

Mr. Richard Wood
Ramboll UK Limited

Date: 04/04/2025

Dear Mr. Wood

Pre application advice – Enhanced service

Pre-application reference – EPR/XP3832NV/P001

Site: Angus Fire Limited, Station Road, High Bentham, North Yorkshire, LA2 7NA

Thank you for your pre application enquiry on 11/02/2025.

I am pleased to provide you with your pre-application advice. This advice is based on the information provided on your pre application advice form and conversations/emails recorded on the following dates:

- Emails on 20/03/2025, 24/03/2025 and 26/03/2025.
- Teams Meeting on 20/03/2025
- Meeting at Angus Fire Limited site with Environment Agency Area Officer, David Reece, on 01/04/2025.

What this enhanced pre application advice covers

As part of this service, we have provided you with the following information:

Documents attached:

- Standard Basic Pre-Application Advice Document.
- Noise Impact Assessment (NIA) Pre-Application Basic Advice & Noise Management Plan (NMP) Template (standard response documents which do not indicate we believe that noise is an issue from your proposed operational changes. You will have to determine if it is in your application documentation).

Application charge required:

Expected Activity.

The addition of a non-hazardous waste treatment operation at the Angus Fire site will most probably require a variation to their environmental permit to include an S5.4 A(1)(a)(ii) activity.

This will require a substantial variation application charged at the cost of the addition of that new activity - £13,443 (Charging Scheme reference, 1.16.2.2).

You should ensure that you know the composition of the wastewater to be treated (pollutant concentrations and hazard/risk phrases) by use of Environment Agency Guidance document, WM3 (note this is referenced as W3 in the minutes of the meeting of 20/04/2025).

Should the waste be designated as hazardous, you will require a substantial variation application charged at the cost of the addition of that new activity, S5.3 A(1)(a)(ii) - £16,001 (Charging Scheme reference, 1.16.1.2).

Consultation.

There had been discussion at the Teams Meeting of 20/04/2025 on whether Angus Fire Limited could restrict the capacity of the effluent treatment plant to less than the 50tonnes/day threshold that triggers permitting as an S5.4 Activity and potentially change the nature of the application to a normal variation that does not automatically require external consultation.

It is our view that, irrespective of the type of variation for which Angus Fire Limited applies (normal or substantial), the Environment Agency will consult externally on this application.

Site of High Public Interest.

Furthermore, it is likely that the Environment Agency area Team will designate the Angus Fire Limited site as a Site of High Public Interest (SHPI) where enhanced external consultation may apply.

Please see the section called 'High public interest applications' in gov.uk guidance ([Environmental permits: when and how we consult - GOV.UK](#)) to understand what form this enhanced consultation may take.

As the Environment Agency will be consulting externally on the Angus Fire Limited application, there is no time saving in the determination process by restricting capacity to less than the S5.4 activity threshold. Applying for an S5.4 activity will allow the effluent treatment plant to operate at capacity within any constraints imposed by maximum daily flowrate limits and maximum instantaneous rate of flow limits included in the permit variation notice.

There is also a difference in the charging mechanisms for applications from Sites of High Public Interest.

If your site is designated as a SHPI a different charging processes is applied. Additional information on SHPI is included in section 2.5 of the Environmental Permitting Charges Guidance ([Environmental permits: when and how you are charged - GOV.UK](#)).

- An application for a SHPI is subject to a newspaper advertising charge of £500.

- The number of hours it takes to determine the application will be calculated at £100 per hour (commonly referred to as a 'time and materials' charge). If this is higher than the standard application charge listed in the Charging Scheme, the additional charge component will be applied – please see section 2.5 of the Environmental Permitting Charges Guidance.

A site can be designated as a SHPI at any stage during a permit application or variation process. In addition, a SHPI can be removed from a site should very little interest be shown during the initial consultation process.

Permitting effluent treatment plant as a Directly Associated Activity (DAA).

There was discussion at the Teams Meeting of 20/03/2025 on whether, if Angus Fire Limited restricted the capacity of the effluent treatment plant, it could be permitted as a Directly Associated Activity (DAA) instead. This is unlikely as there would be no technical connection between the DAA and the permitted scheduled activity, S4.7. The effluent treatment plant would not serve the S4.7 activity as it treats only surface and rainwaters not the effluent from the S4.7 activity. Further information on the requirements an operation must meet to be permitted as a DAA is included in our technical guidance note, RGN2 ([RGN 2: Understanding the meaning of regulated facility - GOV.UK](#)).

Please note that there is a comment in the minutes of the Teams Meeting of 20/03/2025 that "If the variation does not include the addition of a scheduled activity, then a BAT assessment for waste treatment would not be required". This is not correct as, if the effluent treatment plant was to be included as a DAA, a BAT justification for that DAA would have been required. As noted earlier, it is unlikely the effluent treatment plant would be regulated as a DAA.

Permitting effluent treatment plant as a Waste Operation.

In the event that the effluent treatment plant was not permitted as an S5.4 activity, it is more likely to be permitted as a waste operation rather than a DAA.

Note that, if the Angus Fire Limited effluent treatment plant is permitted as an S5.4 activity, the BAT-conclusion requirements of the Waste Treatment BREF will apply including compliance with the monitoring requiring and BAT-AELs for direct discharges to receiving waters.

No compliance with BAT-AELs will be required for an effluent treatment plant permitted as a waste operation.

A habitats assessment will also be required as Angus Fire Limited is located within the screening distance of a conservation site.

The Angus Fire site is located approximately 6km from Bowland Fells (Special Protection Area, SPA) and approximately 7km from Ingleborough Complex (Special Area of Conservation, SAC).

The charge for this is £779 (Charging Scheme Reference 1.19.2).

If an applicant believes there is no potential for their variation to impact on a conservation site within the screening distance they must justify that and the non-payment of the habitats assessment fee within the application – for example, by demonstrating there are no emissions or demonstrating no source/pathway/receptor to the conservation sites.

The total application fee would be:

- £13,443 (non-hazardous waste treatment) + £779 (habitats assessment) + £500 (advertising fee for SHPI) = £14,722 or
- £16,001 (hazardous waste treatment) + £779 (habitats assessment) + £500 (advertising fee for SHPI) = £17,280.

As noted, before, because the Angus Fire Limited site will be designated as a Site of High Public Interest, Time and Materials charges at £100/hour would be required should further determination be required above that allocated by the available hours in the original application fee paid.

The application fee for a waste operation rather than an S5.4 activity can be determined from section 1.16 of our Charging Scheme. Possible charges to be considered would be 1.16.12 (physical treatment of non-hazardous waste) at £7,930 or 1.16.14 (physical and chemical treatment of waste) also at £7,930. Angus Fire Limited should assess the technologies used in their effluent treatment plant against the categories in section 1.16 and select the most appropriate charge.

Forms required to be submitted: Part A, Part C2, Part C3, Part C6 and Part F1.

Note that Form C6 is required as the application will involve reassessment of one or more point source emissions to water from an installation.

Additional documents required: All supporting documents mentioned in the forms or documents that will help present the changes you are proposing.

A complete application must contain the following information below:

1. **Declaration:** Please ensure the declaration section is completed by each relevant person. For a limited company, this must be a director/company secretary as listed on Companies House
2. **Site Plan:** Site plan must be clearly marked with full installation site boundary
3. **Payment:** Please note your application will not be processed until we receive the full payment

Pre-application Response:

Further Considerations.

Screening of PFAS family chemicals in discharges to water.

Angus Fire Limited intends to submit a H1 risk assessment screening out PFOS, as the only member of the PFAS family of compounds with a current Environmental Quality Standard (EQS). Work is on-going to designate EQS values for other PFAS family chemicals and an EQS for PFOA could be available within the lifetime of this permit variation process. The applicant should ensure that they have assessed their emissions to water against all PFAS family chemicals with available EQS values at time of permit application.

Should an EQS become available for PFOA (or any other PFAS family chemical) during the determination of the permit variation application, the applicant will be required to demonstrate emissions of those chemicals screen out by H1 assessment or modelling.

The applicant is advised to have monitoring results for PFOA in their anticipated discharge available in the event it is required to be assessed during the permit variation determination.

Demonstration of BAT.

The permit variation application will add an effluent treatment plant to site operation. As discussed, this effluent treatment plant will not serve the existing S4.7 activity so assessment of BAT against the relevant chemical BREF standards will not be the most relevant demonstration that the plant meets BAT.

In the permit variation application, the operator will have to demonstrate that the effluent treatment plant meets all relevant requirements in the BAT-conclusion requirements from the Waste Treatment BREF (Implementing decision - 2018/1147 - EN - EUR-Lex) and the 'Non-hazardous and inert waste: appropriate measures for permitted activities (Non-hazardous and inert waste: appropriate measures for permitted facilities - Guidance - GOV.UK).

Note that should the incoming waste be designated as hazardous, separate Appropriate Measures exist for hazardous waste treatment.

As noted earlier, if the Angus Fire Limited effluent treatment plant is permitted as an S5.4 activity, the BAT-conclusion requirements of the Waste Treatment BREF will apply including compliance with the monitoring requiring and BAT-AELs for direct discharges to receiving waters.

Angus Fire Limited will have to demonstrate compliance, for example, against Waste Treatment BAT3, which states that, in order to facilitate the reduction of emissions to water and air, BAT is to establish and to maintain an inventory of waste water and waste gas streams, as part of the environmental management system (see BAT 1), that incorporates all of a defined range of features.

No compliance with BAT-AELs for direct discharges to receiving waters will be required for an effluent treatment plant permitted as a waste operation.

Compliance against the Appropriate Measures for non-hazardous waste treatment will have to be demonstrated for a facility permitted as a waste operation.

A capacity of a waste operation cannot exceed the thresholds for an S5.3 hazardous waste treatment activity (treatment of more than 10t/day) or an S5.4 non-hazardous waste treatment activity (treatment of more than 50t/day).

Sampling of influent to the effluent treatment plant and treated surface water exiting the effluent treatment plant.

The BAT-conclusions and Appropriate Measures require an operator to have full understanding of the composition of their incoming waste. Although Angus Fire Limited will not be accepting waste from a third-party source, essentially treating rainwater and surface water from site, they will be required to understand the composition and variability of the waste stream.

It is expected that the permit variation application submitted would include a monitoring schedule to ensure the composition of the incoming waste was fully understood and which can be used for calculating the efficiency of the effluent treatment process.

There was discussion at the Teams Meeting of 20/03/2025 on the sampling and analyses of treated waters prior to their discharge from site to ensure compliance with any trigger concentration levels included in the permit – currently expected to be 10ng/l PFOS.

The permit variation application must contain a robust method for demonstrating that samples taken for demonstrating compliance to a discharge PFOS trigger level are fully representative of the composition of all the treated water to be discharged in each batch (of nine tanks).

Consideration must be given to the options of obtaining a composite sample of treated water for testing or for obtaining samples from all the treated water tanks whose discharge to receiving waters would constitute a single batch.

There is the potential for the varied environmental permit to require additional samples of treated water to be taken over a defined period for analyses before batch release to the receiving waters to demonstrate the consistency of their PFOS concentration. The frequency of sampling and testing could then be reduced once that consistency is confirmed.

Discharge of treated water off-site.

At the Teams Meeting of 20/03/2025, there was discussion over where the treated water would be discharged. The preferred location was SP5 which is on the water quality consent and not in the installations permit – neither as an authorised release point nor actually within the installation boundary. A new location would be added to the installations permit as W2.

Following the visit of David Reece, Area Officer, to the Angus Fire Limited site on 02/04/2025, it was discussed that the treated water discharge would exit the site separately from SP5 and meet up with the SP5 discharge outside of the installation boundary.

The permit variation application must clearly define the release points to receiving waters and their locations. A detailed site plan showing their locations must be included in the permit variation application.

If the new W2 release point is not within the current installation boundary, the variation application must include a request to extend the installations boundary to include that point.

Please note that this would trigger an update to the Site Condition Report to include new land within the installation boundary. There is information on what would be required to do that in the Basic Pre-Application response document that is attached with this response.

If the new discharge of treated water released via W2 is to be added to an existing discharge from SP5 either within or outside the installation boundary, you must demonstrate that the receiving pipelines, culverts etc. are suitable for handling the increased flow without risk of aqueous discharge backing up inside or outside the site.

From discussions at the Teams Meeting of 20/03/2025, it is expected that up to 66m³/day may be added to the existing SP5 discharge route of 30m³/day. You must demonstrate the infrastructure is capable of accepting that increased flowrate – both as a total; daily flow and an instantaneous maximum flowrate.

Implications for existing water quality consent to discharge.

The Angus Fire Limited site currently has water quality consent, 017290164, authorising discharge to SP2 and SP5.

If the discharges to SP5 (from the current water quality consent) and to W2 (to be created in the varied installations permit) do not both undergo treatment in the new effluent treatment plant and the existing discharge to SP5 is not changing as a result of the variation application to the installations permit, then no change or variation will be required to the water quality consent.

This is important because, if existing SP5 water and new treated water are kept apart until final discharge, there is no requirement to vary the water quality consent - but if SP5 was to be diverted to the effluent treatment plant and all treated waters discharge together, then a water quality consent variation would be required.

In the application for variation to the installations permit, you must demonstrate that the currently permitted water quality discharge, SP5, and the new discharge from the effluent treatment plant, W2, can be sampled and monitored separately to ensure that compliance of each to their respective flowrate and pollutant concentration limits can be demonstrated.

There is no perceivable benefit in attempting to vary the water quality consent instead of the installations permit to authorise treatment and discharge of the surface waters containing PFAS chemicals. The impact assessments required to vary the installations permit would then also be required to vary the water quality consent with no benefit in reduced determination times.

Treatment of contaminated waters originating inside and outside of the installation boundary.

The current plan is that the effluent treatment plant would treat contaminated waters that arise from areas both within the installation boundary and outside of that boundary.

There are two ways that this can be permitted.

The first, and preferable method, is that Angus Fire Limited would submit in the permit variation drawing a site plan with the areas outside the installation boundary from where waters are to be treated clearly marked. The limits of specified activities in Table S1.1 would then state that water was to be treated from inside the installation boundary and the areas outside the boundary highlighted in that named site plan.

The alternative method is to include the conditions in the permit relating to acceptance of waste from outside and include a table in schedule 2 outlining the wastes that can be accepted with the EWC Codes defined.

Treatment of groundwaters.

It was decided at the Teams Meeting of 20/03/2025 that, to expedite the determination of the installations permit variation as quickly as possible, that this current variation would relate to only the treatment of surface waters – not groundwaters. There would be a further permit variation required for treatment of groundwaters at a later date.

Variation application scheduling.

Angus Fire should apply for a substantial variation to their existing installations permit as soon as possible.

The application will undergo our validation process where a decision on whether an application can be validated (essentially duly made) within 6-8 weeks. If the application cannot be duly made, it is returned to the applicant. If it can be duly made, it is added to the work queue for allocation as soon as possible to a permitting officer with the necessary skills and experience in that particular sector to carry out the determination.

An applicant can request, at time of submission, prioritisation of their application. If granted, that would mean the application, if validated, was allocated quicker to a permitting officer for determination. It does not shorten the time necessary for determination.

There is no standard template to complete for requesting prioritisation. An operator should include a prioritisation request alongside their application when submitting. The prioritisation request should highlight any environmental benefits that will be realised when the application is determined. There is no guarantee that a request for prioritisation would be approved.

An applicant can also request the issue of a Local Enforcement Position (LEP) which would allow the operator to implement the changes sought in the permit variation application before that is formally issued. Normally an LEP can only be issued once a submitted application has been duly made.

For Sites of High Public Interest, the issue of an LEP can be deferred until the 'minded to' consultation process has commenced. For such sites, after determination and before issue, there is often a 'minded to' consultation period when the Environment Agency consults on the draft permit they are proposing to issue.

Again, there is no guarantee that an LEP would be granted.

Mobile Plant Deployment Licence.

A mobile plant deployment licence, SP3823LH/W0002, has been issued in relation to operation of the effluent treatment plant. That deployment did not permit any discharge of treated water to the receiving waters, River Wenning.

Should Angus Fire Limited wish to avail of this mobile plant deployment, a variation would still be required to the installation environmental permit to authorise the discharge to receiving waters. This variation would be to include a new discharge location, W2, within the authorised release points.

If the operator was to propose that by treating the wastewaters to a PFAS concentration of <10ng/l, they were essentially creating uncontaminated water that could be discharged through permitted release point, W1, that assertion would have to be justified and verified through a permit variation as the intent of the discharge from release point, W1, is

rainwater and uncontaminated run-off – not contaminated water that has been treated on site.

Furthermore, there are limits to the origin of the rainwater and run-off that can be discharged through release point, W1, which are much smaller in scope to the locations for the origins of the contaminated surface waters (both inside and outside the installation boundary) that are to be treated in the effluent treatment plant.

Both these scenarios, whereby the mobile plant deployment could be used to treat the contaminated waters, would themselves require variations to the installation permit to allow discharge to the River Wenning.

New Fast Track Permitting.

The Angus Fire Limited enhanced pre-application request included a question on the Potential to utilise the 'fasttrack' permitting process.

On 1st April, the Environment Agency launched a trial of a new Priority Tracked Service for permit applications. This service is however focused on large infrastructure and housing projects where developers can apply online for coordination support for multiple permit and licence applications.

It is not intended for operators who are making single applications for environmental permits or variations which do not cross over multi disciplines.

The new Priority Tracked Service is not applicable to the Angus Fire Limited variation application.

Further work is on-going internally within the Environment Agency on developing a prioritised charging scheme for individual applications. This would formalise the prioritisation process discussed earlier to allow applications to spend less time on the work queues before allocation to permitting officers for determination. It would not reduce the time of determination itself.

No trial on this system has yet commenced and, until such time, applicants should apply for prioritisation as currently.

Additional information

We have included our basic pre-application advice documents which cover relevant information for your application. You should read these carefully and use the information to help prepare your application.

After you apply

The information that you need to submit with your application is explained in the application form and its guidance. The Environment Agency will check that you have submitted this information and the correct application charges. This is to ensure we have enough information to start to determine your permit application

We will contact you if information is missing and can feasibly be provided within 10 working days. If we consider information cannot be provided within this time frame we will return your application with a list of what is missing.

We'll retain 20% of the correct application charge to cover our costs in reviewing your application and requesting information. This maximum amount we'll retain is capped at £1,500. This is explained in the environmental permitting charges guidance.

We will not charge this if we return an application after having done very little work – for example, because it contained obvious errors or omissions.

Once we have duly made an application we will start to determine it. This is when we do our technical checks. We may need to ask you for further information or additional documents at this stage.

Once an application is validated and duly made, it is ready to be allocated for determination.

The time it takes us to allocate an application depends on a number of factors, including the complexity of the specific application and the availability of a member of our team with the right skills to assess it.

The amount of time taken to determine your application will vary. It will be impacted by factors such as:

- The quality of the application
- The complexity of the application
- Whether an application is of high public interest
- Whether the application includes novel technologies or techniques
- Whether the determination requires input from others, both internal and external to the Environment Agency
- Whether modelling and/or monitoring and assessment is required, for example Air Quality modelling and assessment or water discharge or groundwater activity specific substances assessment.

The Permitting Officer determining your application will be able to keep you updated with the progress of your application.

What happens next?

If you submit an environmental permit application then please quote this pre-application reference number: **EPR/XCP3832NV/P001**.

If the advice above details using the [online digital application form](#), your application can be submitted using this method. If not, please send your completed application documents via email to:

psc@environment-agency.gov.uk

Please email applications where possible. If email is not possible you can submit by post to:

Environment Agency, Permitting Support Centre, Quadrant 2, 99 Parkway Avenue,
Sheffield, S9 4WF.

Scope of this advice

We have only provided the specific advice you requested based on the information provided. We cannot provide advice on all aspects of your application, so it is important you read all available online guidance and the application forms to ensure anything not covered within this advice is considered as part of your application.

It is important to remember:

- this is advice, we are not agreeing anything at this stage
- we have provided this advice based on the limited information we have about your proposals at this time
- we have only provided the advice you specifically requested
- we may need to request additional information when we have a full application

Disclaimer

The advice given is based on the information you have provided, and does not constitute a formal response or decision of the Environment Agency with regard to future permit applications. Any views or opinions expressed are without prejudice to the Environment Agency's formal consideration of any application. Please note that any application is subject to duly making and then full technical checks during determination, and additional information may be required based on your detailed submission and site specific requirements and the advice given is to address the specific pre-application request.

This advice covers installations activities only.

Other permissions from the Environment Agency and/or other bodies may be required for associated or other activities.

Enhanced pre application cost estimate

At this stage the pre-application advice is expected to cost up to £3,000 plus VAT. An invoice will be sent separately.

This pre-application request is now closed.

We consider this pre application request is now closed however if you have any questions regarding this letter please contact PreApplicationService@environment-agency.gov.uk.

If you require additional enhanced pre-application advice please complete our [online form](#).

Please note that I am not available from 4th April to 1st May 2025.

Should you have any questions on this response to the Angus Fire pre-application request, please contact [REDACTED].

Alternatively you may discuss this with the Area Officer for the Angus Fire site, [REDACTED]
[REDACTED] or either of the technical specialists on
PFAS who attended the Teams meeting on 20/03/2025, [REDACTED]
([REDACTED]) or [REDACTED]
[REDACTED].

Yours sincerely

[REDACTED]

Senior Permitting Officer.