

[Redacted] (Defra)

**From:** [Redacted]  
**Sent:** 30 May 2013 09:08  
**To:** [Redacted]; Owen Paterson; [Redacted] (Defra)  
**Subject:** Northumberland Carpet-to-fuel

Hi Owen [Redacted]

See below from the excellent business which I sent you the EA papers for after your trip to Northumberland.

As you can see below the EA are trying to shut the business down even though its their non-processing of the licences which is the cause.

Time is of the essence now for financial reasons - please can you update me on any progress with EA? I am in London on tuesday & wednesday morning next week if you needed to meet.

Your urgent assistance in this is much appreciated.

As ever

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

DEFRA  
RECEIVED  
12 JUN 2013  
CCU  
POST ROOM

Begin forwarded message:

**From:** [Redacted]  
**Date:** 30 May 2013 05:12:57 AM BST  
**To:** [Redacted]

Dear [Redacted]

I hope you are well, this is just an up date on the EA position with our company. We had a visit yesterday from a EA officer who informed us that we would have to stop trading as we were not moving enough material from site and we are again outside our operating terms, we have the storage area at [Redacted] but because of the slow speed at which everything moves we have come into an impasse with the planners as to our new venture positioned there. we have applied for a building and permit to do our permitted operation but it has not been passed yet. The EA are the very body who have sat on our End of Waste document for 4 months without reading it and now tell me that it could be another 4 months before the panel even pick it up to review. This lack of decision making puts us at a very great disadvantage and has put us in the position mentioned above. [Redacted] have spent a considerable amount of time and effort doing the research to reach a solution to take a material from landfill and replace a virgin material, this is the very directive that the EA have been given by Government to help companies reach a land fill diversion route. This does not happen in the real world and the very body who we are relying on for decisions are the ones who can close us down before any decision has been made. I wondered if this is something that Mr Paterson would be prepared to take up on our behalf and hopefully give us the time to see this to the end. If we cannot I am going to have to close down and make 7 people redundant, I have put my house up for sale to try to cover any cost so far but I find it a disgrace that we are fulfilling a very use full need in the waste to energy market with a contract signed to supply and short sighted officers can at a stroke bring it to an end.

It has taken us three years of solid hard work in research and development to get to this point and having spent a large amount of money personally to try to create something that would benefit our area it seems ironic that the light is within sight that and we are to be closed down before this happens.

I apologise if this is garbled and does not flow but I am very worried about the position we are in.

Regards,

[Redacted signature]

Mobile : [Redacted]

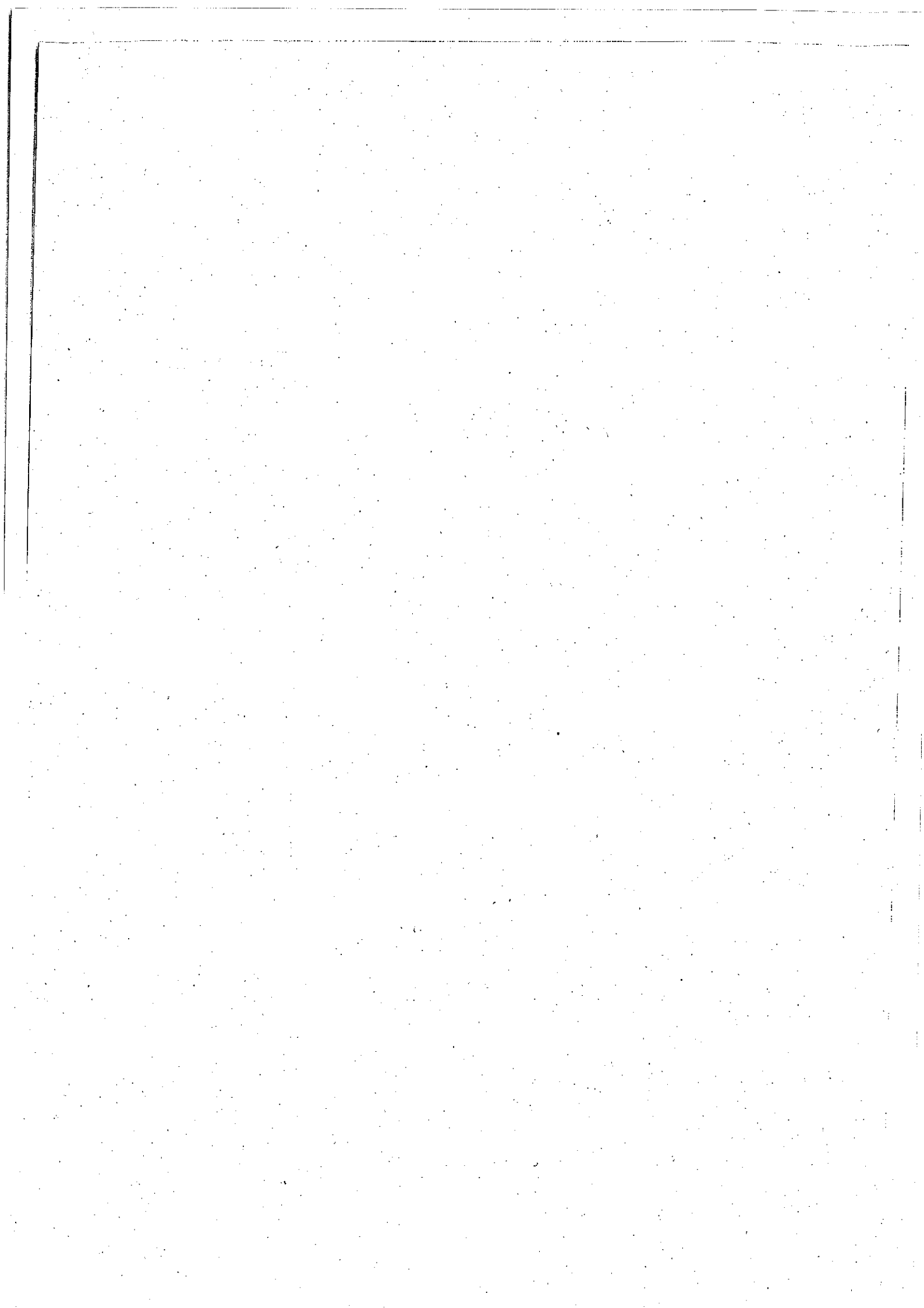
Office : [Redacted]

Email : [Redacted]

Web : [Redacted]

*Scanned by MailDefender - managed email security - [www.maildefender.net](http://www.maildefender.net)*

*Scanned by MailDefender - managed email security - [www.maildefender.net](http://www.maildefender.net)*



**[REDACTED] (DEFRA)**

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**Sent:** 08 July 2013 16:00  
**Subject:** FW: EA waste- due 11 July

[redacted] Draft response is now attached. Please let me know if you have any comments on EoW.

[redacted]

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**From:** [redacted]  
**Sent:** 04 July 2013 14:21  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** FW: EA waste- due 11 July

[redacted]

Please prepare a response with input from [redacted] of the end-of waste aspect.

[redacted]

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**From:** [redacted]  
**Sent:** 04 July 2013 14:12  
**To:** [redacted]  
**Subject:** Fw: EA waste- due 11 July

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**From:** SoS Correspondence (DEFRA)  
**To:** [redacted]  
**Sent:** Thu Jul 04 14:10:40 2013  
**Subject:** EA waste- due 11 July

[redacted]

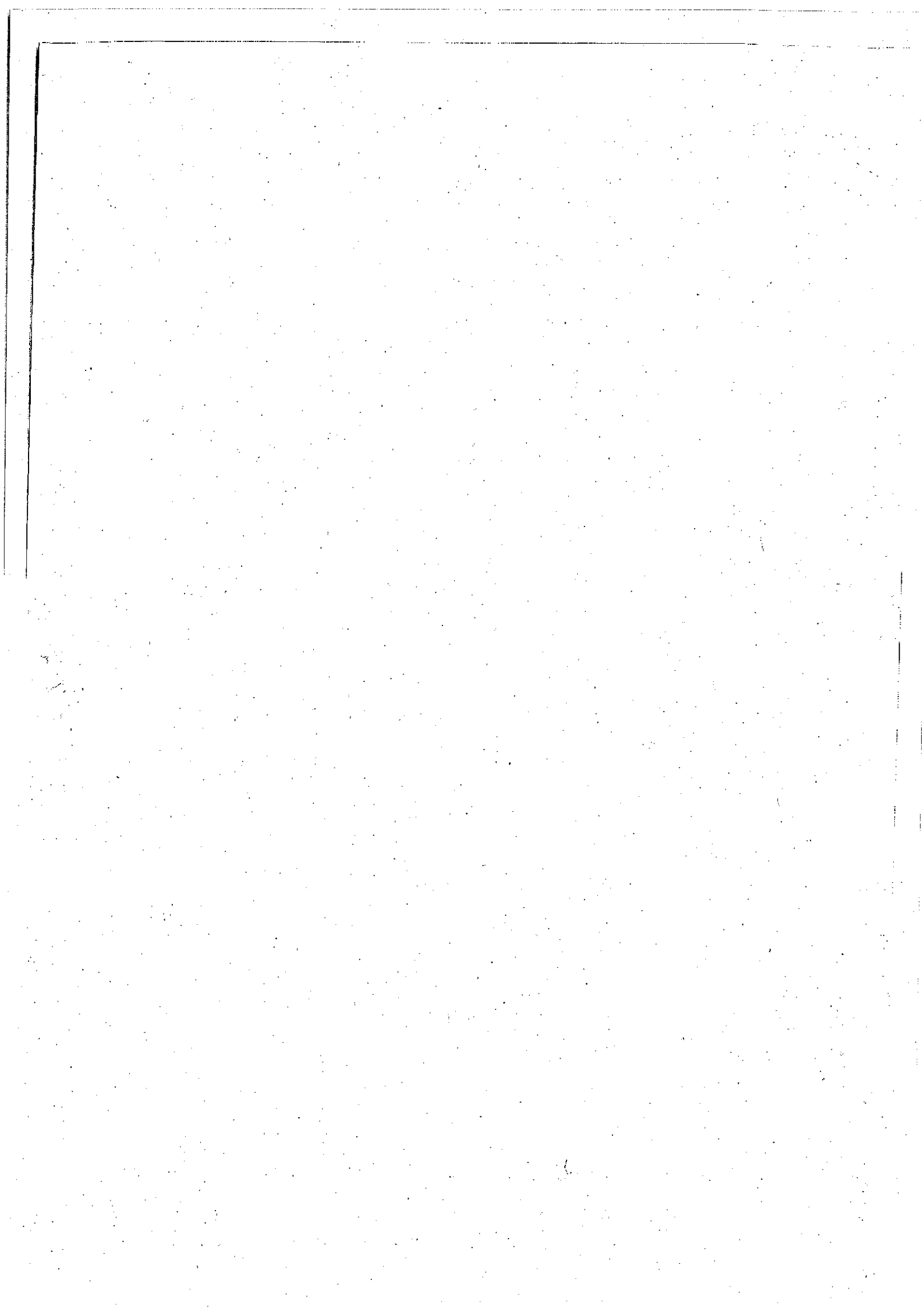
I'm not sure exactly who this one sits with, perhaps you could advise.

Attached is a letter from [redacted] who the SoS met during a visit to Northumberland recently, regarding a local business being shut down by the EA.

I have already commissioned a briefing from the EA, which is attached. Please could your team put together an answer for this letter by close on Thursday 11 July.

Many thanks,

[redacted]



[redacted] (DEFRA)

**Sent:** 02 August 2013 14:17  
**Subject:** FW: EA waste- due 11 July

[redacted], Thanks for your comments. FYI, this is the version I sent.

[redacted]

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**From:** [redacted]  
**Sent:** 08 July 2013 17:07  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** FW: EA waste- due 11 July

[redacted], Draft response is now attached for your consideration.

[redacted]

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**From:** [redacted]  
**Sent:** 04 July 2013 14:21  
**To:** [redacted]  
**Cc:** [redacted] SoS Correspondence (DEFRA)  
**Subject:** FW: EA waste- due 11 July

[redacted]

Please prepare a response with input from [redacted] of the end-of waste aspect.

[redacted]

---

**From:** [redacted]  
**Sent:** 04 July 2013 14:12  
**To:** [redacted]  
**Subject:** Fw: EA waste- due 11 July

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**From:** SoS Correspondence (DEFRA)  
**To:** [redacted]  
**Sent:** Thu Jul 04 14:10:40 2013  
**Subject:** EA waste- due 11 July

[redacted]

I'm not sure exactly who this one sits with, perhaps you could advise.

Attached is a letter from [redacted] who the SoS met during a visit to Northumberland recently, regarding a local business being shut down by the EA.

<<313694 EA contirbution.pdf>> <<313694 EA blackwater ane m-t.pdf>>.

I have already commissioned a briefing from the EA, which is attached. Please could your team put together an answer for this letter by close on Thursday 11 July.

Many thanks,

[redacted]



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# Final Ministerial Reply



\*FR020\*

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**Case Number**

**Date Scanned**

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Department  
for Environment  
Food & Rural Affairs

Nobel House  
17 Smith Square  
London SW1P 3JR

T: 08459 335577  
helpline@defra.gsi.gov.uk  
www.gov.uk/defra

Our ref: PO 313694/CC.

STJ  
August 2013

The Rt Hon Owen Paterson MP  
From the Secretary of State

Thank you for your email of 30 May on behalf of [REDACTED] of [REDACTED] about a waste site permitted by the Environment Agency (EA) to sort, shred and bale household, commercial and industrial waste at [REDACTED]. I am very sorry for the delay in replying.

The treatment of waste is subject to a system of environmental permitting, under the Environmental Permitting (England and Wales) Regulations 2010, the principal aim of which is to protect human health and the environment. The EA may impose conditions on the operator to prevent and/or monitor the impact these materials. The EA carries out appropriate periodic inspections of permitted waste sites.

[REDACTED] has an environmental permit for the waste management operation at [REDACTED] that allows the sorting, shredding and baling of up to 75,000 tonnes per annum of waste and includes the treatment of carpet which is carried out to produce a waste material for use in equestrian surfaces. One of the requirements of the permit is that carpet waste is stored within a building. [REDACTED] has failed to comply with this requirement by receiving more waste than the site infrastructure can accommodate. Notwithstanding the fact that equestrian surface material remains a waste, the EA has taken a proportionate approach to regulation to allow the material to be subsequently used without being subject to further waste controls.



INVESTORS  
IN PEOPLE

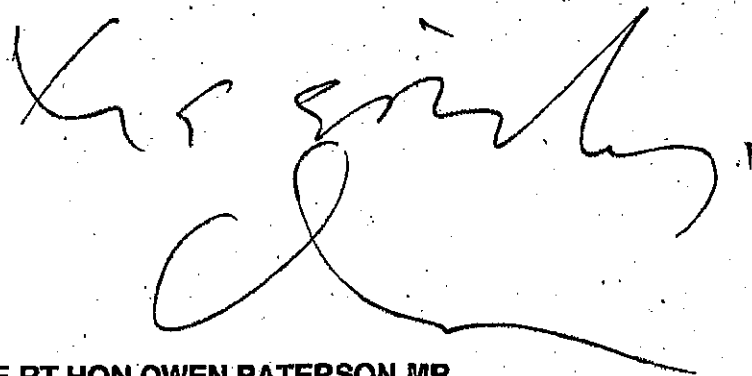
I understand that [REDACTED] operate a second site at [REDACTED]. This site operates under a registered exemption from the need for an environmental permit (known as S2) that only allows the storage of up to a 1000 tonnes of textiles waste in a secure place. There are currently 4000 tonnes of carpet being stored at the above site and this breaches the terms of the exemption.

In this case the EA has also confirmed that it will not take enforcement action for not complying with the storage limits for this exemption, providing the activity does not pollute the environment or harm human health.

Legislation provides that if following treatment, a waste can be recovered to the point where it can be used in the same way as a non-waste waste product it may cease to be waste. In order to do this the treatment and the product must meet certain 'end-of-waste criteria'. I am aware that earlier this year, [REDACTED] submitted an end-of-waste application to produce combustible briquettes from a blend of waste carpet and wood. In order to assess this application, the EA has asked for additional information that the operator has not yet provided. Once this information is received, the EA's national Definition of Waste Panel will assess the application. I understand the EA and [REDACTED] have agreed the timescales for this application to be considered.

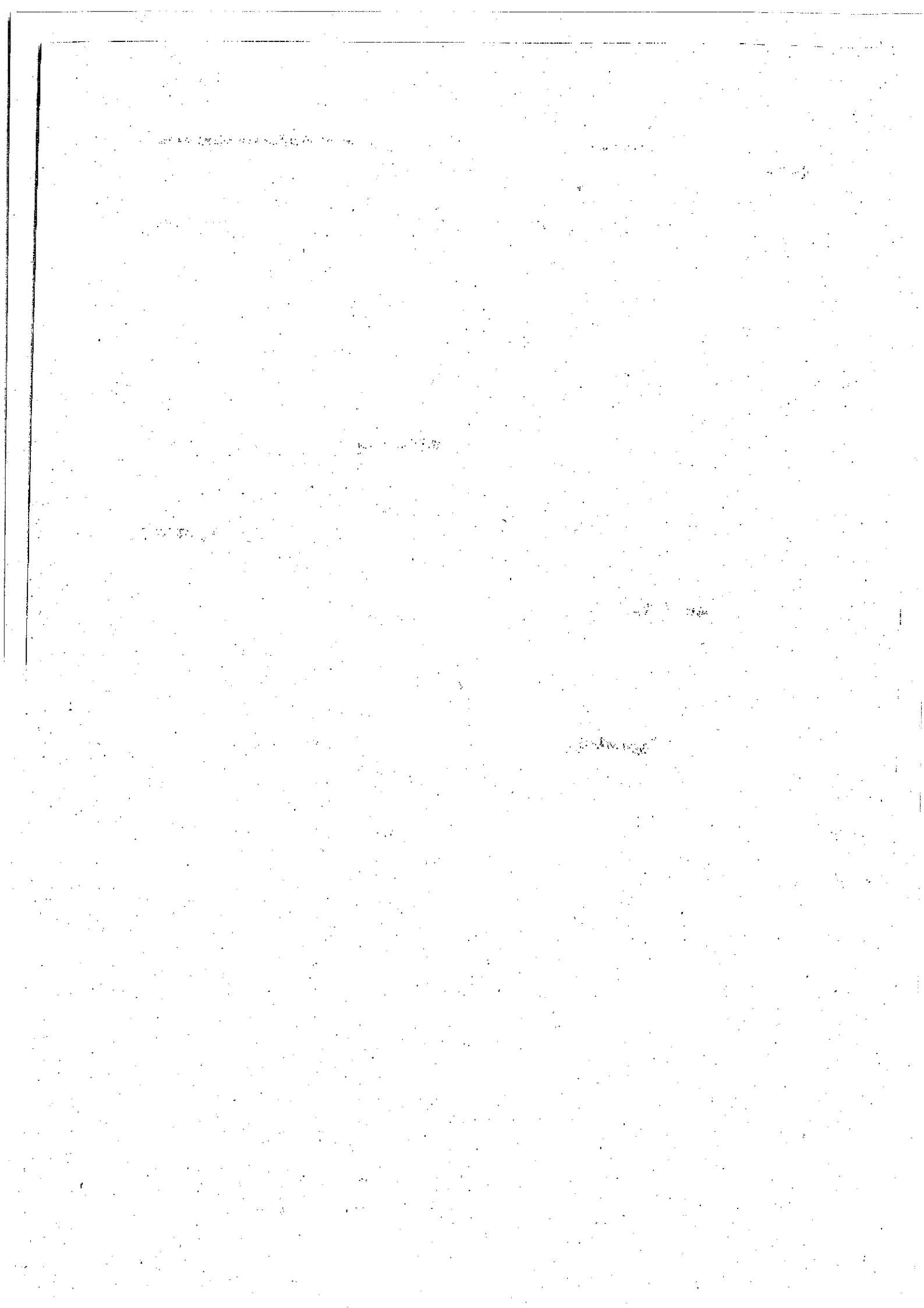
I hope that [REDACTED] will work with the EA to attain end-of-waste criteria for combustible briquettes but also ensure he complies with the necessary permits and registered exemptions so that he can continue to contribute to environmentally sound waste recycling and recovery. I've been assured by the EA that it will be happy to meet to discuss further any of these issues.

Please encourage [REDACTED] to work closely with the EA. Do not hesitate to come back to me if the problems are not solved.



THE RT HON OWEN PATERSON MP





# Briefing



Environment  
Agency

## Background

██████████ has held an Environmental Permit (reference EAWML 102483) at ██████████ since 21 June 2011. The permit allows 75,000 tonnes of household, commercial and industrial waste to be sorted, shredded and baled at the site each year.

██████████ operations include the treatment of waste carpet. The Permit states that this waste must be stored and treated within a building. The waste carpet is currently treated to produce equestrian surfaces. The material produced to create the equestrian surfaces remains a waste but the Environment Agency have agreed that it poses little risk to the environment and that it can be deployed without an environmental permit. Environment Agency agreement to this has ensured proportionate regulation and has enabled ██████████ to develop this market.

## End of Waste Application

The Environment Agency are committed to the development of proportionate regulation that reflects risk and encourages the reuse and recovery of waste. This helps maximise the potential value of wastes and reduces the use of natural resources.

██████████ have developed plans to produce combustible briquettes from a blend of waste carpet and wood. The intention is to sell these briquettes as fuel although this is unlikely to be economic if the use of the briquettes is subject to waste legislation. In February 2013, ██████████ submitted an argument to the Environment Agency that the manufactured briquettes will no longer be a waste material and so will not be subject to waste legislation. The Environment Agency are currently assessing this argument.

Such assessments are made by the Environment Agency national Definition of Waste Panel to ensure a consistent approach. Their assessment has taken longer than it should have as the Environment Agency have requested additional information. This has of yet not been provided. The Environment Agency have kept in regular contact with ██████████ throughout this process. The last correspondence was positive and ██████████ indicated that they were satisfied with the timescales involved.

## Compliance History and Enforcement

During the Company's first month of operating at the ██████████ site Environment Agency inspections identified that waste carpet was being stored outside. ██████████, who owns ██████████ was advised that this was contrary to the requirements of the permit that all waste carpet should be stored inside.

During 2012 it was clear that [REDACTED] were continuing to accept more waste carpet than their infrastructure could handle. Baled waste carpet continued to be stored outside in consequence.

[REDACTED] also has a second site at [REDACTED] which they now use to store baled waste carpets. Since 26 October 2012 this site has been authorised by an S2 exemption (reference [REDACTED]). This exemption allows the secure storage of a maximum of 1000 tonnes of textiles. There are currently 4000 tonnes of carpet being stored there.

There is little harm to the environment and the Environment Agency are satisfied that [REDACTED] has a clear action plan to get back into compliance. Even if [REDACTED] End of Waste argument is unsuccessful, their equestrian venture will be sufficient to clear the backlog of carpet waste. The Environment Agency have therefore decided that, provided there is no environmental risk and [REDACTED] adhere to their plan, they will not take enforcement action over the carpet waste.

The Environment Agency have been receptive to [REDACTED] business ideas throughout and have been proportionate in our regulation of these sites. They have provided advice and guidance to support the sustainable use of this material and have contributed to numerous meetings in recent weeks to discuss [REDACTED] future plans.

**July 2013**