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The Environment Agency
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26th May 2019
HFW/jrw/JP/PUS/68

Fao: Mr Finlay Dampier
Permitting Officer
Finlay.Dampier@environment-agency.gov.uk

Dear Finlay

An Application for a Bespoke EA Permit: EAWML 405998
The Use of Waste for the Reclamation, Restoration or Improvement of Land

JP Land Restoration Services Ltd
Warmfield Fishing Grounds Development
Warmfield Lane - Kirkthorpe - WF1 5TH – SE 370 210

Additional Information to Support the Application

Thank you for providing the information that the Environment Agency requires to continue the processing of this Application. We are very grateful for your support and advice.

BACKGROUND

- (1) Messrs **Pick Up Skips** of Wakefield owns a section of disused and derelict railway cutting that traverses Warmfield Lane, Kirkthorpe.

A subsidiary of Pick Up Skips ... **JP Land Restoration Services Ltd**... is applying to the Environment Agency for a Bespoke Land Recovery Permit to authorise /regulate the partial infill of a small stretch to create two sports-fishing ponds and a wildlife pond.

Pick Up Skips retains Black Rock as a consultant.

- (2) The company has sought and received consultancy services from the Environment Agency (Mr John Murray and Ms Anna Gribben) and preliminary review of the Waste Recovery (Ms Caroline Wynn). This has been greatly appreciated. The EA has subsequently confirmed that:
- The construction exercise qualifies as a Land Recovery Project and not a Waste Disposal Project
 - The Waste Recovery Plan produced for the project meets the requirements of EA policies and systems.
 - The Case Officer for appraising the exercise is Mr Finlay Dampier.
- (3) In April 2019, hard and electronic copies of the Permit Application package were delivered to the Environment Agency Permitting Office at the Quadrant in Sheffield. The package included the following documents* and files:

 Pick Up Skips JP Permit Application Supporting Statement 30-03-19
 Pick Up Skips JP Kirkthorpe Operating Statement & Risk Assessment Revised 28-03-19
 Pick Up Turtle Quotation - lake lining
 Pick Up Warmfield U1 Renewal November 2018
 Pick Up Skips JP Waste Recovery Plan Bespoke Permit Revised Feb 2019 Final
 HFW Projected Site Specific Remediation Criteria SSRC at CLAIRE sites C Nov 2017
 Pick Up Skips Bespoke Application Photoplate
 Pick Up Skips Allied Plant Quote for Fill October 2018
 Jim Pickup HOUSE+OF+COMMONS+2ND+LETTER+TO +JIM_ August 2018
 Simply Ecology Final Report Kirkthorpe 23-02 -16
 Pickup Skips Construction Method Statement covering letter 17-08-16
 Willow Lane Fishing Ponds Final Tree Report
 Pick Up JP Ramsden Design and Access Statement 2013
 Correspondence re Natural England Protected Habitat
 Pick Up JP Correspondence with EA re Site Status
 Pick Up JP Permit Application Forms
 Pick Up JP Groundsure & Flood Info
 Pick Up JP Final Site Plans
 Pick Up JP COTC Info March 2019
 Pick Up JP Historical & Environmental Setting
 Pick Up JP U1 Cert Renewal 2018
 Pick Up Skips Planning Info

*Unfortunately, the Operating Statement & Risk Assessment document did not transfer to the electronic disk. It was/is present in the hard copy file. A duplicate electronic copy has been sent to Mr Dampier's office.

- (4) The EA Permitting Unit has requested additional information and documents to assist the appraisal of the Application. Those points and comments raised by Mr Dampier are herein reproduced in ***large italic script***, the response is produced in **plain typescript**.

Provide the document titled 'Operating Statement & Risk Assessment' and referenced 'Black Rock'

This document is not on our system. As a result, you will need to provide your Waste Acceptance Procedures, Waste Acceptance Criteria, Environmental Risk Assessment and Non-Technical Summary that 'Form B2' references under the document title 'Operating Stmt & Risk Assessment'.

- (5) An electronic copy of this Operating Statement & Risk Assessment document has since been forwarded to the EA Permitting Unit in Bristol. For insurance, a second copy is e-mailed with this Additional Information document.
- (6) **A Non-Technical Summary** of the project is produced in Sections 1 to 14 of the Operating Statement & Risk Assessment document. Section 14 lists the factors that have influenced and governed the operating procedures and infrastructure that have been adopted / implemented.
- (7) **Waste Acceptance Criteria** are confirmed in Sections 55 to 68 of the *Operating Statement & Risk Assessment* document. The chemical contamination limits for import soils are tabulated in Appendix 1 of the document.
- (8) **Waste Acceptance Procedures** are confirmed in Sections 69 to 80 of the Operating Statement & Risk Assessment document. Again, the chemical contamination limits are tabulated in Appendix 1 of the document.

Issues regarding the discovery of unsuitable/unauthorised tramp components are addressed in Sections 20 to 28 of the document.

(9) Section 69 addresses CoTC attendance:

- The EA has pointed out that Mr Christopher Pickup holds a Wamitab COTC Level 4 Certificate for Waste Transfer operations and does not strictly qualify for supervision of Waste Treatment operations.

Chris has demonstrated his Continuing Competence exam for the Wamitab Waste Transfer and Waste Treatment system which now is a combined exam. I am unsure whether this would qualify him for the role at Warmfield.

- Mr Danny Addison will be the Site Manager and is registered to undertake a MROC1 Wamitab COTC Level 4 Award for both Transfer and Treatment operations, with contingency for an additional MROC13 Award for Contaminated Land Remediation. Black Rock has attached a copy of the letter seeking sanction from the EA for this course of qualification. Sanction has subsequently been granted by Mr Daniel Butterworth of the EA office in Lateral, Leeds.

Danny will be in daily attendance at the site and be able to produce an evidence portfolio from both the Warmfield site and the longstanding Pick Up Skips Waste Transfer Station in Wakefield.

- Hywel Wilcox of Black Rock holds COTC's (at Special / Hazardous Waste: Level 4) for Waste Landfill, Transfer and Treatment operations.

I will be available for requisite attendance at the site and am also nominated as Danny's Wamitab Assessor. Obviously, the Assessment process is stringent and subject to scrutiny by Internal and External Verifiers from Wamitab. My Wamitab qualifications are already in the Application Package; to supplement the, I have attached a CV.

ISSUES RELATING TO APPLICATION FORM B4

Provide more detailed information within your Environment Setting & Site Design (ESSD) report as asked in Form B4 - Appendix 4

- (10) Apologies for not producing a specific ESSD Report. It was assumed that the relevant information / confirmation of site status was contained within the Operating Statement & Waste Recovery Plan.

A bespoke ESSD Report has been prepared and accompanies this Additional Info document.

- (11) The Environment Setting & Site Design (ESSD) Report addresses the following EA-requested information relating to Appendix 4 of Application Form B4

In 'Form B4 – Appendix 4' you have identified a Hydrogeological risk assessment (HRA) does not apply to your site. Please explain in the ESSD why this does not apply. Please refer to Page 5 of the attached file 'Form B4 Guidance' for further information

Appendix 4 – Question 5

In 'Form B4 – Appendix 4' you have identified a Stability risk assessment (SRA) does not apply to your site. Please explain in the ESSD why this does not apply.

Please refer to Page 5 of the attached file 'Form B4 Guidance'

Appendix 4 – Question 4

In 'Form B4 – Appendix 4' you have ticked 'yes' there is a completed outline engineering plan within the ESSD. Please point to which section this refers to.

Please refer to Page 5 of the attached file 'Form B4 Guidance' for further information

- (12) Electronic copies of drawings, documents and plans herewith provided confirm the engineering design for the infill programme and additional infrastructure.

- 2618-200
- 2618-201
- 2618-20f
- Land Ownership
- Access Road and Car Park Plan
- HS2 Plan
- EA Floodplain Plan
- Groundsure GeoInsight drawings
- Groundsure EnviroInsight drawings

- Simply Ecology Wildlife Pond drawing
- Pick Up Skips 6F5 certificate

Appendix 4 – Question 6

In 'Form B4 – Appendix 4' you have ticked 'yes' there is a monitoring plan within the ESSD. Please point to which section this refers to.

Please refer to Page 5 of the attached file ' Form B4 Guidance' for further information

Appendix 4 – Question 7

In 'Form B4 – Appendix 4' you have ticked 'yes' there is a plan for closing the site and procedures within the ESSD. Please point to which section this refers to.

Please refer to Page 5 of the attached file ' Form B4 Guidance' for further information

Appendix 4 – Question 8

In 'Form B4 – Appendix 4' your benefit statement is not in accordance with EPR 8.01 Section 6 as required in the guidance. Provide an Ecological Benefit Statement in line with this guidance.

Please refer to Section 6 (Starting on Page 41) of the attached document titled 'TGN EPR 8.01 Guidance

- (13) Details of the Ecological Benefit of the scheme are confirmed in Sections 16-19, 25, 29-34 of the Waste Recovery Plan that has been sanctioned by the Environment Agency.

In addition, the Application Package includes Altofts Tree Service's specialist report on the upgraded tree-planting scheme and the Simply Ecology Report that identifies species and sets a specification for the Wildlife Pond that is to be constructed before Fishing Pond construction can commence.

Provide a Site Condition Report or equivalent within the ESSD

The Environmental Setting & Site Design does not take into account the historical activities or baseline data. Whilst the guidance does not require a Site Condition Report for areas where waste has been deposited, it is necessary for areas that have not (site access areas, site offices, weighbridge, wheel wash, etc). Please refer to Page 17 of 'ESSD EA Template' attached for further information

DUST EMISSION PLAN

The proposed operation is within 500m of a domestic housing estate, as such you will need to:

- Provide a standalone Dust Emissions Management Plan (DEMP) that complies with our guidance*
- Provide additional payment of £1,241 for the assessment of the DEMP*

Please refer to <https://www.gov.uk/guidance/control-and-monitor-emissions-for-your-environmental-permit#emissions-management-plan-for-dust> for guidance of what you must include.

(14) Dust Emission Control is detailed in Sections 29, 62, 69, 75, 81-83 and Appendix 2 of the Operating Statement & Risk Assessment document. Nonetheless, a combined Emissions Control document has been collated and is herewith presented for assessment by the EA Permitting Unit.

(15) **Black Rock would be grateful if the EA Permitting Unit in Bristol could confirm how it would like the £1,241 assessment fee to be paid**

ISSUES RELATING TO APPLICATION FORM B2

Provide an Environmental Management Summary

You have ticked in 'Form B2 – Question 3d' that you are using your own management system and have referenced the document 'WAMITAB COTC & Site Operating Statement'.

The WAMITAB COTC document is not relevant to the guidance and the operating statement is not on our system.

B2 Guidance can be found at

<https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-b2-new-bespoke>

- (16) The requirements of the Environmental Management Summary are addressed in Sections 60 to 111 of the Operating Statement, plus its Appendices 1 and 2.

Provide a Site Plan that adheres to the B2 Guidance

The site plan submitted does not outline the whole site and place it in a setting where local features can also be identified.

- (17) The original site plan is split into two ... 2618-200 and 2618-201 ... to provide a large-sized paper copy of the infill zone for each fishing pond. Full-sized A0 copies were provided in the hard copy file supplied to the EA Permitting Office in Sheffield.

Each plan has now been amended to:

- Include the site boundary marked in green ... the infill zone is shaded green. The boundary was previously marked in red to comply with the requirements of the Wakefield MC Planning Unit.
- Identify the gas-monitoring positions ... 4 wells in a line set north and south of each of the Fishing Ponds and Wildlife Pond.
- The layering of soils and the resultant cross-section profiles are confirmed on drawings 2618-200 and 2618-201

- (18) An additional plan ... 2618-204 ... has been prepared showing the setting of the development site. The infill zone of the former railway cutting runs broadly north and south through land devoted to agricultural fields. The infill line is traversed (overhead) by the east-west line of the Kirkthorpe Lane public highway.

In distance from the infill line, the nearest occupied properties are approximately:

- West 180m: A small housing estate and playing field
- East 200m: A single farmhouse
- North 600m: The entrance to the Welbeck Landfill Site (municipal waste and composting activities) on the far bank of the River Calder.
- South 350m: A single farmhouse.

An active railway line runs broadly east-west ~550m to the north and the River Calder runs ~550m to the northwest.

ENGINEERING DESIGN

(19) Electronic copies of drawings and plans herewith provided confirm the engineering design for the infill programme and additional infrastructure.

(20) Electronic copies of drawings and plans herewith provided confirm the engineering design for the infill programme and additional infrastructure.

- 2618-200
- 2618-201
- 2618-20f
- Land Ownership
- Access Road and Car Park Plan
- HS2 Plan
- EA Floodplain Plan
- Simply Ecology Wildlife Pond drawing

JP Land Restoration Services Ltd, Pick Up Skips Ltd and Black Rock trust that the provisions detailed in this document are sufficient for the purposes of the Environment Agency. Its contents remain the intellectual property of Black Rock.

Should any points be identified for further clarification or discussion, I would be grateful if you could contact me directly at the above address.

Hywel Wilcox

Director

Black Rock Environmental Asstes Ltd

On behalf of:

JP Land Restoration Services Ltd

Pick Up Skips & Co

Circulation

Mr Jim Pickup
Mr Daniel Addison
Mr Alan Powell

JP Land Restoration Services Ltd
JP Land Restoration Services Ltd
Ramsden / Den Architects