

From: [Maggie Dutton](#)
To: [Nwafor, Francis](#)
Cc: [Mick Claes](#); [Stuart Moroney](#)
Subject: RE: EPR/CB3807HV/V003: Your application is not duly made - Further Information Required (deadline 08/05/2024)
Date: 08 May 2024 17:29:34
Attachments: [image786385.png](#)
[image816932.png](#)
[416.064707.00001_Part_C3.pdf](#)

Hi Francis,

Please find below and attached the response to your information request, and many thanks for also taking the time to respond to our questions on the rationale for the request.

A link to download the documents referred to as 'attached' in the response below has been sent separately (except Form C3 which is attached directly). Please let me know if you have any difficulty downloading the documents.

1. The original copy and the continuing competency award certificates for your Technically Competent Manager to demonstrate that they are suitably qualified to handle hazardous and WEEE waste.

SLR asked the EA to clarify why in this instance the information is required as S Norton has an externally audited company-wide Competence Management System which is not required to include details of individuals. Francis Nwafor responded: *Based on the CMS certificate that you provided, the scope does not cover treatment of hazardous and WEEE waste which you applied for. It is limited (largely) to the handling and recycling of metal and non-metal and ELV.*

Response: S Norton has an externally audited company-wide Competence Management System which is part of The Energy & Utility Sector Skills Council – a scheme run jointly by Energy & Utility Skills and the Environmental Services Association (ESA). Details of how a CMS scheme operates can be found here <https://www.euskills.co.uk/about/our-industries/waste-management/competence-management-system/> and the key points are as follows:

- The CMS is an holistic approach for demonstrating technical competence and recognises a company's investment in skills and training across the whole business, rather than in one individual. It provides as an optimal way to ensure that competence is embedded in an organisation and is continually reviewed;
- It removes reliance on specific individuals, who could become unavailable due to sickness and holidays or leave the business, and maintains business operational continuity regardless of individual staff member issues;
- Employees undergo training that is relevant to their roles and doesn't require a formal qualification; and
- It is externally audited by LRQA (evidence of which has been provided with the application).

The CMS applies to technical competency requirements across all of S Norton's permitted sites and is not limited to 'the handling and recycling of metal and non-metal and ELV'. It expressly does not require S Norton to assign individuals to specific sites, allocated hours per site or formal qualifications as per the WAMITAB approach. S Norton operates a number of permitted sites, several of which handle hazardous waste and WEEE. The EA has accepted the CMS at other sites which process hazardous and WEEE Waste as is illustrated by the reference in the Introductory Section of S Norton's Bankfield Environmental Permit, attached.

2. H1 Assessment for discharge of site generated effluent to sewer and a description of how such effluent is managed at the site. Where the effluent is discharged to controlled waters or sewer, then you must complete the H1 Screening tool and Part C6 Form.

Response: An H1 assessment of the contaminated surface water run off to sewer has been completed in accordance with the EA's guidance and is attached, together with the data, H1 tool and copy of Form C6.

3. Information on the quantities of hazardous and non-hazardous wastes that you are proposing to store at any one time and compare these with the quantities that you are currently authorised to store.

Response: There will be no more than 100 tonnes of lead acid batteries and 100 tonnes of hazardous cable waste at any one time.

4. An updated copy of your Fire Prevention Plan (FPP) to account for changes in your waste storage capacity and arrangement especially as they relate to the additional waste codes that you are proposing to accept at the site (e.g. Large Domestic Appliances - LDA). You do not need to submit the updated FPP or pay the add-on fee of £1241 in #5 below if the fire risk or storage capacity is not changing.

Response: An updated FPP is attached, together with the associated appendices.

5. Pay an outstanding fee of £3785 to make up for the substantial variation of the mixed metal recycling activity and £1241 as an add-on fee for the FPP assessment. The total outstanding fee you need to pay is £5026. SLR asked if the EA could provide the reason why the changes to the mixed metals site are now considered to be a substantial variation when previously the EA said this would be a normal variation, noting that SLR spent some time discussing this with EA before the application was submitted. Francis Nwafor drew our attention to an excerpt in the EA's pre-application advice which reads: **'and would carry the highest variation fee of the two activities, which for SR2008 No.21 isn't listed in the charging scheme, however for the Mixed MRS would fall under 1.16.16 Metal recycling site- mixed metals and holds a fee of £4,732 normal variation, or £8,517 substantial variation depending on whether the agency considered your application to be considered normal or substantial'** and confirmed his opinion that **'Your application all whole is considered as a substantial variation based on the level of changes that you have proposed to make.'** Further to the written advice, Francis Nwafor confirmed that the reason for the substantial variation was because a new activity (treatment of LDA which is WEEE) has been applied for.

Response: The pre-application advice was submitted with the original application as an Appendix to the NTS. The advice states that the addition of the LDA, waste codes and consolidation of the permit would fall under the 'ream' of a normal variation. We consider therefore that the EA has revised its pre-application advice. S Norton accept the EA's explanation for revising its advice and have initiated the required payment by BACS under reference PSCAPPSNORT003. However, we consider that this should not be assigned as a non-duly making aspect as the original application fee was paid in good faith in accordance with the EA's pre-application advice.

6. Send a copy of the Part C3 Form.

Response: A copy of the Part C3 form as was submitted with the application on 12/09/2023 is attached.

If you have any queries regarding the responses above, please let me know.

Kind regards,
Maggie

Maggie Dutton

Technical Director - Environment Management, Permitting & Compliance



Confidentiality Notice and Privacy

This communication, and any attachment(s) contains information which is confidential and may also be legally privileged. It is intended for the exclusive use of the recipient(s) to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or action taken or not taken in reliance on it is prohibited and may be unlawful. If you have received this communication in error, please advise the sender by e-mail and then delete the e-mail and any attachments from your system without retaining any copies. As e-mails and any information sent with them may be intercepted, corrupted and/or delayed, SLR does not accept any liability for any errors or omissions in the message or any attachment howsoever caused after transmission or the transmission of any viruses. Messages to and from us may be monitored for reasons of security, to protect our business and to ensure our compliance with legal and regulatory obligations and our internal policies.

Any advice or opinion is provided on the basis that it has been prepared by SLR with reasonable skill, care and diligence, taking account of the manpower, timescales and resources devoted to it by agreement with its Client. It is subject to the terms and conditions of any appointment to which it relates. Parties with whom SLR are not in a contractual relationship in relation to the subject of the message should not use or place reliance on any information, advice, recommendations and opinions in this message and any attachment(s) for any purpose.

We take your privacy seriously. For information about how we process your personal data, please see our Global Privacy Notice at <https://cdn.sanity.io/files/b0ecix6u/production/4d538364442e7636de2570fe5250279f1970d95e.pdf>

SLR Consulting Limited. A company incorporated in England and Wales with registered number 03880506 and with its registered office at 1 Bartholomew Lane, London EC2N 2AX.

From: [Redacted]

Sent: Tuesday, April 23, 2024 7:42 AM

To: [Redacted]

Subject: EPR/CB3807HV/V003: Your application is not duly made - Further Information Required (deadline 08/05/2024)

Dear Maggie

Environmental Permitting (England and Wales) Regulations 2016

Application reference: EPR/CB3807HV/V003

Operator: S. NORTON & CO LIMITED

Facility: S Norton & Co Ltd, River Road, Barking, IG11 0DS

As discussed in our conversation today, 16/04/2024, we require further information to progress with your application.

Please provide the following information:

1. The original copy and the continuing competency award certificates for your Technically Competent Manager to demonstrate that they are suitably qualified to handle hazardous and WEEE waste.
2. H1 Assessment for discharge of site generated effluent to sewer and a description of how such effluent is managed at the site. Where the effluent is discharged to controlled waters or sewer, then you must complete the H1 Screening tool and [Part C6 Form](#).
3. Information on the quantities of hazardous and non-hazardous wastes that you are proposing to store at any one time and compare these with the quantities that you are currently authorised to store.
4. An updated copy of your Fire Prevention Plan (FPP) to account for changes in your waste storage capacity and arrangement especially as they relate to the additional waste codes that you are proposing to accept at the site (e.g. Large Domestic Appliances - LDA). You do not need to submit the updated FPP or pay the add-on fee of £1241 in #5 below if the fire risk or storage capacity is not changing.
5. Pay an outstanding fee of £3785 to make up for the substantial variation of the mixed metal recycling activity and £1241 as an add-on fee for the FPP assessment. The total outstanding fee you need to pay is **£5026**.
6. Send a copy of the Part C3 Form. The copy you sent is for the Trafford Park site and not River Road, Barking site.

Please provide this information by **08/05/2024**.

Please note that we will return your application as not duly made if we do not receive the requested information and payment within specified deadline. If we do have to return your application we will send you a partial refund of your application payment. We will retain 20% of the application charge to cover our costs in reviewing your application and

requesting information. This maximum amount we will 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>

Kind regards,
Francis Nwafor
Principal Permitting officer

Francis Nwafor PhD, LCIWM
Principal Permitting Officer
National Permitting Service (Part of Operations – Regulation, Monitoring and Customer)



Help us to improve our service and complete our customer survey - click [NPS Survey](#).

Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.