Section 5 of the existing EMS. Please see attached.

Please reply directly to this email with your information and copy in me at [audrey.macintyre@environment-agency.gov.uk](mailto:audrey.macintyre@environment-agency.gov.uk).

Please send the information and payment within 10 working days of this letter. Details of how to pay are given in Part F of the application form.

If we do not receive the information and payment within 10 working days, we will return your application.

If we do receive the requested information and payment within 10 working days, we'll continue to check your application. We'll check to see if there's enough information for the application to be 'duly made'. Duly made means that we have all the information we need to begin determination. Determination is where we assess your application and decide if we can allow what you've asked for.

We'll let you know by letter whether your application can be duly made. If it can't be duly made, we'll return your application to you.

If we do have to return your application we'll send you a partial refund of your application payment. We'll retain 20% of the application charge to cover our costs in reviewing your application and requesting information. This maximum amount we'll retain is capped at £1,500. Further information on charging can be found at: <https://www.gov.uk/government/publications/environmental-permitting-charging-scheme-2019>

We'll assess your claim for confidentiality once your application is duly made.

If you have any questions, please phone me on the number below or email below.

Yours sincerely

Audrey

**Audrey MacIntyre**

Senior Permitting Officer and Sector Lead (Waste Deposit)

Environment Agency | Trentside Offices, Scarrington Road, West Bridgford, Nottingham, NG2 5BR

(#MyNameIs: Aw-dree) (Pronouns: she/her) [\(why is this here?\)](#)

[audrey.macintyre@environment-agency.gov.uk](mailto:audrey.macintyre@environment-agency.gov.uk)

Mobile: 07767 480 556

Working days: Monday to Friday



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