

**From:** [Tearle, Jess](#)  
**To:** [Jess Rick](#)  
**Cc:** [Sales](#); [Steve Power](#)  
**Subject:** RE: EPR/LP3037WG/V004, O'Donovan (Waste Disposal) Limited - not duly made questions  
**Date:** 07 May 2021 10:32:00  
**Attachments:** [image001.png](#)  
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[image006.png](#)

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Good morning,

As previously discussed, I need to ask you for some missing information before I can do any more work on your application.

For duly making we require the following:

**1. Additional application fees, Fire prevention plan fee and Noise impact assessment fee**

As I explained in my previous email the application fee for the increase in tonnage is **£12,586** for a substantial variation, charged at the S5.4 A1 (a) (ii) activity. The application fee for the addition of hazardous waste is **£7,969**, this is under 1.16.5 of the charging scheme, hazardous waste transfer station. The fire prevention plan will need assessment, the fee for this is **£1,241**. A Noise & vibration management plan needs assessing the fee for this is **£1,246**.

This totals **£23,042**. Minus the amount already paid this comes to **£19,077** owing. This can be paid in the same way as the initial payment, quoting the application number. I will ask our admin team to send an invoice as well, this will likely take a couple of days.

**2. Detail is needed to explain how the site will accommodate twice the current throughput.**

- Outline any changes needed in the existing infrastructure, operational systems and equipment to accommodate the additional throughput OR
- Detail is needed on how the existing infrastructure, operational systems and equipment have been assessed to demonstrate the capability to handle the additional throughput.
- Provide details of any potential environmental risks arising from this increase and any of the above changes

Please note should the response to the above questions indicate that there is a requirement to submit additional management plans, you must also submit the relevant fee for our assessment of those plans: Dust management plan £1,241

**3. A noise impact assessment and noise management plan must be provided.**

A noise impact assessment for human residential receptors must be done in line with the BS 4142:2014 standard and by a suitably qualified person. Guidance on this can be found [here](#).

Do not include noise from the existing site (before changes) as part of the background. This is known as the 'residual level' in BS 4142:2014. Your noise impact assessment must consider all the noise resulting from the proposed variation – the existing site and the variation together. Show both components clearly and then add them together to give a new total for site noise at the receptors. The impact assessment will be based on this new value, known as the 'specific level' in BS 4142:2014.

A noise management plan must be provided based on the conclusions of the impact

assessment and proportionate to the level of risk concluded.

### Fire prevention plan

4. **More detail is needed on the storage controls in place for waste stored in metal containers in the yard.**

Some of these wastes are flammable and on the site plan it is not clear which containers the FPP is referring to, and what measures are in place i.e. are the containers lidded or are there separation distances between the containers? On the site plan provided the objects marked as storage bins and skips storage appear to be tightly packed and adjacent to the site boundary

5. **Further information is needed on the containment of firewater.**

It is not clear from the drainage plan what is in place in terms of bunding or kerbing to ensure firewater can be contained on the site to be disposed of appropriately. You must demonstrate in your plan that you can contain the amount of water required to put out a worst case scenario fire on the site.

### Hazardous waste

6. **Provide an up to date TCM qualification and Continuing Competency certificate which covers storage and transfer of hazardous waste.**

The certificate submitted for Landfill – Hazardous waste does not cover the storage and transfer of hazardous waste outside of a landfill environment. We require a qualification and continuing competency certificates for *WAMITAB level 4 high-risk operator competence for managing transfer of hazardous waste*, or another qualification listed in the HROC4 purpose statement hierarchy which can be found [here](#).

We have checked the database and the TCM for the site has a Treatment of Hazardous Waste (TMH) certificate, an up-to-date continuing competency for this certificate would cover the activities applied for as it both trumps hazardous waste transfer and covers the appropriate activities.

7. **A more detailed plan(s) is needed showing the interior layout and containment measures in the storage building (which on the plan is marked as storing hazardous waste and WEEE), and anywhere else hazardous waste is planned to be stored should be clearly identified.** Multiple plans can be provided if needed to show a more detailed view of particular areas of the site.
8. **More detail is needed on the storage arrangements for each of the different new waste types**, including separation and segregation where necessary for potentially incompatible wastes
9. **Detail is needed on the pre-acceptance assessment, acceptance procedures, handling and management for each of the different new waste types**, in line with Environment Agency guidance EPR S5.06.
10. **A maximum storage capacity is needed for each of the new waste types**
11. **If necessary update the tonnage of hazardous waste applied for.**

The application is for 50 tonnes of hazardous waste storage, but the building identified for storage looks to be approx. 60m<sup>2</sup>, the tonnage applied for should reflect the maximum

storage capacity of the site.

**12. The proposed additional waste codes require justification for their inclusion.**

As discussed the waste code table needs limiting to only what the site will be accepting, either by removing some of the proposed codes, or by limiting certain codes in the description. The application documents state: *these cover the type of low volume wastes which the operator may currently collect from construction site clients*, however this doesn't fit with many of the codes applied for. Construction and demolition waste should be coded under the 17 codes, and incidental waste (waste which should not be in the load accepted and has not been coded for, should be separated from the load and put into a quarantine area

**13. More detail is needed in the risk assessment re-the hazardous wastes which the site has applied to accept and store.**

The risk assessment repeatedly says that hazardous waste will be stored in small volumes, however the volume applied for is at the limit for an installation.

**14. Update the site condition report to include the hazardous substances applied to be accepted and stored on site as part of this permit variation.**

The H5 guidance requires a site condition report to identify 'Relevant Hazardous Substances (RHS)' – by consideration of the chemical and physical properties of each hazardous substance [composition, solubility, toxicity, mobility, physical state (solid, liquid or gas)] and determine whether any of these substances are capable of causing soil and/or groundwater contamination.

**15. A stage 1- 3 assessment must also be included within the SCR.**

Further details of the Stage 1 – 3 assessment are set out within EC Commission Guidance on baseline reporting (2014/C 136/03) dated 6th May 2014. This is in accordance with Schedule 7 (paragraph 5 [m]) of the EPR regulations 2016 / Article 22 of IED. Please note where the outcomes from the Stage 1 – 3 assessment has concluded that RHS pose a risk to soil and / or groundwater the operator must include baseline reference data within the SCR (this last point is not essential for duly making but could be required in determination dependent on the outcome of the assessment.

Please respond to this request by close of business on **04/06/2021**, 4 weeks from today . If we do not hear from you we will have to return your application. When we receive the requested information, 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-ep-charges-scheme>

If you have any questions, please do not hesitate to contact me.

Regards

**Jess Tearle**

Permitting Officer, Installations Team, National Permitting Service

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Pronouns : she/her (See [www.mypronouns.org](http://www.mypronouns.org) to learn more)



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