

07/01/2026

Dear Matthew, please see below request for information, with responses in-line below each one in red text.

Best regards,

Kate Brady

Principal Consultant, Arthian Ltd.

Date: 16/12/2025

Dear Kate Brady,

We need more information about your application

Application reference: EPR/CP3294LE/V013

Operator: ENVA BATTERY RECYCLING LIMITED

Facility: Immingham Materials Recycling Facility

Thank you for your application received on 20/10/2025. The following is to confirm our conversation of 18/12/2025.

Unfortunately, the application payment you sent is incorrect. The correct application charge is currently £55,994, excluding the response to question 1. This leaves a balance of £9,601 to pay.

Reason:

You have applied for a minor variation for your 5.3 Section 5.3(a)(iv) repackaging activity. This should be a substantial variation as the daily treatment capacity is increasing by more than 10 tonnes per day, an increase from 165tpd to 240tpd. As detailed within the charging guidance section 3.3.2:

You will need a substantial variation if you want to make changes to an activity carried that:

- increases the treatment or storage capacity on an existing part A(1) by more than the threshold specified in the Schedule 1 activity description
- [Environmental permits: when and how you are charged - GOV.UK](#)

We wish to note that the minor variation fee was processed in accordance with pre-application advice received from the Environment Agency. We also acknowledge the relevant section of the charging guidance which has been set out above, which has now been brought to our attention.

The information upon which the pre-application advice was given (throughput increase volumes), was provided to the Environment Agency at the time of pre-application. It is understood that this additional fee is now required to progress the application.

Whilst we accept that in accordance with the Terms and Conditions of the pre-application advice, the Environment Agency "shall not be held liable in contract, negligence for the consequences of you following or relying upon comments of views.." given by the EA - we consider that the paid-for advice provided by the EA is incorrect by the Agency's own guidance and the information provide to the Agency. We therefore request a refund of the pre-application advice fee (£1,200).

We need to ask you for some missing information before we can do any more work on your application. Please provide us with more information to the following questions.

We need you to:

1. Confirm whether or not the storage limit of waste at any one time is increasing as part of the variation.

Reason:

The application form C3 details that maximum storage capacity for the site is 5,000 tonnes. There are new storage areas being added to the permit which affect the 5.6 activity, these storage areas will require assessment at determination. Further to this new EWC codes are being added for storage. It needs to be confirmed if the new storage areas and changes to onsite storage affect the storage capacity at any one time, and if they do, by how much i.e. increase in tonnage stored at any one time.

This will affect the cost, if applicable, of any variation required to the 5.6 activity. If the storage is increasing by more than 50 tonnes at anyone time, the threshold for the 5.6 activity, then this will be classed as a substantial variation. If the change is below 50 tonnes at any one time, then this would be classified as a normal variation. Charged as below:

Normal Variation - £6,760

Substantial Variation - £12,167

There is no planned increase to the storage limit. The intention of the variation is to increase throughputs, not increase volume of waste stored on site.

We note that there is currently no recorded storage limit within the permit.

Additional wastes to be stored were previously under an S2 exemption and it is considered that they therefore pose a low risk and do not require extensive assessment.

Waste storage risks will be assessed via the Fire Prevention Plan (which attracts a separate assessment fee).

2. Provide a H1 which assesses the impact of the emission to air from the new battery treatment plant.

Reason:

New treatment plant with new abatement is being installed on site. The site throughput is also increasing. These factors may impact the nature of the emission to air from your facility. As such you need to assess the emission using the H1 tool. If emissions do not screen out you will then need to provide detailed air modelling.

[Air emissions risk assessment for your environmental permit - GOV.UK](https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit)

A H1 assessment for the point source emission to air is enclosed with the Permit Variation application report, section 5.4.

3. Confirm the activities which have been applied for.

Reason:

You have paid the fee for a new Section 5.3 (a)(ii) - hazardous waste installation activity for the sorting of batteries with different chemistries. Within the supporting information document you state "The site will continue to accept some WEEE waste which contain batteries of other chemistries (i.e., not lead-acid batteries). These batteries will be sorted in the sorting area, stored in the site's quarantine area to await transfer off-site. Storage of batteries of other chemistries was previously carried out under a waste exemption and this element will now be incorporated into the permit." This statement matches with the need for a new 5.3 activity and is in line with the pre-application advice given. Within the supporting document however table 1-6 details the proposed activities for the site and a new 5.3 activity does not appear to be included.

This activity is covered by existing activity AR3. The variation requests to vary AR3 to include additional waste codes. The daily throughput will change from 165tpd to 240 tpd but the annual volume will reduce to 25,000 tpa. It is not considered that a new activity is required to sort batteries of different chemistries.

The reason for this is that the battery treatment is expected to comprise the main activity and throughput of the site, and therefore repacking only will reduce. However in the event that the battery treatment plant is temporarily out of order, repackaging will need to temporarily increase.

The above information is contained in Table 6.2 of the permit variation report.

4. Confirm the throughput of hazardous waste to be treated under the new 5.3 (a)(ii) activity.

As mentioned above the combined throughput of hazardous waste for the sorting activity will be 25,000 tpa. The daily throughput will increase from 165tpd to 240tpd to allow higher transfer during periods of treatment plant downtime.

5. Confirm the throughput of non-hazardous waste for the new waste operation.

Reason:

Within the supporting information document provided you have detailed that AR1 throughput will increase to 60,000 tp/a and that AR3 will increase to 25,000 tp/a. Other activities remain at 40,000 tp/a. There is no detail provided on the throughput for the new waste operation or new hazardous waste treatment activity.

The application looks to increase the throughputs of hazardous waste for treatment from 40,000 tpa to 60,000 tpa (Activity AR1). For activity AR3, the permit currently allows 40,000 tpa and the variation application looks to reduce this volume to 25,000tpa.

The above information is contained in Table 6.2 of the permit variation report.

Although the charging scheme treats the activities independently, for the Operator, the volume limits for each activity are interrelated and not additive, i.e. if the volume of batteries being treated goes down, then the volume of batteries being transferred will increase. Therefore the maximum throughput of all waste on site will be 60,000tpa.

Please reply directly to this email with your information and copy in

matthew.allen1@environment-agency.gov.uk.

You must send us the information and payment by 23/01/2026.

Pay online by credit or debit card

Pay online at this link www.gov.uk/payments/permitting-applications-installations/permitting-application-payment-installations

You need to create your own reference number. Your reference number must follow this format: PSCAPPINSTXXXXXYYY. It should include the first five letters of the company name (replacing the X's in the above reference number) and a unique numerical identifier (replacing the Y's in the above reference number). Email us the reference number and the payment date so we can track your payment.

If we do not receive this by this deadline we will return your application.

If we receive what is missing by the deadline, we will 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 email 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. This maximum amount we'll retain is capped at £1,613.

Further information on charging can be found at:

<https://www.gov.uk/government/publications/environmental-permits-and-abstraction-licences-tables-of-charges>

Note: Our email system has a file size limit of 25MB, if your information exceed this limit you will have to arrange an online file transfer. Please ensure the file transfer link does not have a time limit on it.

If you have any questions, please phone me on 07780488339 or email matthew.allen1@environment-agency.gov.uk.

Yours sincerely

Matthew Allen

Senior Permitting Officer