

Notice of refusal

Environmental Permitting (England and Wales) Regulations 2016

Refusal of an application for a permit

Application number: EPR/WE2418AB/A001

To: The Company Director and/or Secretary
Manchester Recycling Limited
45 Chapel Lane
Rixton
Warrington
WA3 6HF

The Environment Agency has considered your application. We give notice that the application for a permit is refused.

The reasons for this decision are outlined in the attached schedule.

Name	Date
Ieuan Thomas	16/05/2022

Authorised on behalf of the Environment Agency

Schedule Reasons for Refusal

Before any permitted activity could operate at the site, approximately 30,000m³ mixed waste would need to be cleared from the site. Some of the waste would not be permitted under the current Standard Rules Permit application. There is also the potential for hazardous waste to be buried in the unlawful deposit waste mass. Hazardous wastes would require specific handling methodologies. The removal of existing waste also has the potential to cause odour emissions.

As the ground below the 30,000m³ mixed waste is permeable there is a risk of ongoing ground contamination which is in part due to the absence of an impermeable pavement and sealed drainage system.

The Applicant has made the proposal to remove the existing waste once a Standard Rules Permit had been issued. Under the Environmental Permitting (England and Wales) Regulations 2016 ("EPR 2016") Schedule 5, Part 1, Paragraph 13, the regulator must refuse an application for the grant of an environmental permit or for the transfer in whole or in part of an environmental permit if it considers that, if the permit is granted the requirements in sub-paragraph (2) will not be satisfied namely that the applicant must operate the regulated facility in accordance with the environmental permit. If the Standard Rules Permit had been issued, but this would cause the site to immediately be in breach of permit conditions and potentially require partial suspension of the permitted activities until the existing waste has been removed.

Suitable infrastructure would need to be installed before the Environment Agency could consider granting the Standard Rules Permit. Without suitable infrastructure this would lead to an immediate breach of permit.

The issue of a permit on the proposed site without the prior removal of the existing waste mass, and the installation of appropriate site infrastructure would result in immediate suspension of the permit under Reg 37 of the Environmental Permitting Regulations (England and Wales as amended) 2016 for risk of serious pollution, and or serious non-compliance with permit conditions.