

Notice of request for more information

The Environmental Permitting (England & Wales) Regulations 2016

Mr Giles Frampton
Director
Powerfuel Portland Limited
2nd Floor Regis House
45 King William Street
London
EC4R 9AN

Application number: EPR/AP3304SZ/A001

The Environment Agency, in exercise of its powers under paragraph 4 of Part 1 of Schedule 5 of the above Regulations, requires you to provide the information detailed in the attached schedule. The information is required in order to determine your application for a permit duly made on 18th May 2021.

Send the information to either the email or postal address below by 10th October 2022. If we do not receive this information by the date specified then we may treat your application as having been withdrawn or it may be refused. If this happens you may lose your application fee.

Email address: psc@environment-agency.gov.uk.

Postal address:
Permitting Support, NPS Sheffield
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

Name	Date
Senior Permitting Officer	09/09/2022

Authorised on behalf of the Environment Agency

Notes

These notes do not form part of this notice.

Please note that we charge £1,200 where we have to send a third or subsequent information notice in relation to the same issue. We consider this to be the first notice on the issues covered in this notice.

The notes in italics that appear after information requests in the attached schedule do not form part of the notice. The notes are intended to assist you in providing a full response.

Fire Prevention Plan

You must consider the 'Fire Prevention Plans: environmental permits' guidance (updated 11/01/2021) [GOV.UK](https://www.gov.uk/guidance/fire-prevention-plans-environmental-permits), hereafter referred to as the guidance, and come to your own view as to what proposals you consider will meet the objectives to:

- minimise the likelihood of a fire happening;
- aim for a fire to be extinguished within 4 hours; and
- minimise the spread of fire within the site and to neighbouring sites.

You can follow the measures set out in the guidance and if you do so you will meet the objectives of the guidance and we are likely to approve your Fire Prevention Plan (FPP). If you do not include these measures you can propose alternative measures to meet the objectives. We will technically assess your alternative measures and, if we are satisfied that they meet the objectives, we can approve the FPP.

If your proposals do not meet the measures in the guidance, you should explain in detail the alternative measures you intend to take and how those measures can meet the objectives. This applies to each of the information requests in the attached schedule.

Schedule

In addition to providing a written response to the following questions, ensure you update your Fire Prevention Plan document to incorporate any changes so that it remains a standalone document.

- 1) In addition to the CCTV, what other site security measures will be in place? E.g. intruder alarms and fencing.

Notes: Although the port facility has a secure fenced boundary it is not clear from the FPP whether the installation itself (located within the port area) has its own secure boundary.

- 2) Provide details of how regularly you will inspect and clean the site to prevent the build-up of loose combustible waste, dust, and fluff. Inspections should particularly focus on higher risk areas, such as electrical panels and treatment equipment.

Notes: no frequency of inspections stated – Section 3.14 just says "on a regular basis"

- 3) Provide details of the written procedures for waste acceptance checks to prevent reactions between incompatible or unstable wastes, including lithium batteries. You must use a quarantine area where necessary.

Notes: Sections 3.1.2 and 4.1 of the FPP already provide some information, however further detail is required. The guidelines make specific reference to lithium batteries, which could be present in municipal waste. You must detail measures which will be taken to reduce the fire risk caused by the incorrect disposal of batteries.

- 4) Provide details of the procedures on site to ensure good stock rotation for all stored materials. Your fire prevention plan must show that you have a clear method to record and manage the storage of all waste on site (i.e. a process which allows the time on site to be determined for any applicable waste). You must show how you will follow the 'first in, first out' principle.

Notes: section 3.2.1.1 refers to the bales being transferred from the bale storage area on a 'Last-in-First-out' basis. We would expect the site to implement a 'first in, first out' system for the waste. You should also provide further details of the documented management procedures which would be in place for stock rotation of stored materials.

- 5) There are two areas vulnerable to fire in bunkered storage arrangements, satisfactory solutions to cleaning these areas on a regular basis should be provided:
 - a) corners of the bunker; and
 - b) the base of the bunker.

Notes:

Corners: Grabs cannot operate in the corners and these areas have been known to collect debris and cause local ignition.

Bunker base: Section 3.4.1.2 of the FPP states that mixing the waste with the crane enables waste from the base of the bunker to be brought to the surface. However, there is normally a buffer at the base of the bunker, which prevents the grabs from coming into contact with the floor of the bunker causing damage. This area is likely to contain waste that has been stored for in excess of the recommended time duration.

- 6) Provide confirmation that the push walls, used to separate the piles of baled waste, are designed to resist fire (both radiative heat and flaming) and have a fire resistance period of at least 120 minutes to allow waste to be isolated. Fire walls must show compliance with all factors outlined in Section 11.2 of the guidance.
- 7) Update section 4.3 of the FPP to demonstrate how you will comply with the requirements of Sections 11.1 and 11.2 of the guidance (separation distances and fire walls/ bays) for the storage of the baled waste and any other waste not stored within the bunker.

Notes for Questions 7 & 8: Section 4.3 of the FPP says 'Following previous discussions with the Environment Agency, it is understood that the storage requirements relating to pile separation distance only applies to external storage of wastes'. However, the guidance makes no distinction between the separation distances required for internally or externally stored waste. Separation distances need to be at least 6m between waste piles and 6m between the waste piles and the site perimeter/buildings. Unless it is proposed to store waste in bays with suitable fire walls, in which case the separation distance is reduced. But there are also further requirements for bays, including demonstrating good stock management, as detailed in Section 11.2 of the guidance.

- 8) Confirm that the quarantine area(s) will meet the requirements of the guidance. The quarantine area(s) must be within the boundary of the site and be large enough to hold at least 50% of the volume of the largest pile. Confirm a separation distance of at least 6 metres around the quarantined waste will be in place.

Notes: Section 4.5 of the FPP states that the quarantine area "where appropriate" will be designed such that it meets the FPP guidance requirements. It also says the separation distance of 6 metres will be met "where practicable" - the guidance does not offer such flexibility. Although the location may be subject to finalising the detailed design you should confirm that any designated quarantine area will meet the requirements of the guidance.

- 9) Provide details of how the site will be designed to allow for active firefighting, outlining the procedures in place in the event of a fire.

Notes: Section 4.8 of the FPP states that the firefighting system for the Facility will be subject to detailed design. It then goes on to describe the firefighting systems proposed, but it does not acknowledge the term 'active firefighting' beyond the section heading or how the systems proposed allow for that.

You must design your site to allow for active firefighting. This will help allow a fire to be extinguished within 4 hours. Active firefighting does not mean that you or your staff have to fight the fire. Active firefighting means having the resources available at all times to fight a fire during operating hours and when the site is closed. Refer to Section 15 of the guidance.

- 10) Provide site specific calculations for water supply in accordance with the guidance and demonstrate how the available fire water volume meets the requirements of our guidance.

Notes: You need to account for a worst-case scenario, which is defined as your largest waste pile catching fire. As a guide, a water supply of at least 2,000 litres a minute for a minimum of 3 hours is needed to tackle a 300 cubic metre pile of combustible material. But you should refer to the specific proposed pile sizes at your site in the calculations. You may

be able to reduce the water supply requirements if you can demonstrate that waste stored in a bunker would need no more water than the volume of the bunker.

Section 4.8.5 of the FPP relates to this requirement, it states that the firewater tank will be approximately 1,000 to 1,200 m³ but does not contain any calculations or explain how many hours of supply it provides. For an application at the pre-construction stage calculations may be subject to change as a result of detailed design, but you need to provide justification as to why this volume is considered appropriate. Any deviation from the volume and time requirements specified in the guidance should be explained and justified.

- 11) With reference to your response to question 10 above, show that fire water containment volumes are in accordance with water supply calculations. Include secondary and tertiary containment facilities for fire water run-off if applicable.

Notes: Section 4.8.10 of FPP already provides some information, but you should confirm the containment volumes available and clearly demonstrate how these are adequate for the amount of fire water required.

- 12) Section 4.8.5 of the FPP refers to the use of water from the pond for firefighting purposes. Confirm which pond this relates to.

Notes: it is not clear from the FPP if the 'pond' is an error and should actually refer to the harbour, or if there is a separate water source being discussed.