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Sent: 26 February 2019 14:17
To: josephine@hc-consultancy.co.uk
Cc: Farthing, Tony <tony.farthing@environment-agency.gov.uk>; Roberts, Tony <tony.roberts@environment-agency.gov.uk>
Subject: Wardley Biogas Pre-app EPR/GP3636QX/A001

Hello Jo,

Many thanks for the updated details on the 'PS' tanks. I've had a look at the points raised in the meeting for further information, and I've discussed them with Abraham.

'PS' Tanks – roof design.

The revised 'PS' tank roof proposal with a gas-tight membrane appears suitable in principle to address the main risk of odours from the stored waste. Please provide details of the design with the application, along with a BAT justification against the relevant standards for storage tanks.

Jetting risk from the concrete tanks.

We consider the risk of jetting type failures from well-built concrete tanks to be lower than from steel equivalents due to their construction. You should justify the risks in your accident management plan, and show how they are minimised.

Animal By-product acceptance – implications for permitting.

Under the IPPC Regime (prior to the Industrial Emissions Directive – IED), anaerobic digestion (AD) was regulated under the following activities:

- Section 1.1 A(1)(b)(iii) – combustion of biogas derived from AD
- Section 6.8 A(1)(c) – processing of animal waste above 10 tonnes per day via AD
- Waste operation – processing of other non-hazardous waste (non-animal waste) via AD

Following IED, an AD plant could fall under different listed activity descriptions depending on the circumstances e.g.

- 5.3 A(1)(a)(i) – if it accepts hazardous waste with a capacity exceeding 10 tonnes per day
- 5.4 A(1)(a)(i) – if it accepts non-hazardous waste with a capacity exceeding 100 tonnes per day (disposal only)
- 5.4 A(1)(b)(i) – if it accepts non-hazardous waste with a capacity exceeding 100 tonnes per day (recovery only)
- 6.8 A(1)(c) – if it accepts animal carcasses or animal waste at a plant with a treatment capacity exceeding 10 tonnes per day

Where an activity can fall under more than one description, we objectively consider which is the "most apt" to the particular case. This is a matter of judgement and there are no hard and fast rules on this issue. Whether Section 5.3, 5.4 or 6.8 is the most apt activity will depend on the relative proportions of animal waste and other waste feedstock, but taking an extreme example, we would suggest that an AD plant taking a mixture of 300 tonne/day animal waste and 15 tonne/day of other non-hazardous waste would be most aptly allocated to Section 6.8 A(1)(c) activity, whereas one taking 15 tonne/day of animal waste and 300 tonne/day of other non-hazardous waste might be most aptly allocated to Section 5.4 activity.

In the basic pre-application letter the costing was provided on the basis of the site being a 5.4 A(1)(b)(i) activity. If you wish to take a level of animal waste which would make 6.8 A(1)(c) the most apt description this may affect the listed activity required and the costs. You need to provide a description of the operations proposed with the application, and this should include details of the waste types and quantities you wish to accept, including quantities of animal waste.

Additional Plans and Assessments required.

The following assessments are applicable to the application, and will attract additional charges: Habitats Assessment (table ref 1.19.1, £779);

Odour Management Plan (table ref 1.19.6, £1,246);
Pest Management Plan (table ref 1.19.4, £1,241).

Please note that a Noise Management Plan (table ref 1.19.7, £1,246) may be applicable – though as discussed at the meeting you will look again at your noise risk to see if this is the case.

Technically Competent Management (TCM) – Time on site.

Our current guidance can be found here:

<https://www.gov.uk/guidance/legal-operator-and-competence-requirements-environmental-permits#how-much-time-your-technically-competent-manager-must-be-on-site>

As you pointed out at the meeting this still refers to our withdrawn OPRA guidance as a method of calculating percentage attendance on site for the TCM. At the moment this is the only guidance we have, but new guidance is in preparation and should be available in the near future. Should this not be the case by your intended start of operations (and presuming a permit is granted), you should discuss a suitable attendance level with your local inspector.

I think that is all the issues I noted at the meeting – if there is anything else you were expecting please let me know and I will get back to you.

Best regards
Graham

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