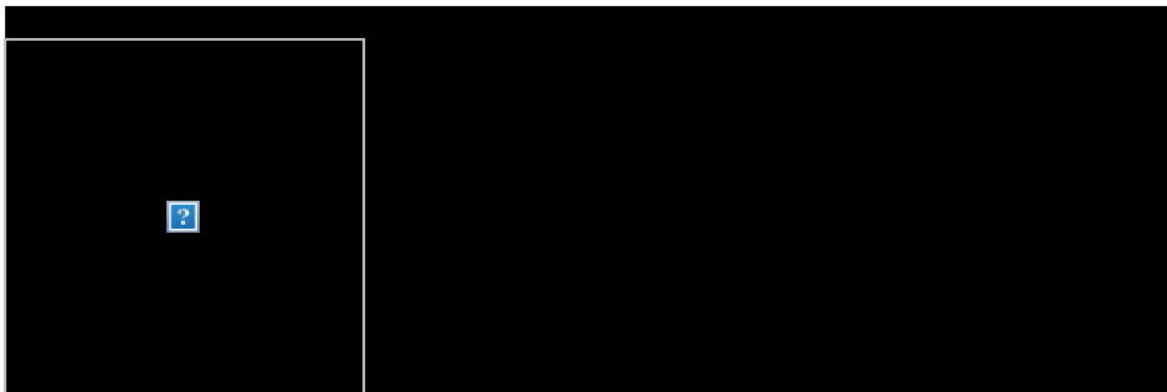


From: [SM-Defra-RESP-notifications \(DEFRA\)](#)
To: [Samantha.Hayden](#)
Cc: [Andy.Stocks](#); [Summerill, Joanne](#)
Subject: EPR/DP3642YM/A001 We Need More Information About Your Application CRM:0279028
Date: 24 November 2023 16:02:29
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
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Dear Samantha Hayden

Environmental Permitting (England and Wales) Regulations 2016

Application reference: EPR/DP3642YM/A001

Operator: Silva Recycling Limited

Facility: Corbriggs Wood Processing Facility, Mansfield Rd, Chesterfield, S41 0JW

Thank you for your emails dated 16 and 23 November 2023. This is to confirm our conversation on 24/11/23.

We requested evidence of TMNH and TMH Continuing Competence (CC). You were able to provide TMH CC but not TMNH CC. As TMNH has not been supplied we cannot duly make the application. Usually when we can't duly make an application we return it. However we have decided that there are exceptional circumstances as the operator did try to provide the continuing competence, but did not select all of the activity specific parts of the CC test. **We have made an exceptional decision that in this one instance, if you provide evidence that they are registered to sit the soonest test date available to gain TMNH and provide evidence of this registration within 10 working days, we can continue with duly making.** They will then need to provide evidence that they have passed during determination, before any permit could be issued.

Further details about technical competence are available on the WAMITAB website in

their scheme document [WAMITAB Assessor and IQA Handbook \(ciwmquals.co.uk\)](http://ciwmquals.co.uk). This details that there are no grace periods for CC. The grace period only relates to obtaining the primary qualification not CC. The relevant sections are below. I hope this may be useful for you.

"3.6 How does the 12-month grace period work?

For new permit applications, the **relevant Primary Competence** must be gained within 4 weeks of the site becoming operational. If the application is for a low-risk activity, applicants must provide evidence of booking or registration for one of the following and complete it within 4 weeks of permit issue or the commencement of the activity: • The EPOC • The relevant low risk 4-unit qualification If the application is for a medium or high-risk activity (except landfill), applicants can: • Complete the EPOC to gain a 12-month grace period during which they can undertake the relevant 6- or 12-unit qualification. • Complete the 4 specified units of the relevant 6- or 12-unit qualification (shown in the table below) in 4 weeks to gain a 12-month grace period to achieve the remaining units based on the table below:"

Also in relation to the relevant CC test:

"5.6 If I want to do a different type of activity can I just take a different Continuing Competence test?

It depends. The Continuing Competence certificate is only valid alongside a relevant Primary Competence certificate (or previous status as Deemed Competent, EA Assessed, Previous Exempt etc.) i.e. a relevant qualification or EPOC covering the same type of facility. Therefore, if your Primary Competence is not relevant for the new process, permit variation or you were Deemed Competent etc. then you will need to achieve an appropriate Primary Competence (e.g. qualification) to comply with the Operator Competence Scheme requirements. You will then need to do the additional Continuing Competence test within two years. **However, if your Primary Competence is relevant for more than one type of facility then you will need to check if an additional test is required. For example, you have a relevant qualification for Managing Treatment of Hazardous Waste and have passed the activity specific test - Treatment Hazardous Waste (TMH). You then apply to vary your permit to include the treatment of WEEE. You will not need to do another qualification as your Managing Treatment Hazardous Waste qualification is listed as relevant for WEEE treatment in the hierarchy. However, you will need to ensure that you have passed the WEEE Continuing Competence test to demonstrate understanding of the activity specific requirements. This is in addition to the activity specific test for Treating Hazardous Waste (TMH). This additional test should be completed no later than the expiry date of the existing Continuing Competence test. Please note: you will need to pass the Continuing Competence tests for both activities to maintain your competence."**

Additionally, please could you clarify about where surface water discharges to and if it is only uncontaminated run-off. In the Bespoke Environmental Permitting Application and Operating Techniques & Bat Review Report 5448-CAU-XX-XX-RP-V-0303.A0.C2, it first says:

"2.1.4 The site surface is proposed to be constructed of impermeable concrete or tarmac, with installed drainage system and interceptor, and connections to surface water and foul sewer discharge. The site's surface water run-off will be directed by the site's drainage system via an oil/water interceptor into the local surface watercourse (the Calow Brook)."

Then it says:

“2.3.1 There will be no point source emissions to water as part of the activities at the site. Uncontaminated site surface water run-off will discharge to surface water drain.”

Please reply directly to this email with your information and copy in [REDACTED]

Please send the information within 10 working days of this letter.

If we do not receive the information within 10 working days we will return your application.

If we do receive the requested information within 10 working days, 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-permits-and-abstraction-licences-tables-of-charges>

If you have any questions please phone me on [REDACTED] or email [REDACTED]

Thank you very much for your time and assistance.

Yours sincerely,
Joanne

Joanne Summerill
Permitting Officer (Waste), Birmingham Centre, National Permitting Service
Part of Operations – Regulation, Monitoring and Customer
Environment Agency | Aqua House, 20 Lionel Street, Birmingham, B3 1AQ

Office: [REDACTED]

Mobile: [REDACTED]

Working days: Monday to Friday

Website: www.gov.uk/environment-agency



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