

Environment Agency permitting decisions

Standard rule permit

We have decided to grant the permit for Queen Charlton Quarry operated by Resourceful Earth Limited.

The permit number is EPR/AP3933RB/A001

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account.

Structure of this document

- Key issues
- Annex 1 the decision checklist
- Annex 2 web publicising responses

Key issues of the decision

Sensitive Receptors

Condition 2.2.2 (d) of the Standard Rules Permit SR2012No11 identifies that the site is to not be within 200 metres of the “nearest sensitive receptor”.

The “nearest sensitive receptor” is defined in the Standard Rules Permit SR2012No11 as the nearest place to the permitted activities where people are likely to be for prolonged periods.

This term would therefore apply to dwellings (including any associated gardens) and to many types of workplaces. We would not normally regard a place where people are likely to be present for less than 6 hours at one time as being a sensitive receptor. The term does not apply to those controlling the permitted facility, their staff when they are at work or to visitors to the facility, as their health is covered by Health and Safety at Work legislation, but would apply to dwellings occupied by the family of those controlling the anaerobic digestion facility.

The Queen Charlton Quarry site currently has a composting facility located on it. This facility is operated by Reoprganics Ltd under the Waste Management License no. 26025. As the operations at this site will cease prior to the

development of Queen Charlton Quarry, and as it is operated under the same parent company as Resourceful Earth Limited, we have determined that this site is not a 'sensitive receptor' with regards to Condition 2.2.2 (d).

Pre-operational Agreement

Based on the information in the application, we consider that we need to impose a pre-operational agreement. The Operator provided written confirmation on the 24/03/16 that they would provide to the Environment Agency finalised management plans and site drawings prior to Queen Charlton Quarry becoming operational. The documents must meet the requirements of Standard Rules SR2012No11 and will be produced in accordance with the guidance document *'How to comply with your Environmental Permit'*.

Annex 1: decision checklist

This checklist should be read in conjunction with the Duly Making checklist the application and supporting information and permit/notice..

Aspect	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Standard rules criteria met	The application meets the criteria for the standard rules identified in Part B of the application form.	✓
Advertising		
Responses to web publicising	The responses to web publicising (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
The site		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p> <p>A finalised site plan will provided to the Environment Agency prior to the site becoming operational. See Pre-Operational Agreement in Key Issues for further details.</p>	✓
Site condition report or baseline report	The operator has provided a satisfactory site condition report (SCR) and where relevant (where there is a risk of contamination with relevant hazardous substances) a baseline report.	✓
Operator competence		
Technical competence	<p>Technical competency is required for activities permitted in the standard rule set.</p> <p>The operator has registered the site manager on a course to obtain the CIWM Environmental Permitting Operators Certificate (EPOC). The operator will have 4 weeks from permit issue in which to gain the initial qualification and a grace period of 12 months from the commencement of site operations to achieve the full qualification.</p> <p>The operator satisfies the criteria outlined in our guidance on operator competence.</p>	✓
Relevant	The National Enforcement Database has been checked to ensure that all relevant convictions have	✓

Aspect	Justification / Detail	Criteria met
		Yes
Convictions	<p>been declared.</p> <p>No relevant convictions were found.</p> <p>The operator satisfies the criteria outlined in our guidance on operator competence.</p>	
Financial provision	<p>There is no known reason to consider that the operator will not be financially able to comply with the standard rules. The decision was taken in accordance with our guidance on operator competence.</p>	✓

Annex 2: Web publicising responses

No responses were received to the web publication dated 26/01/16 to 23/02/16.