

# 4R Group Organic Waste Recycling Plant

Application No EPR/GB3202XN/A001

March 2019

Our role is to protect and improve the environment so that everyone can enjoy the benefits of a clean safe and healthy place to live.

We are responsible for granting or refusing environmental permits and regulating sites that deal with waste. We will not issue a permit if current evidence suggests that the operation will be harmful to health or the environment.

This briefing will give you information about our role in Environmental Permitting and our consultation process

**We have received an Environmental Permit application from 4Recycling Ltd, also known as 4R Group for an organic waste recycling plant at The Old Peat Works, Reading Gate, Swinefleet, DN17 4BL**

**The application number is EPR/GB3202XN/A001**

**We are satisfied that the application contains the required information for us to start our detailed assessment and we will start public consultation on the application on 22 March 2019.**

## Our role - Permitting

We determine whether an operator can have an environmental permit under the Environmental Permitting Regulations ("EPR"). The operator's application for a permit must include site-specific technical and operational documents demonstrating the operators mitigation to minimise or remove the potential risk to the environment, which will need to be assessed and approved by our technical specialists.

Under current environmental legislation (the EPR), we can only refuse a permit if it fails to meet one or more of the legal requirements that ensures the proposed facility will not have a significant impact on the environment or human health. If all the requirements of the legislation are met we are legally obliged to issue a permit.

**We do, however, recognise that there can be significant local opposition to plans for a new organic waste recycling plant, and we can take into account robust technical evidence from consultees including members of the public.**

**Every application is taken on its merits. We will only issue a permit if we are sure that the site will be designed, constructed and operated in a way that will not pollute the environment or harm human health.**

Further information on our role in the Local Authority planning process is detailed in appendix I below.

customer service line  
03708 506 506

incident hotline  
0800 80 70 60

floodline  
03459 88 11 88

### **Our Consultation Process:**

Once an application is received our Technical Specialists in the National Permitting Service check it to make sure that it is complete enough to start the assessment and consultation. If it is not adequate, the applicant will be asked to provide the missing information.

Once it is adequate for our assessment, we can start our consultation process. We will advertise the application on our website and place a copy of the application on the Citizen Space website and our own public register which can be accessed by making an appointment at a local office through our National Customer Contact Centre – telephone number 0370 850 6506.

The initial consultation period will last for a minimum of 20 working days. We will consider responses and look at any evidence or technical reasons why we could not issue the permit.

### **The Application:**

The application contains a description of: the proposed waste activities; the site condition report; the conditions of its site; the nature and quantity of permitted waste materials; the recycling processes involved to recover the intended waste materials; and the proposed techniques for preventing, reducing and monitoring potential amenity issues from the associated activities such as odour and dust emissions.

### **Making your comments:**

**You are able to make comments in writing from 22 March 2019 until 8 May 2019. We accept comments in three ways:**

- **Via this website: <https://consult.environment-agency.gov.uk/psc/dn17-4bl-4recycling-ltd>**
- **By email to: [pscpublicresponse@environment-agency.gov.uk](mailto:pscpublicresponse@environment-agency.gov.uk)**
- **By writing to: Environment Agency, Permitting and Support Centre, Land Team, Quadrant 2, 99 Parkway Avenue, Sheffield, S9 4WF.**

Normally we are required to put any responses we receive on the public register. This includes your name and contact details. Please tell us if you do not want your response to be public.

Because we recognise there may be a high level of public interest in this application, we are extending the consultation period from the usual 20 working days to 30 working days the consultation will end on 8th May 2019.

If, after completing our assessment and taking account of all consultation responses and we intend to issue a permit, we will advertise our draft decision document and draft permit - this is known as our 'Minded to Decision'. You will be able to see our response to your comments raised during the consultation in our decision document. We will consider any further representations made at this point before we make a final decision on whether to issue the permit.

### What sort of comments are we able to take into account?

We can consider comments on any aspects that we are required to assess when deciding whether to grant an environmental permit. The main ones are:

- the location of local receptors, wildlife, habitats, , and any planned projects such as new housing or industry; or if facility is within our screening distances (e.g. for SSSI's the screening distance is 1000m);
- emissions from the operation of the facility including the quantity and the predicted impacts on human health and the environment, including air, water, land, noise and odour (but not climate change which is covered by the planning process);
- the proposed techniques including whether any alternative techniques have been considered and whether this is deemed appropriate for the process.
- energy usage efficiency and energy generation efficiency;
- raw material use;
- minimisation of waste generated by the process, and the recovery, recycling or disposal of this waste;
- the condition of the soil and groundwater below the site; and
- the potential for accidents (in terms of the risk to the environment rather than on workers which is covered by the Health and Safety Executive).

### What sort of comments are we NOT able to take into account?:

- Whether organic waste recycling is the right solution to deal with waste in the area (this is considered by the planning authority and will be covered by the local waste plan);
- any activities relating to the facility outside of the site boundary, such as potential increased traffic and vehicle movements;
- the visual impact of the facility (considered by the planning authority).

**Our role at the Environment Agency is to protect and enhance the environment. We would not permit any operation that we know would cause harm to the environment or people's health. We assess permit applications thoroughly to make sure that all aspects that could affect the environment and human health are addressed to a satisfactory standard. We have suitably qualified and experienced officers who carry out this technical assessment.**

Only when we are satisfied that the operation will not cause harm, and all the correct technologies and best practices are in place to protect the environment and people's health would an operator be issued with a permit. A permit contains conditions which if the operator does not adhere to for whatever reason we will investigate and take legal action where appropriate.

Our Regulatory Officer, can assist you with any specific queries not covered in this newsletter.

You can contact us through our National Customer Contact Service number 03708 506506 or [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)

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## Appendix I

### Our Role in the Planning process

The Local Authority lead on planning permission, including location, visual impact and traffic management. As one of the planning statutory consultees, we have responded to the planning application and our response is included on the Local Authority's planning website at:  
<https://newplanningaccess.eastriding.gov.uk/newplanningaccess/>

You can use Planning authority reference 18/03711/CM when searching for details on this planning application.

The National Planning Policy Framework produced by the Ministry of Housing, Communities and Local Government gives guidance on how planning applications for developments which also require environmental permits are dealt with. It states that:

*'Local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'*

We will only object in principle to a planning application if there are clear reasons why a permit would be unlikely to be granted. (We sometimes use a holding objection where there is insufficient information with the planning application for us to decide what our permitting position is likely to be.) Location-related characteristics that are most likely to influence our advice on planning and environmental permitting are given within the guidance: <https://www.gov.uk/government/publications/developments-requiring-planning-permission-and-environmental-permits>.

We will object in principle where the facility is located in a groundwater source protection zone 1, and where we believe the operation causes an intrinsic hazard to groundwater quality. In this particular case, the location is not within a source protection zone 1 and therefore we did not object in this case but highlighted that there wasn't enough information for us to assess the type of permit that would be required.

We will also give advice on the environmental permitting requirements and on the information that we are expecting to look at it in more detail at the permitting stage.

We will carry out our detailed assessment of the environmental impact at the permitting stage and we will not duplicate the work and prejudice the results of the permitting determination process. The council make the decision on whether an environmental impact assessment is required with a planning application and we will comment on the scope and content of the EIA at planning stage.