**Environmental Permit Appeals**

**Site: Daneshill Landfill Site and Maw Green Landfill Site**

**Planning Inspectorate References: APP/EPR/636, 651 & 652**

**List of Core Documents**

|  |  |  |
| --- | --- | --- |
| CD# | Title | No. |
| CD1 | Policy/Legislation Documents  |  |
| CD2 | Application Documents  |  |
| CD3 | Environment Agency Decision Documents  |  |
| CD4 | Appeal Documents submitted by the Appellant  |  |
| CD5 | Documents submitted by the Environment Agency  |  |
| CD6 | Appellants Proofs of Evidence and Rebuttals  |  |
| CD7  | Environment Agency’s Proofs of Evidence and Rebuttals  |  |
| CD8 | Third Party Representations |  |
| CD9 | Additional Documents |  |

**CD1 Policy/Legislation Documents**

|  |  |
| --- | --- |
| **CD#** | **Document Title**  |
|  |  |
| CD1/A | European Union Directive 2010/75/EU on industrial emissions (the Industrial Emissions Directive or IED) |
| CD1/B | Environmental Permitting Regulations2016 (EPR) |
| CD1/C | EU Withdrawal Act 2018 |
| CD1/D | The Waste (England and Wales) Regulations 2011 (Regulation 12) |
| CD1/E | The Hazardous Waste (England and Wales) Regulations 2005 (Regulation 20) |
| CD1/F | Control of Asbestos Regulations 2012 (CAR 2012) |
| CD1/G | The Environmental Improvement Plan 2023 (EIP 2023) Extract: Goal 6 and Section 4.  |
| CD1/H | HM Government A Green Future: Our 25 Year Plan to Improve the Environment (The Government 25 Year Environment Plan) published in 2018  |
| CD1/I | DEFRA, Safeguarding our Soils A Strategy for England (DEFRA, September 2009) |
| CD1/J | Environment Agency, Summary of the state of the environment: soil Updated 26 January 2023 |
| CD1/K | Planning Act 2008 (section 30)  |
| CD1/L | Environment Agency ‘Risk assessments for specific activities: environmental permits’ web-based Guidance |
| CD1/M | Air emissions risk assessment for your environmental permit |
| CD1/N | EA Guidance ‘M17 monitoring of particulate matter in ambient air around waste facilities’ |
| CD1/O | The Health and Safety Executive’s second edition of HSG248 (HSE, 2021) |
| CD1/P | CIRIA guidance documents (C733 (CIRIA, 2014) and C765 (CIRIA, 2016) |
| CD1/Q | The Joint Industry Working Group (JIWG) CAR-SOILTM guidance (CL:AIRE, 2016) |
| CD1/R | Guidance published by the Dutch National Institute for Public Health and the Environment on the assessment of the risks of asbestos contamination with asbestos (RIVM, 2003) |
| CD1/S | Consultation on the EA guidance document for ‘Chemical waste: appropriate measures’ |
| CD1/T | Environment Agency (EA) guidance document for ‘Chemical waste: appropriate measures’ |
| CD1/U | EA guidance document for ‘Hazardous Waste Soil Treatment– Work In Progress’ (WIP) |
| CD1/V | Council decision of 19 December 2002 establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 of and Annex II to Directive 1999/31/EC |
| CD1/W | Environment Agency Guidance, Landfill operators: environmental permits |
| CD1/X | Guidance on the classification and assessment of waste (1st Edition v1.2.GB). Technical Guidance WM3. October 2021. Section 3 (1, page 19) |
| CD1/Y | Quality Protocol. Aggregates from inert waste. End of waste criteria for the production of aggregates from inert waste. WRAP October 2013. |
| CD1/Z | Waste Treatment Best Available Techniques (BAT)Conclusions document (BAT-AELs) 2018  |
| CD1/AA | Environment Agency and Defra, Risk assessments for your environmental permit - GOV.UK, Updated 21 November 2023 |
| CD1/AB | Derivation of new Environmental Assessment Levels (EALs) to air consultation (Environment Agency 2012) |
| IQ1/AC | Environment Agency, Consultation response document: new EALs for emissions to air, September 2021 |
| IQ1/AD | UKHSA Asbestos: general information - GOV.UK, March 2024 |
| IQ1/AE | Directive 2008/50/EC (Ambient Air Directive) |
|  |  |
| **CD1/2** | **Additional References Document Supporting the Proof of Evidence of Simon James Cole (inc index)**  |
|  |  |
| **CD1/3/MS** | **Additional Supporting Documents for Matthew Stoaling**  |
|  |  |
| CD1/3/MS1 | Kang D, Hwang Y, Choi Y, Kim SY, Kim YK. Monitoring and Simulating Environmental Asbestos Dispersion from a Textile Factory. Int J Environ Res Public Health. 2018 Jul 3;15(7):1398. |
| CD1/3/MS2 | Banari, A., Hertel, D., Schlink, U. et al. Simulation of particle resuspension by wind in an urban system. Environ Fluid Mech 23, 41–63 (2023). |
| CD1/3/MS3 | IOM, 1988. The release of dispersed asbestos fibres from soils, Addison J, Davies LST, Robertson A, Willey RJ, Historical Research Report TM/88/14, Institute of Occupational Medicine, Edinburgh, 1988 |
| CD1/3/MS4 |  IOM, 2007. An assessment of risks due to asbestos on farm tracks and rights of way in South Cambridgeshire, Jones, AD, Cherrie, JW, Cowie, H, and Soutar, A. Research Report TM/05/07(rev), Institute of Occupational Medicine, Edinburgh, 2007. |
| CD1/3/MS5 |  Adapted from DEFRA LAQM TG22. Box 1-1 Examples of Where the Air Quality Objectives Should Apply |

**CD2 Application Documents**

|  |  |
| --- | --- |
| **CD#** | **Document Title**  |
|  |  |
| **CD2/1** | **Daneshill 1 Application Documents**  |
|  |  |
| CD2/1/A | Application Letter 22/01/2021 |
| CD2/1/B | Application Form 22/01/2021 |
| CD2/1/C | Environmental Permit Variation Application Supporting Document 3982-CAU-XX-XX-RP-V-0300-A0.C1 dated January 2021  |
| CD2/1/D | Amenity and Accident Risk Assessment 3982-CAU-XX-XX-RP-V-0303-A0.C1 dated January 2021 (Caulmert)  |
| CD2/1/E | Environmental Setting and Installation Design Site Report Addendum 3982-CAU-XX-XX-RP-V-0304-A0.C1 dated January 2021 (Caulmert) |
| CD2/1/F | Activities and Operating Techniques Report 3982-CAU-XX-XX-RP-V-0305-A0.C1 dated January 2021 (Caulmert) |
| CD2/1/G | Treatment Process Description and Indicative BAT Review 3982-CAU-XX-XX-RP-V-0306-A0.C1 dated January 2021 (Caulmert) |
| CD2/1/H | Emissions Management Plan 3982-CAU-XX-XX-RP-V-0307.A0-C1 dated January 2021 (Caulmert) |
| CD2/1/I | Odour Management Plan January 2021 3982-CAU-XX-XX-RP-V-0308.A0.C1 (Caulmert) |
| CD2/1/J | Environmental Permit Variation Application (Site Report Addendum) dated January 2021 (Caulmert) |
| CD2/1/K | Covering Letter dated 01/06/2023 |
| CD2/1/L | Correspondence index and copy of emails |
| CD2/1/M | Daneshill Documents Bundle |
|  |  |
|  |  |
| **CD2/2** | **Daneshill 1 Post Submission Documents**  |
|  |  |
| CD2/2/A | BAT 14 Document dated 22 February 2022 |
| CD2/2/B | Odour Management Plan 3982-CAU-XX-XX-RP-V-0308.A0.C3 dated November 2021 (Caulmert) |
| CD2/2/C | Daneshill Emissions Management Plan (Nov 21-3982-CAU-XX-XX-RP-V-0307-AO-C3-EMP) |
| CD2/2/D | 3982-CAU-XX-XX-DR-V-1803\_S2\_P07 |
| CD2/2/E | 3982-CAU-XX-XX-DR-V-1800-P02 |
| CD2/2/F | 3982-CAU-XX-XX-DR-V-1813\_S2-PO4 |
| CD2/2/G | Daneshill Permit Variation Application Timeline index  |
| CD2/2/G/1 | Email Chain – Katie Dunsmore (“KD”), Andy Stocks (“AS”), Kellie Burston (“KB”) –Daneshill Landfill Soil Treatment Facility EPR/NP3538MF/V009, attaching Table 1c Asbestos Waste Codes.pdf; 3982-CAU-XX-XX-RP-V-0306-A0.C2 BAT Final .pdf (21 June 2021) |
| CD2/2/G/2 | Treatment Process Description & Indicative BAT Review 3982-CAU-XX-XX-RP-V-0306-A0.C2 dated June 2021 (Caulmert) |
| CD2/2/G/3 | Table 1c: Wastes to be accepted for the physical-chemical treatment of asbestos wastes |
| CD2/2/G/4 | Email Chain – KD, AS, KB– Daneshill Landfill Soil Treatment Facility EPR/NP3538MF/V009 (21 - 22 June 2021) |
| CD2/2/G/5 | Email Chain – KD, AS, KB– FCC Recycling Limited not duly made request. EPR/NP3538MF/V009 (22 June – 6 July 2021) |
| CD2/2/G/6 | Email Chain – KD, AS, KB– FCC Recycling Limited not duly made request. EPR/NP3538MF/V009 (22 June – 6 July 2021) |
| CD2/2/G/7 | Email KB to KD FCC Recycling Limited not duly made request. EPR/NP3538MF/V009, attaching 3982-CAU-XX-XX-RP-V-0306-A0.C3 BAT (Final).pdf (9 July 2021) |
| CD2/2/G/8 | Treatment Process Description & Indicative BAT Review 3982-CAU-XX-XX-RP-V-0306-A0.C3 dated July 2021 (Caulmert) |
| CD2/2/G/9 | Email Chain KB and KD- FCC Recycling Limited not duly made request. EPR/NP3538MF/V009 (09 July – 13 July 2021) |
| CD2/2/G/10 | Email Chain KB and KD - FCC Recycling Limited not duly made request. EPR/NP3538MF/V009 (09 July – 21 July 2021) |
| CD2/2/G/11 | Email Chain KB and KD - FCC Recycling Limited not duly made request. EPR/NP3538MF/V009, attaching EA Remittance 160721.pdf (09 July – 21 July 2021) |
| CD2/2/G/12 | Email Chain KB and KD - FCC Recycling Limited not duly made request. EPR/NP3538MF/V009 pdf (09 July – 22 July 2021) |
| CD2/2/G/13 | Email EA PSC Land to AS - Environmental permitting application EPR/NP3538MF/V009 is duly made (06 August 2021) |
| CD2/2/G/14 | Email EA PSC Land to Vincente Orts - Schedule 5 Notice - EPR/NP3538MF/V009, attaching Application - Variation - Schedule 5 Notice.pdf (06 August 2021) |
| CD2/2/G/15 | Notice of request for more information (Schedule 5 notice), dated 6 August 2021 |
| CD2/2/G/16 | Email Chain AS and KD - Daneshill Permit Application - EPR/NP3538MF/V009 (13 September 2021) |
| CD2/2/G/17 | Email KB to KD - EPR/NP3538MF/V009 Daneshill Soils Treatment Facility Schedule 5, attaching Daneshill Response Letter, document ref: 3982-CAU-XX-XX-CO-V-9001-A0.C1, Emissions Management Plan, document ref: 3982-CAU-XX-XX-RP-V-0307.A0.C2, Odour Management Plan, document ref: 3982-CAU-XX-XX-RP-V-0308.A0.C2 (1 October 2021) |
| CD2/2/G/18 | Letter KB to KD Re: Schedule 5 notice for Daneshill Soils Treatment Facility (permit ref: EPR/NP3538MF/V009) 1 October 2021 |
| CD2/2/G/19 | Emissions Management Plan 3982-CAU-XX-XX-RP-V-0307.A0.C2, dated October 2021 (Caulmert) |
| CD2/2/G/20 | Odour Management Plan 3982-CAU-XX-XX-RP-V-0308.A0.C2, dated September 2021 (Caulmert) |
| CD2/2/G/21 | Email KB to KS - Re: EPR/NP3538MF/V009 Daneshill Soils Treatment Facility Schedule 5 attaching 3982-CAU-XX-XX-DR-V-1807\_S2-P03.pdf; 3982-CAU-XX-XX-DR-V-1808\_S2-P01.pd |
| CD2/2/G/22 | Site Layout Plan, drawing ref: 3982-XX-XX-DR-V1-1807 |
| CD2/2/G/23 | Surface and Foul Water Connections, drawing ref: 3982-XX-XX-DR-V-1808 |
| CD2/2/G/24 | Email Chain KD and KS Further clarification required Daneshill STF (13 October – 18 October 2021) |
| CD2/2/G/25 | 3982-CAU-XX-XX-DR-V-1807\_S2\_P04 |
| CD2.2.G.25a | 3982-CAU-XX-XX-DR-V-1808\_ P02 |
| CD2/2/G/26 | 3982-CAU-XX-XX-DR-V-1810\_S2\_P02 |
| CD2/2/G/27 | 3982-CAU-XX-XX-DR-V-1811\_S2\_P02 |
| CD2/2/G/28 | 3982-CAU-XX-XX-DR-V-1812\_S2\_P02 |
| CD2/2/G/29 | Emissions Management Plan 3982-CAU-XX-XX-RP-V-0307.A0-C2, dated October 2021 (Caulmert) |
| CD2/2/G/30 | Odour Management Plan 3982-CAU-XX-XX-RP-V-0308.A0.C2, dated September 2021 |
| CD2/2/G/31 | Email KD to KB Further clarification required Daneshill STF (13 October 2021) |
| CD2/2/G/32 | Email KD to KB Further clarification required Daneshill STF (13 October 2021) |
| CD2/2/G/33 | Email KD to KB Final destination for picked asbestos at Daneshill (21 October 2021) |
| CD2/2/G/34 | Email KD to KB Daneshill biofilter construction CLO or waste wood? (22 October 2021) |
| CD2/2/G/35 | Email KB to KD Daneshill STF - email queries response, attaching 3982-CAU-XX-XX-DR-V-1807\_S2-P04.pdf; 3982-CAU-XX-XX-RP-V-0308.A0.C3 OMP (Final issue).pdf (05 November 2021) |
| CD2/2/G/36 | Soils treatment pads 1 / 2 / 3 Site layout plan 3982-CAU-XX-XX-DR-V-1807, dated 29 September 2021 |
| CD2/2/G/37 | Odour Management Plan 3982-CAU-XX-XX-RP-V-0308.A0.C3, dated November 2021 (Caulmert) |
| CD2/2/G/38 | Email Chain KB and KD Daneshill STF - email queries response (05 November – 08 November 2021) |
| CD2/2/G/39 | Email Chain KB and KD Daneshill STF - email queries response (05 November – 17 November 2021) |
| CD2/2/G/40 | Email KD to KB 19 05 03 as a filter medium (18 November 2021) |
| CD2/2/G/41 | Email Chain KD and KB 1 9 05 03 as a filter medium (18 November – 23 November 2021) |
| CD2/2/G/42 | Email KD to KB Asbestos soil treatment activities proposed at Daneshill Landfill Site. EPR/NP3538MF/V009 (25 November 2021) |
| CD2/2/G/43 | Email Chain KD and KB Asbestos soil treatment activities proposed at Daneshill Landfill Site. EPR/NP3538MF/V009 (25 November – 09 December 2021) |
| CD2/2/G/44 | Email Chain KD and KB Asbestos soil treatment activities proposed at Daneshill Landfill Site. EPR/NP3538MF/V009 (25 November – 10 December 2021) |
| CD2/2/G/45 | Email Chain KD and KB EWC's treated for disposal (07 January 2022) |
| CD2/2/G/46 | Email Chain KD and KB EWC's treated for disposal (07 January – 20 January 2022) |
| CD2/2/G/47 | Email Chain KD and KB EWC's treated for disposal (07 January – 31 January 2022) (1) |
| CD2/2/G/48 | Email Chain KD and KB EWC's treated for disposal (07 January – 31 January 2022) (2) |
| CD2/2/G/49 | Email Chain KB and KD Daneshill STF - email queries response (07 January – 02 February 2022) |
| CD2/2/G/50 | Email Chain KB and KD Daneshill STF - email queries response (07 January – 07 February 2022) |
| CD2/2/G/51 | Email Chain KB and KD Daneshill STF - email queries response, attaching 3982-CAU-XX-XX-DR-V-1813\_S2-P04.pdf; Daneshill BAT 14.pdf; Appendix B Nicole Doc.pdf (07 January – 22 February 2022) |
| CD2/2/G/52 | Indicative Drainage Plan 3982-CAU-XX-XX-DR-V-1813\_S2-P04, dated 11 February 2022 |
| CD2/2/G/53 | Asbestos in Soil A pan European perspective, Nicole, 2021 |
| CD2/2/G/54 | Daneshill BAT 14 FCC criteria |
| CD2/2/G/55 | Email Chain KD and KB EWC's treated for disposal (07 January – 24 February 2022) (2) |
| CD2/2/G/56 | Email AS to KD Daneshill Landfill Site. EPR/NP3538MF/V009 (27 April – 05 May 2022) |
| CD2/2/G/57 | Email KD to AS Daneshill Landfill permit variation for operator review, attaching LIT 12001 - Notice of variation and consolidation single permit.pdf |
| CD2/2/G/58 | L IT 12001 - Notice of variation and consolidation single permit.pdf (21 June 2022) |
| CD2/2/G/59 | Email Chain KD to AS FCC Daneshill (04 July – 24 August 2022) |
| CD2/2/G/60 | Email KD to AS FCC Daneshill (04 July 2022) |
| CD2/2/G/61 | Email KD to AS FCC draft decision and consultation EPR/NP3538MF/V009 (21 October 2022) |
| CD2/2/G/62 | Email EA PSC Land to AS Environmental Permit EPR/NP3538MF issued, attaching LIT 12001 - Notice of variation and consolidation single permit - FOR ISSUE.pdf; Variation Issue letter.pdf (09 December 2022) |
| CD2/2/G/63 | Letter EA to FCC, Your permit variation is complete Permit reference: EPR/NP3538MF/V009 Operator: FCC Recycling (UK) Limited Facility: Daneshill Landfill Site, Daneshill Road, Lound, Nottinghamshire, DN22 8RB (09 December 2022) |
|  |  |
| **CD2/3** | **Maw Green Application Documents:** |
|  |  |
| CD2/3/A | Environmental Permit Variation Application – Maw Green dated 10 January 2023 |
| CD2/3/B | Maw Green Environmental Permit Variation Application Supporting Document January 2023 |
| CD2/3/C | Environmental Setting and Installation Design – Addendum 2022 (Environmental Permit Variation Application) |
| CD2/3/D | Amenity & Accidents Risk Assessment January 2023 |
| CD2/3/E | Activities & Operating Techniques Report January 2023 |
| CD2/3/F | Treatment Process Description & BAT Review |
| CD2/3/G | Dust & Emissions Management Plan January 2023 |
| CD2/3/H | Maw Green Permit Variation Timeline |
| CD2/3/I | Maw Green Environmental Permit Application Part A |
| CD2/3/J | Maw Green Environmental Permit Application Part B3 |
| CD2/3/K | Maw Green Environmental Permit Application Part C2 |
| CD2/3/L | Maw Green Environmental Permit Application Part F1 |
| CD2/3/M | Maw Green EPR Compliance Assessment Report dated 24.03.2021 |
| CD2/3/N | Maw Green Risk Assessment for Treated Soils dated 12.03.2021  |
|  |  |
| **CD2/4** | **Maw Green Post Submission Documents:** |
|  |  |
| CD2/4/A | Email Receipt of Application dated 02.02.2023 |
| CD2/4/B | Email from Permitting Officer dated 12.04.2023 |
| CD2/4/C | Email from EA confirming application ‘Duly Made’ dated 16.04.2023 |
| CD2/4/D | Email to EA chasing permit to be issued dated 20.07.2023  |
| CD2/4/E | Email from EA chasing payment of fee dated 31.01.2023 |
| CD2/4/F | Email to EA confirming payment dated 31.01.2023  |
| CD2/4/G | Email from EA enc draft permit requesting comments dated 21.06.2023 |
| CD2/4/H | Email to EA re comment on draft permit dated 23.06.2023 |
| CD2/4/I | Email to EA confirming no further comments on draft permit, request to issue, dated 13.07.2023 |
| CD2/4/J | Email from EA enc permit dated 25/07/2023 |
| CD2/4/K | Permitting Decisions Initiated Variation Notice dated 05.10.2023 |
| CD2/4/L | Letter from EA enc Initiated Variation Notice dated 05.10.2023 |
| CD2/4/M | Application Variation Notice Issued (with introductory note) dated 05.10.2023 |

**CD3 Environment Agency Decision Documents and Environmental Permits**

|  |  |
| --- | --- |
| **CD3** | **Document Title**  |
|  |  |
| **CD3/1** | Daneshill 1 Permitting Decision – Variation – Decision Notice EPR/NP3538MF/V009 |
| **CD3/1A** | Daneshill 1 Permit - Notice of variation and consolidation with introductory note EPR/NP3538MF/V009 |
| **CD3/2** | Daneshill 2 Permitting Decision – Initiated Variation – Decision Notice EPR/NP3538MF/V010 |
| **CD3/2A** | Daneshill 2 Permit - Notice of variation and consolidation with introductory note EPR/NP3538MF/V010 |
| **CD3/3** | Maw Green Permitting Decision Initiated Variation Notice EPR/BS7722ID/V010  |
| **CD3/4** | Maw Green Permit– Notice of variation and consolidation with introductory note EPR/BS7722ID/V009 |
| **CD3/5** | Maw Green Permitting Decision Variation EPR/BS7722ID/V009 |

**CD4 Appeal Documents Submitted by the Appellant**

|  |  |
| --- | --- |
| **CD#** | **Document Title** |
|  |  |
| **CD4/1** | **Daneshill 1 Appeal Documents** |
|  |  |
| CD4/1/A | Letter to PINS – Notice of Appeal |
| CD4/1/B | Grounds of Appeal |
| CD4/1/C | Statement of Case |
| CD4/1/D | Daneshill Soil Treatment Facility – Index of Supporting Documents |
| CD4/1/E | Daneshill Soil Treatment Facility Supporting Documents |
|  |  |
|  |  |
| **CD4/2** | **Daneshill 2 Appeal Documents** |
|  |  |
| CD4/2/A | Letter to PINS – Notice of Appeal dated 17.11.2023 |
| CD4/2/B | Daneshill 2 Appeal Form |
| CD4/2/C | Essential Supporting Documents (96 pages with index) |
| CD4/2/D | Grounds of Appeal in response to Regulator Initiated Variation of the Environmental Permit for Daneshill Landsite issued 29 September 2023 |
|  |  |
| **CD4/3** | **Maw Green Appeal Documents** |
|  |  |
| CD4/3/A | Letter to PINS – Notice of Appeal dated 17.11.2023 |
| CD4/3/B | Maw Green Appeal Form |
| CD4/3/C | Grounds of Appeal in response to Regulator Initiated Variation of the Environmental Permit for Maw Green Landsite issued 5 October 2023 |
| CD4/3/D | Essential Supporting Documents (877 pages with index) |
|  |  |
|  |  |
| **CD4/4** | **Conjoined Rule 6** |
|  |  |
| CD4/4/A | Conjoined Rule 6 Statement |
| CD4/4/B | Appellant comments on EA Rule 6  |
|  |  |

**CD5 Documents Submitted by the Environment Agency**

|  |  |
| --- | --- |
| **CD#** | **Document Title**  |
|  |  |
| **CD5/1** | **Environment Agency Statement of Case and Supporting Documents** |
|  |  |
| CD5/1/A | Comments on Appellants’ Rule 6  |
| CD5/1/B | Response 649434312 |
| CD5/1/C | Hazardous Waste Soil Treatment  |
| CD5/1/D | HSE Response to FOI Request |
| CD5/1/E | FCC Letter from EA dated 1 August 2023 |
| CD5/1/F | EA Response to Appellants Statement dated 24 July 2023  |
| CD5/1/G | Annex to FCC Statement |
|  |  |
| **CD5/2** | **Environment Agency Response to Appellant’s Statement dated 22 January 2024**  |
| **CD5/3** | **Environment Agency Response to Appellant’s Statement dated 23 January 2024** |
|  |  |
| **CD5/4** | **Shared Appendix for CD5/2 and CD5/3** |
|  |  |
| CD5/4/A | Appendix 1- Copy of the permit and decision document issued to the Appellant |
| CD5/4/B | Appendix 2 – Copy of the Appellant’s comments on the draft conditions received 15/08/2023 |
| CD5/4/C | Appendix 3 - Copy of the permit and decision document issued to the Appellant |
| CD5/4/D | Appendix 4 - Chemical Waste: appropriate measures for permitted facilities (published 18 November 2020) (online guidance - already supplied) |
| CD5/4/E | Appendix 5 - Hazardous Waste Soil Treatment (already supplied) |
| CD5/4/F | Appendix 6 – Decision EU) 2018/1147 of 10 August 2018 establishing best available techniques (BAT) conclusions for waste treatment, under Directive 2010/75/EU of the European Parliament and of the Council. |
| CD5/4/G | Appendix 7 -JRC Science for Policy Report: Best Available Techniques (BAT) Reference Document for Waste Treatment |
| CD5/4/H | Appendix 8 – Waste Classification Technical Guidance |
| CD5/4/I | Appendix 9 – EA’s Technical Guidance Note (Monitoring) M17 Monitoring Particulate Matter in Ambient Air around Waste Facilities |
| CD5/4/J | Appendix 10 – EA’s Standard rules SR2008No9 - asbestos waste transfer station |
| CD5/4/K | Appendix 11 - Notice of variation and consolidation with introductory note - Edwin Richards Quarry - Soil Treatment Centre |
| CD5/4/L | Appendix 12 - Notice of variation and consolidation with introductory note - Finningley Quarry Waste Facility |
| CD5/4/M | Appendix 13 - Notice of variation and consolidation with introductory note - Mohawk Wharf Recycling Facility |
| CD5/4/N | Appendix 14 – Permit with Introductory Note - Thermal Recycling (UK) Limited |
| CD5/4/O | Appendix 15 – Control of Asbestos Regulations 2012 Industry Guidance |
|  |  |
| **CD5/5** | **EA’s Response to Additional Documentation. Comments on the ‘Appellant Comments on Rule 6’ document. Dated 23 November 2023** |
|  |  |
| **CD5/6**  | **EA Response to the Additional Document served by the Appellant dated 20 February 2024 and attachment – Letter from Public Health England dated 10 September 2021**.  |
|  |  |
| CD5/7/A | Environment Agency's Response to the Appellant's additional evidence, October 2023 |
| CD5/7/B | Review of science papers |
| CD5/7/C | Comments on Public Responses to Appeal |
| CD5/7/D | Variation Notice Daneshill |
| CD5/7/E | Variation Notice Maw Green |
| CD5/7/F | Decision Document Maw Green |

**CD6 Appellants Proofs of Evidence and Rebuttals**

|  |  |
| --- | --- |
| **CD#** | **Document Title**  |
| **CD6/1** | **Simon Cole** |
|  |  |
| CD6/1/A | Asbestos (airborne and soil contamination) – Summary Proof of Evidence  |
| CD6/1/B | Asbestos (airborne and soil contamination) – Proof of Evidence  |
| CD6/1/C | Asbestos (airborne and soil contamination) – Appendices  |
| CD6/1/D | Factual Monitoring Data |
| CD6/1/E | Rebuttal Proof of Evidence of Simon James Cole |
|  |  |
| **CD6/2** | **Leslie Heasman** |
|  |  |
| CD6/2/A | Best Available Techniques – Proof of Evidence (inc. Summary Proof of Evidence) |
| CD6/2/B | Best available Techniques – Appendices |
| CD6/2/C | Rebuttal Proof of Evidence of Leslie Heasman |
|  |  |
| **CD6/3** | [Reference not used] |
|  |  |
| **CD6/4** | **Matthew Stoaling** |
|  |  |
| CD6/4A | Air Quality – Summary Proof of Evidence  |
| CD6/4/B | Air Quality – Proof of Evidence  |
| CD64/C | Air Quality – Appendices  |
| CD6/4/D | Matthew Stoaling (AQ) Rebuttal Proof of Evidence |

**CD7 Environment Agency’s Proofs of Evidence and Rebuttals**

|  |  |
| --- | --- |
| **CD#** | **Document Title**  |
| **CD 7/1** | **Paul Barker** |
|  |  |
| CD/7/1A | Best Available Techniques – Proof of Evidence |
| CD/7/1B | PB 01 Consolidated sector summary document version 1 |
| CD/7/1C | PB 02 EA Feedback on factual Document |
| CD/7/1D | PB 03 Environmental Permitting (England and Wales) Regulations 2016 (“EPR 2016”) |
| CD/7/1E | PB 04 Industrial Emissions Directive 2010 |
| CD/7/1F | PB 05 The Waste Framework Directive, 2008 |
| CD/7/1G | PB 06 The Control of Asbestos Regulations 2012 |
| CD/7/1H | PB 07 Waste treatment BREF, 2018 |
| CD/7/1I | PB 08 Waste Treatment BAT conclusions |
| CD/7/1J | PB 09 Chemical Waste Appropriate measures for permitted facilities guidance, 2020  |
| CD/7/1K | PB 10 Soil treatment options, fixed plant requirements, 2022 (internal guidance) |
| CD/7/1L | PB 11 Implementing EU environmental standards for waste treatment Guidance for Non- governmental Organisations on the EU Waste Treatment BREF, June 2019 |
| CD/7/1M | PB 12 CAR-SOIL, Control of Asbestos Regulations 2012, Interpretation for Managing and working with Asbestos in Soil and Construction and Demolition Materials, July 2016 |
| CD/7/1N | PB 13 Guidance on the Assessment of Mineral Dust Impacts for Planning, Institute of Air Quality Management, 2016 V1.1 |
| CD/7/1O | PB 14 World Health Organization -Air Quality Guidelines for Europe, Second Edition. |
| CD/7/1P | PB 15 Technical guidance note (monitoring) M17 Monitoring Particulate Matter in Ambient Air around Waste Facilities, version 2 July 2013 |
| CD/7/1Q | PB 16 Why is asbestos dangerous? (hse.gov.uk) |
| CD/7/1R | PB 17 Asbestos general information - GOV.UK (www.gov.uk) |
| CD/7/1S | PB 18 SUEZ extends its expertise in asbestos waste management and recovery - SUEZ Group |
|  |  |
| **CD7/2** | **Daniel Kirk** |
|  |  |
| CD7/2/A | Maw Green, Edwin Richard Proof of Evidence |
| CD7/2/B | Appendix 1 Maw Green Permit |
| CD7/2/C | Appendix 2 Schedule 5 notice - 23/01/2024 |
|  |  |
| **CD7/3** | **Chris Lowe** |
|  |  |
| CD7/3/A | Dust emission, waste site and monitoring – Proof of Evidence |
| CD7/3/B | 28480-HYD-XX-XX-RP-GE-0003\_Factual data report final.pdf |
| CD7/3/C | Chemical waste appropriate measures for permitted facilities.pdf |
| CD7/3/D | Control and monitor emissions for your environmental permit.pdf |
| CD7/3/E |  Non hazardous and inert waste appropriate measures for permitted facilities.pdf |
| CD7/3/F |  Asbestos General Information Guidance.pdf |
| CD7/3/G | Guidance Health Matters Air Pollution.pdf |
| **CD7/3/H** | TGN\_M17\_-\_Monitoring\_of\_particulate\_matter\_in\_ambient\_air\_around\_waste\_facilities.pdf |
| **CD7/3/I** | TGN\_M8\_Monitoring\_Ambient\_Air.pdf |
|  |  |
| **CD7/4** | **Graham Raynes** |
|  |  |
| **CD7/4/A** | Daneshill Landfill Proof of Evidence |
| **CD7/4/B** | GR01 APP/EPR/636, 651 & 652 Conjoined Rule 6 Statement on Behalf of FCC Recycling (UK) Limited and 3C Waste Limited |
| **CD7/4/C** | GR02 Agency’s Statement of Case for Appeal APP/EPR/2016/636 |
| **CD7/4/D** | GR03 Annex to Agency’s Statement of Case for Appeal APP/EPR/2016/636 |
| **CD7/4/E** | GR04 Issued permit variation reference EPR/NP3538MF/V009 |
| **CD7/4/F** | GR05 Decision Document for permit variation reference EPR/NP3538MF/V009 |
| **CD7/4/G** | GR06 Permit number EPR-HP3632RP-V003 for Edwin Richards Quarry Soil Treatment Centre |
| **CD7/4/H** | GR07 FCC Recycling (UK) Limited comments on the draft permit conditions for variation reference EPR/NP3538MF/V010 |
| **CD7/4/I** | GR08 Issued permit variation reference EPR/NP3538MF/V010 |
| **CD7/4/J** | GR09 Decision Document for permit variation reference EPR/NP3538MF/V010 |
| **CD7/4/K** | GR10 Chemical Waste appropriate measures for permitted facilities |
| **CD7/4/L** | GR11 Agency document “Hazardous Waste Soil Treatment” |
| **CD7/4/M** | GR12 BAT Conclusions for waste treatment (“BATCs”) (EU 2018/1147) |
| **CD7/4/N** | GR13 Best Available Techniques (BAT) Reference Document for Waste Treatment |
| **CD7/4/O** | GR14 Agency’s Statement of Case for Appeal APP-EPR 2016/651 |
| **CD7/4/P** | GR15 Daneshill Soils Treatment Facility Proposed Layout Plan (drawing 3982-CAU- XX-XX-DR-1805) and Section Drawings (drawing 3982-CAU-XX-XX-DR-C-1806) (Pages 17 and 18 of Activities & Operating Techniques Report Doc 3982-CAU-XX-XX-RP-V-0305-A0.C1) |
| **CD7/4/Q** | GR16 Agency’s Technical Guidance Note M17 Monitoring of particulate matter in ambient air around waste facilities |

**CD8 Third Party Representations**

|  |  |
| --- | --- |
| **CD#** | **Document Title** |
|  |  |
| CD8/1 | C Chambers Objection Letter dated 08-06-2020 |
| CD8/2 | Daneshill Consultation Letters and Third Party Responses (28 pages) |
| CD8/3 | HSE Response – no representations to be made |
| CD8/4 | UKHSA response, dated 1 June 2023 |
| CD8/5 | Letter of Representation, via email Councillor Hazel Faddes, dated 13.03.2024 |
| CD8/6 | HSE Response to FOI Request , dated 09 November 2020 [see also CD5/1/B for same documents] |
| CD8/7 | Environmental Permit Consultation (EPR/NP3538MF/V009) Response 649434312 [see CD5/1/D for same documents] |
| CD8/8 | Letter Public Health England to Environment Agency, Environmental Permit variation application submitted by FCC Recycling (UK) Limited for Daneshill Landfill Site, dated 10 September 2021 |

**CD9 Additional Documents**

|  |  |
| --- | --- |
| **CD#** | **Document Title** |
|  |  |
| **CD9/1** | **Edwin Richards Quarry (ERQ) Documents**  |
|  |  |
| CD9/1/A | Notice of variation and consolidation note Permit Reference EPR-HP3632RP dated 02-06-2021 |
| CD9/1/B | ERQ Summary of email correspondence (Pre Op Table) |
| CD9/1/C  | Copy of emails 1 -16 as set out in the Summary (Pre Op Table) above |
| CD9/1/D | MTP Deployment Form  |
| CD9/1/E | MTP EP Mobile Treatment Licence EA-EPR-EB3636AK-A001 (EAWML105284) PROVECTUS REMEDIATION LTD, |
| CD9/1/F | Deployment form for land and groundwater remediation Form MPP2 Deployment form |
| CD9/1/G | ERQ LEP dated 5 July 2023 |
| CD9/1/H | Email from Iain Storer to FCC re LEP Decision dated 17 August 2023 |
| CD9/1/I | LEP Refusal dated 17 August 2023 |
| CD9/1/J | Schedule 5 Response – Eyesa Letter dated 28 Feb 2024 |
|  |  |
| **CD9/2** | **Daneshill FOI Documents** |
|  |  |
| CD9/2/A | EMD Response Email |
| CD9/2/B | FOI Attachments Index  |
| CD9/2/C | FOI Bundle of Emails (index at CD9-2-B) |
| CD9/2/D | Freedom of information request - Daneshill Landfill Site EPR-NP3538MF-V010 |
| CD9/2/E | [Removed] |
| CD9/2/F | Letter to FCC from EA dated 1-8-2023 |
| CD9/2/G | Email from Katie Dunmore to Martin Turner (EA) dated 8 July 2021 |
| CD9/2/H | Email from Katie Dunmore to Clive Wall dated 9 March 2022 |
| CD9/2/I | Email from Graham Raynes to Katie Dunmore dated 11 November 2021 |
| CD9/2/J | Email from Katie Dunmore to Claire Roberts dated 19 November 2021 |
|  |  |
|  |  |
| **CD9/3** | **Maw Green FOIA EIR Response Documents** |
|  |  |
| CD9/3/A | Hazardous Waste Soil Treatment – Work In Progress  |
| CD9/3/B | Permitting Decisions Variation EPR-BS7722ID-V009 |
| CD9/3/C | Permitting Decisions- Environment Agency Initiated Variation - EPR-BS7722ID-V010. |
| CD9/3/D | Notice of variation and consolidation with introductory note EPR-BS7722ID-V009 Permit number EPR-BS7722ID |
| CD9/3/E | Email from EA enc draft permit requesting comments dated 21-6-2023 |
| CD9/3/F | Email from EA confirming application ‘Duly Made’ dated 16-4-2023 |
| CD9/3/G | External Consultation Response - Letter from UK Health Security Agency – no significant concerns dated 1-6-2023 |
| CD9/3/H | EA guidance note to consultees on the Consultation |
| CD9/3/I | Notice of variation and consolidation with introductory note EPR-BS7722ID-V010 Permit number EPR-BS7722ID |
| CD9/3/J | Email from EA enclosing recently issued permit (above) |
| CD9/3/K | Variation Issue letter from EA dated 25-7-2023 |
| CD9/3/L | Notice to Vary Permit letter from EA dated 05-10-2023 |
| CD9/3/M | Receipt of Application dated 02-02-2023 |
| CD9/3/N | Operator Review Request dated no further comments on draft permit dated 13-07-2023  |
| CD9/3/O | Operator Review Request email dated 10-07-2023 |
| CD9/3/P | Response from EA to FCC FOI request dated 30-11-2023 |
| CD9/3/Q | Email FCC to EA, FOI Request Maw Green Landfill Site, 11 October 2023 |
|  |  |
| **CD9/4 – reference not used** |
|  |  |
| **CD9/5** | **Other Permitted Sites**  |
|  |  |
| CD9/5/A | Permit with introductory note - Ellesmere Port Waste Treatment Facility - EPR-HP3403BL |
| CD9/5/Ai | Permitting Decision Ellesmere Port Waste Treatment Facility |
| CD9/5/B | Permitting decisions Bespoke permit including part refusal - Redhill Landfill Soil Treatment Facility operated by Biffa Waste Services Limited. |
| CD9/5/Bi | Permit Variation - Redhill Landfill Soil Treatment Facility Operated by Biffa Waste Services Limited |
| CD9/5/C | Permitting Decision Variation – Mepal Soil and Treatment Centre |
| CD9/5/Ci | Permit Variation with intro note – Mepal Soil and Treatment Centre |
| CD9/5/D | Permitting Decisions- Variation – Finningley Quarry |
| CD9/5/Di | Permit Variation with intro note – Finningley Quarry Waste Facility |
| CD9/5/E | Bespoke permit including part refusal - Horseley Field Waste Treatment Facility operated by Dunton Environmental Limited |
| CD9/5/F | Permit with intro note - Horseley Field Waste Treatment Facility operated by Dunton Environmental Limited |
| CD9/5/G | Permit Cornets End |
| CD9/5/H | Cornets End Decision Document |
| CD9/5/I | [see CD9-5-G above] |
| CD9/5/J | [see CD9-5-H above] |
| CD9/5/K | Permit Mohawk Wharf  |
| CD9/5/L | Risk Assessment for Treated Soils Welbeck Landfill, dated 13 July 2022 |
| CD9/5/M | EPR Compliance Assessment Report, Cornets End Recycling Facility, HB3802HF/0476250, dated 29.09.2023 |
|  |  |
| **IQ9/6** | **Maw Green Mobile Treatment Licence Documents** |
|  |  |
| IQ9/6/A | Mobile Treatment Deployment Form – Maw Green Soil Treatment Facility (with covering letter and appendices) 5 May 2022 |
| IQ9/6/B | Letter EA to Provectus – Deployment EB3636AK/W0028 Notification letter – Maw Green Soil Treatment Facility, 15 July 2022 |
| IQ9/6/C | Email Provectus to Environment Agency – Deployment Application Issue Letter with Appendices, 19 July 2022 |
| IQ9/6/D | Attachment to Email of 19 July 2022 – Appendix C – STC WI 011 Processing of Asbestos Contaminated Soils Rev 7 |
| IQ9/6/E | Attachment to Email of 19 July 2022 – Appendic B – STF FO02 – Soil Reception Procedure Issue 3 |
| IQ9/6/F | Form MPP2 Deployment Form Land and Groundwater Remediation Maw Green |
| IQ9/6/G | Maw Green Environmental Monitoring Locations |
| IQ9/6/H | Email Environment Agency to Provectus - Deployment Application Issue Letter with Appendices, 20 July 2022 (response to email of 19 July 2022) |