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VAT Reg: 708 2839 21

EA Reg: CBDU 118222

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31st May 2019

HFW/jrw/JP/PUS/71

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 Info for the EA Permitting Unit (II)
Re
SITE CONDITION REPORT TEMPLATE

BACKGROUND

- (1) JP Land Restoration Services Ltd is seeking to obtain a Bespoke Permit for the EWarmfield Fishing Grounds Project. The EA Permitting Officer Mr Finlay Dampier ... has reviewed the Application Package and requested amendments /additions that are detailed as follow.
- (2) Mr Dampier's ***requirements are presented in large italic script***, the **response is in plain typescript**.
- (3) Certain items require entering / confirmation in a box of the Site Condition Report Template that Mr Dampier has provided.

Hi Hywel,

I've checked the evidence that you supplied as part of the not-duly made request. I still have some outstanding issues.

Many thanks,

Finlay Dampier

Permitting Officer

National Permitting Service | Part of Operations – Regulation, Monitoring and Customer

Environment Agency | Horizon House, Deanery Road, Bristol, BS1 5AH

Contact | External: 020 302 54137 | **Internal:** 54137 **Email:**

Finlay.Dampier@environment-agency.gov.uk

BLACK ROCK RESPONSE ON BEHALF OF JP LAND RESTORATION SERVICES

31-05-19

1) 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.

Can you confirm if this relates to Section 16-19, 25 & 29-34 within the Waste Recovery Plan or if this relates to the Ecological Benefit Statement instead?

The infill zone at the site has sections where the eastern flank of the cutting is a sheer rockface. That is why the fishing ponds will be tight to the flank. This is shown in cross sections on plans 2618-200 and 2618-201.

The western flank will be restored as a flat surface with trees, fishing stations and the restored / replacement public footpath. The Altofts Tree Services Report refers to additional planting to provide shade for fish development and benefit.

In the Waste Recovery Plan's Appendix:

- the surfacing of the footpath is covered in R3 – Type 1 Aggregate
- the partial cost of placing soil for trees and grass is covered in R3 – Topsoil
- The fencing of the Wildlife Pond is covered in R5
- The partial cost of tree planting is covered in R5

Sections 14, 31-34 of the Waste Recovery Plan relate to Completion Activities. It could be argued that the creation of the carpark and highways-access splay relate to completion activities as they will remain for post-construction use and benefit. (Drawing ref: Access and Car Park drawing)

Sections 16-19, 25 & 29-34 of the Waste Recovery Plan relate to the Ecological Benefit Statement

2) 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

*The Site Condition Report is not sufficient for review. You have provided invalid information. Please fill in **Sections 1.0 Site Details, 2.0 Condition of the land at permit issue, 3.0 Permitted activities** in relation to the areas that require it (site access areas, site offices, weighbridge, wheel wash, etc). I have attached the template to the email.*

Groundsure has provided a series of historical OS maps of the area. These are herewith attached.

The cutting was created before 1850 and set in open farmland. The neighbouring land remained devoted to agriculture until the housing estate ~200 metres to the west was built in the immediate post-WWII years

The mounds shown to the west of the cutting are the natural stone and soil that was excavated to create the cutting.

Section 1.0 – You have provided all information already except for *site drainage and site surfacing*

The Site Drainage will be channelled into the longstanding track drainage system that flows down the west of the infill zone to the River Calder. This had been covered / blocked when the trackbase was removed but has been re-opened (photo in section 25 of the ESSD Report).

Section 33 of the Operating Statement confirms:

'The proposed feedstock wastes are not expected to generate significant quantities of landfill gas.

- The drainage system ... rubble in gabion ducts ... will facilitate a preferential escape route for transient subterranean gases from below the railbed.
- Any gas would be dissipated into the open air at elevations well below the surrounding topography.
- The nearest domestic properties are 180m away to the west.'

The gabions will be rubble-filled cages linked to the exposed line of the track drainage. The cutting stretches north-and-south well beyond the infill zone. The track drainage system has for many years collected and drained run-off water from the surrounding land

The site surface in the Fishing Pond infill zone will be a combination of:

- grassland,
- planted trees/shrubs
- fishing stations and the reinstated footpath will be laid on Type 1 Aggregate vibro-rolled on 6F5 aggregate.

The site surface in the Wildlife Pond infill zone will be a prepared habitat, as depicted in Section 35 of the ESSD Statement document

NB; The tree planting scheme, including the deciduous zone works has been sanctioned by the Calderdale MC Trees Officer

Section 2.0 – You have already provided this information, but please reference the document and section where this information is available.

Completed

Section 3.0 – Please reference a summary giving a brief outline of the permitted and non-permitting activities.

Completed

3) Please confirm if Mr Daniel Addison will be the Primary Technically Competent Manager on site.

MROC1 is a sufficient qualification to manage the proposed site. Intending to register is not sufficient to complete the necessary duty-making checks. For new permits with a medium risk (in this case the Deposit for Recovery), the proposed TCM must make sure they are registered for either the EPOC or 4 critical units of the relevant award and that they are registered on the relevant medium risk award.

- *The EPOC must be completed within the first 4 weeks from the commencement of permitted operations*
- *Daniel Addison must provide evidence of registration (this can be an email of confirmation) onto the MROC1 course, and this must be completed within the first 12 months from the commencement of operations.*

Hywel Wilcox will act as CoTC-Holder and attend the site. As Daniel's Wamitab Assessor he will combine the roles (i.e. I will!) to try and get Danny qualified in a relatively short period.

Danny already has a managerial role at the Pick Up Skips Waste Transfer Station and the MROC1 qualification is relevant / applicable for both sites. Therefore he has commenced the compilation of an Assessment Portfolio containing evidence from both sites.

I have attached Danny's registration form with the AT Nerac Training organisation.

Many Thanks

Hywel Wilcox
Director
Black Rock Environmental Asstes Ltd

On behalf of:
JP Land Restoration Services Ltd
Pick Up Skips & Co

1.0 SITE DETAILS	
Name of the applicant	JP Land Restoration Services Ltd
Activity address	Warmfield Fishing Grounds Project Warmfield Lane Kirkthorpe WF1 5 TH SE 370 210
National grid reference	SE 3705 2105

Document reference and dates for Site Condition Report at permit application and surrender	JP Land Restoration Services Ltd Waste Recovery Plan HFW/jrw/GA/PUS/47b 11th Dec 2018 / 2nd Amdmt 14th Feb 2019 [Produced by Black Rock]
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Document references for site plans (including location and boundaries)	<ul style="list-style-type: none"> • Den Architects / Ramsden Architects plans: 2618-200 & 2618-201 & 2618-204 & Access Road /Car Park Drawing • EA Flood Plan • Simply Ecology Wildlife Pond Plan (Simply Ecology Report) • Groundsure GeoInsight and EnviroInsight Reports (various plans) • HS2 Plan for the area • Groundsure Historical OS Maps <p>The Site Drainage will be channelled into the longstanding track drainage system that flows down the west of the infill zone to the River Calder. This had been covered / blocked when the trackbase was removed but has been re-opened (photo in section 25 of the ESSD Report).</p> <p>Section 33 of the Operating Statement confirms: ‘The proposed feedstock wastes are not expected to generate significant quantities of landfill gas.</p> <ul style="list-style-type: none"> • The drainage system ... rubble in gabion ducts ... will facilitate a preferential escape route for transient subterranean gases from below the railbed. • Any gas would be dissipated into the open air at elevations well below the surrounding topography. • The nearest domestic properties are 180m away to the west.’ <p>The gabions will be rubble-filled cages linked to the exposed line of the track drainage. The cutting stretches north-and-south well beyond the infill zone. The track drainage system has for many years collected and drained run-off water from the surrounding land</p>
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	<p>Section R in the Appendix to the Waste Recovery Plan:</p> <p>The site surface in the Fishing Pond infill zone will be a combination of:</p> <ul style="list-style-type: none"> • grassland, • planted trees/shrubs • fishing stations and the reinstated footpath will be laid on Type 1 Aggregate vibro-rolled on 6F5 aggregate. <p>Section R in the Appendix to the Waste Recovery Plan The site surface in the Wildlife Pond infill zone will be a prepared habitat, as depicted in Section 35 of the ESSD Statement document</p>
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Note:

In Part A of the application form you must give us details of the site’s location and provide us with a site plan. We need a detailed site plan (or plans) showing:

- Site location, the area covered by the site condition report, and the location and nature of the activities and/or waste facilities on the site.
- Locations of receptors, sources of emissions/releases, and monitoring points.
- Site drainage.
- Site surfacing.

If this information is not shown on the site plan required by Part A of the application form then you should submit the additional plan or plans with this site condition report.

2.0 Condition of the land at permit issue	
<p>Environmental setting including:</p> <ul style="list-style-type: none"> • geology • hydrogeology • surface waters <p>NB: THE QUOTED PAGES IN THE GROUNDSURE REPORTS ARE THE ACTUAL PAGE NUMBERS NOT THE PDF-RECORDED PAGE NUMBERS</p>	<p>Groundsure has provided a series of historical OS maps of the area. These are herewith attached.</p> <p>The cutting was created before 1850 and set in open farmland. The neighbouring land remained devoted to agriculture until the housing estate ~200 metres to the west was built in the immediate post-WWII years</p> <p>The mounds shown to the west of the cutting and the on-site workings recorded in the Groundsure Reports are solely the natural stone and soil that was excavated to create the cutting.</p> <p>Other info covered in the JP ESSD Environmental Setting document prepared by Black Rock in May 2019</p> <p>Geology: ESSD Sections 14-23</p> <p>Groundsure GeoInsight Pages 4, 5, 13, 22, 29-33 plus numerous associated charts</p> <p>Groundsure EnviroInsight Pages 24, 25 plus numerous associated charts</p>

	<p>Hydrogeology: ESSD Sections 21, 22, 24-26, Groundsure EnviroInsight Pages 25-34, 42-44 plus numerous associated charts</p> <p>Surface Waters: ESSD Sections 21, 24, 27, 45, 52 Groundsure EnviroInsight Pages 10-22 and 38-41 plus numerous associated charts</p> <p>Flood: ESSD Sections 24, 26 Groundsure EnviroInsight Pages 35-38 plus numerous associated charts</p>
<p>Pollution history including:</p> <ul style="list-style-type: none"> • pollution incidents that may have affected land • historical land-uses and associated contaminants • any visual/olfactory evidence of existing contamination • evidence of damage to pollution prevention measures 	<ol style="list-style-type: none"> 1. None known other than casual flytipping from the bridge that crosses the site ... see Photoplate. 2. Cutting Base, Cutting Flank and Standing Water recently analysed and relatively clean. Analyses provided. 3. Simply Ecology Report appraises the recumbent biosystem and plantforms 4. Altofts Tree Services Report confirms comprehensive upgrade to plant diversity and value
<p>Evidence of historic contamination, for example, historical site investigation, assessment, remediation and verification reports (where available)</p>	<p>None known or recorded by Groundsure Report... see JP ESSD document</p> <p>Boreholes related to the locality are not for potable water but related to investigations in former coal mining areas</p>
<p>Baseline soil and groundwater reference data</p>	<p>CLS Analysis Reports May 2019 ... provided.</p>
<p>Supporting information</p>	<ul style="list-style-type: none"> • Source information identifying environmental setting and pollution incidents • Historical Ordnance Survey plans • Site reconnaissance • Historical investigation / assessment / remediation / verification reports • Baseline soil and groundwater reference data

3.0 Permitted activities

<p>Permitted activities</p>	<p>Site Project outlined:</p> <ul style="list-style-type: none"> • in sections 1-14 of the Operating Statement & Risk Assessment document. • in sections 1-26 of the Waste Recovery Plan document.
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	<p>Work has been done to date under U1 Exemption Certification for site preparation</p> <p>See Waste Recovery Plan sections 15, 54</p> <p>See ESSD section79 photos See Photoplate doc</p>
Non-permitted activities undertaken	<ol style="list-style-type: none"> 1. Planning Authorisation-approved construction of new fencing, carpark, highway-junction, security gates, felling of scrub trees to clear a base to create the Wildlife Pond. See Photoplate and Photos in ESSD Report 2. Mandatory cutting of some tall trees by Northern Powergrid ... their canopy was nearly touching overhead high voltage cables.
<p>Document references for:</p> <ul style="list-style-type: none"> • plan showing activity layout; and • environmental risk assessment. 	<ol style="list-style-type: none"> 1. Waste Operating Statement and Risk Assessment 2. Waste Recovery Plan 3. Environmental Emissions Action Plan 4. Den Architects / Ramsden Architects plans: 2618-200 & 2618-201 & 2618-204 & Access Road /Car Park Drawing

Note:

In Part B of the application form you must tell us about the activities that you will undertake at the site. You must also give us an environmental risk assessment. This risk assessment must be based on our guidance (*Environmental Risk Assessment - EPR H1*) or use an equivalent approach.

It is essential that you identify in your environmental risk assessment all the substances used and produced that could pollute the soil or groundwater if there were an accident, or if measures to protect land fail.

These include substances that would be classified as ‘dangerous’ under the Control of Major Accident Hazards (COMAH) regulations and also raw materials, fuels, intermediates, products, wastes and effluents.

If your submitted environmental risk assessment does not adequately address the risks to soil and groundwater we may need to request further information from you or even refuse your permit application.

4.0 Changes to the activity	
Have there been any changes to the activity boundary?	No
Have there been any changes to the permitted activities?	No

Have any 'dangerous substances' not identified in the Application Site Condition Report been used or produced as a result of the permitted activities?	If yes, list of them
Checklist of supporting information	<ul style="list-style-type: none"> • Plan showing any changes to the boundary (where relevant) • Description of the changes to the permitted activities (where relevant) • List of 'dangerous substances' used/produced by the permitted activities that were not identified in the Application Site Condition Report (where relevant)

5.0 Measures taken to protect land	
<p>Use records that you collected during the life of the permit to summarise whether pollution prevention measures worked. If you can't, you need to collect land and/or groundwater data to assess whether the land has deteriorated.</p>	
Checklist of supporting information	<ul style="list-style-type: none"> • Inspection records and summary of findings of inspections for all pollution prevention measures • Records of maintenance, repair and replacement of pollution prevention measures

6.0 Pollution incidents that may have had an impact on land, and their remediation	
<p>Summarise any pollution incidents that may have damaged the land. Describe how you investigated and remedied each one. If you can't, you need to collect land and /or groundwater reference data to assess whether the land has deteriorated while you've been there.</p>	
Checklist of supporting information	<ul style="list-style-type: none"> • Records of pollution incidents that may have impacted on land • Records of their investigation and remediation

7.0 Soil gas and water quality monitoring (where undertaken)	
<p>Provide details of any soil gas and/or water monitoring you did. Include a summary of the findings. Say whether it shows that the land deteriorated as a result of the permitted activities. If it did, outline how you investigated and remedied this.</p>	
Checklist of supporting information	<ul style="list-style-type: none"> • Description of soil gas and/or water monitoring undertaken • Monitoring results (including graphs)

8.0 Decommissioning and removal of pollution risk

Describe how the site was decommissioned. Demonstrate that all sources of pollution risk have been removed. Describe whether the decommissioning had any impact on the land. Outline how you investigated and remedied this.

Checklist of supporting information	<ul style="list-style-type: none">• Site closure plan• List of potential sources of pollution risk• Investigation and remediation reports (where relevant)
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9.0 Reference data and remediation (where relevant)

Say whether you had to collect land and/or groundwater data. Or say that you didn't need to because the information from sections 3, 4, 5 and 6 of the Surrender Site Condition Report shows that the land has not deteriorated.

If you did collect land and/or groundwater reference data, summarise what this entailed, and what your data found. Say whether the data shows that the condition of the land has deteriorated, or whether the land at the site is in a "satisfactory state". If it isn't, summarise what you did to remedy this. Confirm that the land is now in a "satisfactory state" at surrender.

Checklist of supporting information	<ul style="list-style-type: none">• Land and/or groundwater data collected at application (if collected)• Land and/or groundwater data collected at surrender (where needed)• Assessment of satisfactory state• Remediation and verification reports (where undertaken)
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10.0 Statement of site condition

Using the information from sections 3 to 7, give a statement about the condition of the land at the site. This should confirm that:

- the permitted activities have stopped
- decommissioning is complete, and the pollution risk has been removed
- the land is in a satisfactory condition.