

Permitting decisions - Refusal

We have decided to refuse the permit for Finmere Quarry Recycling Facility.

The decision was issued on 25/09/2026

The proposed facility location is Banbury Road, Finmere, MK18 4AJ.

The application is for a bespoke Environmental Permit for a hazardous waste treatment facility. The proposed operator is Soil Treatment UK Limited. The site lies within the existing Finmere Quarry and Landfill in the southern area of the quarry.

The applicant has applied for an environmental permit to permit the physical treatment of hazardous and non-hazardous construction / demolition waste and the production of a compost like output (CLO). The application requests the following waste management activities:

- Screening and washing hazardous waste to remove and separate the hazardous components of the waste.
- Treatment of hazardous waste that is contaminated with identifiable pieces of bonded asbestos by handpicking and screening.
- Handpicking, screening, washing and crushing of non-hazardous waste as required.
- The production of a compost like output from non-hazardous waste streams with a significant biodegradable organic fraction and suitable physical characteristics.

The application proposes that all water associated with the storage and treatment to be directed to an on site waste water treatment plant. Once treated it is recirculated back through the wash plant with no point source emission from the site. The application states there are no point source emissions to air.

We consider in reaching our decision we have taken into account all relevant considerations and legal requirements.

Purpose of this document

This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- gives reasons for refusal

- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account.

Unless the decision document specifies otherwise, we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the refusal notice.

Key issues of the decision

Summary of our decision

We are refusing the application on the following grounds:

Operator Competence

1. The Applicant Will Not Be the Operator of the Facility

Regulation 13(3) of the Environmental Permitting (England and Wales) Regulations 2016 applies Part 1 of Schedule 5 to an application for the grant of an environmental permit. Schedule 5, Part 1 sets out the matters the regulator must consider when determining an application and the circumstances in which an application must or may be refused.

Paragraph 13(1) of Part 1 of Schedule 5 requires the regulator to refuse an application if it considers that, if the permit is granted, the requirements in paragraph 13(2) will not be satisfied. One of those requirements is that the applicant must be the operator of the regulated facility (paragraph 13(2)(a)).

Regulation 7 of the Environmental Permitting (England and Wales) Regulations 2016 defines “operator” as the person who has control over the operation of the regulated facility. Environment Agency guidance, [Legal operator and competence requirements: environmental permits - GOV.UK](#), explains that the legal operator must have sufficient legal, financial and operational control of the regulated facility and must be able to ensure compliance with the environmental permit. ‘Sufficient control’ means they must control day-to-day operations, ensure permit compliance, make key staffing and financial decisions, and be able to manage the activity effectively, including during emergencies.

The applicant, Soil Treatment UK Ltd, has stated that it will be the operator of the site and DNT Contractors Ltd will be engaged by Soil Treatment UK Ltd as a contractor to provide operational support at the facility.

The applicant has provided the following information to explain how Soil Treatment UK Ltd will be the operator of the facility in accordance with Regulation 7 and the Environment Agency’s legal operator guidance:

'In accordance with the Environment Agency's guidance on legal operator requirements, Soil Treatment UK Limited has, and will retain, full legal, financial, and operational control of the regulated facility. This includes:

- Responsibility for compliance with the environmental permit and all applicable environmental legislation.*
- Full authority to make decisions relating to the management and operation of the site.*
- Control over capital investment, infrastructure, and site layout.*
- Responsibility for the appointment and oversight of the Technically Competent Manager (TCM) and other staff engaged in regulated activities.*
- Direct accountability for site performance, record keeping, emissions control, and environmental monitoring.*

DNT Contractors Ltd has been engaged by Soil Treatment UK Limited as a contractor to provide operational support at the facility. Their role will include carrying out certain day-to-day waste treatment activities in accordance with operating procedures and the requirements set out in the Environmental Management System (EMS).

However, DNT Contractors Ltd:

- Will operate strictly under the direction and instruction of Soil Treatment UK Limited.*
- Will not have independent decision-making authority over the facility's operation.*
- Will not hold or assume responsibility for permit compliance.*
- Will not be responsible for legal or financial control of the facility or the site infrastructure.*

A formal management contract will be in place setting out the responsibilities of DNT Contractors Ltd as a service provider, under the authority of Soil Treatment UK Limited. This arrangement ensures that the legal operator — Soil Treatment UK Limited — maintains direct control and oversight of the facility at all times.'

Usually, we would accept the applicant's proposals where this type of arrangement is proposed. However, in this case we have reasonable grounds to question this arrangement. We have been given information by the Environment Agency (EA) Area compliance teams and we are aware of events that have taken place on the wider site to date. Together this information has raised concerns that Soil Treatment UK Limited will not be the operator on site and that the site will be operated by DNT Contractors Ltd. Further consideration of that information and the details below have provided the reason for refusal.

Corporate structure

The applicant is Soil Treatment UK Limited, company registration number 14735656 incorporated on 16 March 2023. Companies House records show that

the company has filed dormant company accounts for both the years ending 31 March 2024 and 31 March 2025, indicating that it has remained dormant since incorporation. The company has a Sole Director, Julie Todd. The concern is not that Soil Treatment UK Limited has a single Director, rather, the concern is whether the company appears to be a special purpose vehicle with no substantive operational capability, while effective control of the regulated facility is exercised by another person or company. This concern is supported by operations across the known wider site to date. The wider site comprises Finmere landfill (permit reference EPR/FB3301CV) to the North and a Materials Recycling Facility (MRF) (permit reference EPR/AB3908CZ) and the proposed soil treatment facility, the subject of this application, to the South.

Looking at the environmental permits on the wider site, on 15/01/2025 the permit for the MRF (EPR/AB3908CZ) was transferred to Juno Recycling Limited, company registration number 14736292, incorporated on 17 March 2023. Companies House records show that Juno Recycling Limited has also filed dormant company accounts for the years ending 31 March 2024 and 31 March 2025, indicating that it appears to have remained dormant since incorporation. In addition, at the time of the transfer of the permit, Julie Todd was the sole Director of Juno Recycling Limited. This demonstrates a comparable corporate structure for both Juno Recycling Limited and Soil Treatment UK Limited where both companies have been incorporated recently, have operated with Julie Todd as sole Director and appear to have filed dormant company accounts since incorporation.

Julie Todd remained the sole Director of Juno Recycling Limited, the permit holder, from 17/03/2023 to 21/07/2025. This is relevant because during this period, evidence from compliance inspections and subsequent correspondence between the permit holder and the EA indicates that Juno Recycling Limited was not exercising effective control over the activities taking place at the site and was not the operator. This evidence is set out below.

Site Compliance at Finmere Quarry

During the time Julie Todd was the Director of Juno Recycling Ltd, an initial compliance visit took place on 13/05/2025. This is documented in the Compliance Assessment Report (CAR) AB3908CZ/0567742 attached at Appendix A.

This was an unannounced inspection and EA officers observed active waste treatment operations taking place within the permitted MRF building and surrounding areas. Heavy plant was in use, including a trommel, excavators and loaders processing mixed construction and demolition-type wastes. However, none of the operatives on site were employees of Juno Recycling Limited nor were they acting as Juno Recycling Limited “subcontractors”. Instead, activities were being undertaken by personnel employed by DNT Contractors Ltd (DNT). This is the company referred to in this permit application as the contractors supplying operational support to Soil Treatment UK Limited.

These facts were established through direct engagement with on-site personnel during the inspection when a loader driver operating within the MRF directed Environment Agency officers to DNT's working area. This 'working area' falls within the permit boundary proposed in the current application. Officers were then approached by an individual who identified himself as a 'DNT site supervisor'. During an informal discussion, he described working arrangements across the wider site involving Opes MRF 2013 Limited, DNT Contractors Ltd and Juno Recycling Limited. The detail of that discussion was not described in the CAR form. However, the information provided prompted further enquiries and was later checked with Juno Recycling Limited and Opes MRF 2013 Limited (see 'further enquiries' below).

These findings demonstrate that Juno Recycling Limited was not operating the site and that the site was being operated by DNT Contractors Ltd. Environment Agency guidance, [Legal operator and competence requirements: environmental permits](#) sets out the requirements needed to be considered the legal operator of a permitted site. Examples given are:

- have day-to-day control of the facility or activity, including the manner and rate of operation
- make sure that permit conditions are complied with
- decide who holds important staff positions and have incompetent staff removed, if required
- make investment and financial decisions that affect the facility's performance or how the activity is carried out
- make sure your activities are controlled in an emergency

The above guidance recognises that contractors may undertake work at a permitted site whilst the permit holder must still retain sufficient control of the regulated facility to remain the legal operator. When Juno Recycling Limited applied to transfer the permit, it did not state that the day-to-day operation of the site would be subcontracted to DNT Contractors Ltd, nor did it provide evidence to demonstrate how it would retain legal, financial and operational control in accordance with the guidance.

As part of the inspection that day, EA officers also requested site documentation to establish whether there was any evidence showing who was exercising control of the permitted activities.

The following documents are required to be kept on site and would demonstrate operational oversight:

- The Environmental Permit – Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016 requires a regulated facility to be operated only under, and in accordance with, an environmental permit. "Regulated facility" is defined in regulation 8. The permit is the legal document that authorises the operator to carry out specified waste activities at the permitted site. It sets out the activities allowed, the site boundary, waste types and limits, operating conditions, and management controls required to prevent or minimise pollution. A copy must be available on site so staff and contractors understand what activities are authorised and what

conditions must be complied with.

- Environmental Management System (EMS) - condition 1.1.1 of an Environmental Permit requires the site to be operated in accordance with an Environmental Management System. This must be available from the date of permit issue and a copy retained on site. It sets out how the operator manages the permitted activities and complies with the permit. It must include site-specific procedures for waste acceptance, storage, treatment and removal, environmental risk controls, inspections, maintenance, staff responsibilities, training, monitoring, record keeping, incident response and contingency arrangements.
- Site Specific Management Plans – these must set out how specific site activities and environmental risks will be managed, monitored and controlled to ensure the facility operates in accordance with the permit and prevents or minimises pollution.
- Site Diary – A site diary must be available on site to provide a record of daily site operations and management oversight. This must include details of waste movements, activities carried out, plant in use, staff and contractor attendance including Technically Competent Management attendance, inspections, incidents, complaints, maintenance issues and any corrective actions taken.
- Waste transfer Notes/Hazardous Waste Consignment Notes - these notes must be kept on site, or be readily available electronically, to provide an audit trail of waste received and removed. They must record key details including the waste description, EWC code, quantity, date of movement, producer, carrier, consignee and destination. If they are not available, there is no clear evidence that waste movements were being properly classified, tracked or managed.

The Area compliance team confirmed there no site documentation was available during the inspection to demonstrate compliance with the permit. In the absence of documentation, there was no evidence that the environmental risks arising from the ongoing waste operations had been assessed by the permit holder. Nor was the permit holder controlling any risks on site nor effectively managing those risks or operations. Critically, the absence of the site diary meant there was no audit trail showing how activities within the permitted area were being managed, who was exercising day-to-day control, or what action had been taken to ensure compliance with the permit. There was also no evidence that the Technically Competent Manager had attended site or was providing effective oversight of the permitted operations.

This unannounced site inspection on 13/05/2025 clearly demonstrated that DNT Contractors Ltd was in control of waste activities on site. DNT Contractors Ltd employed supervisors were directing DNT Contractors Ltd personnel to carry out waste operations with no Juno Recycling Limited employees, be that staff or management to oversee operations. The lack of any written evidence on site that demonstrated Juno Recycling Limited had given any instruction to ensure compliance with the permit further supported our concern that Juno Recycling Limited was not operating the site but that the operator was DNT Contractors Ltd. A non-compliance against condition 1.1.1 of the permit was recorded in the Compliance Assessment Report (CAR) AB3908CZ/0567742 (Appendix A) for

failure to operate the facility in accordance with a written management system. The area compliance team confirmed the site did have an EMS in place as part of the transfer application documents but as stated in the CAR form, these '*do not detail the operation of the site by any other party and how they would secure, manage and supervise the site to ensure that no one else operates illegally*'.

Further Enquiries

After the site visit, the EA compliance team carried out further enquiries to clarify the relationship between Juno Recycling Limited and DNT Contractors Ltd, and to assess whether Juno Recycling Limited, as permit holder, was the legal operator in accordance with Regulation 7 of the Environmental Permitting (England and Wales) Regulations 2016. These enquiries were necessary to determine who had actual legal, financial and operational control of the permitted activities.

On 26 June 2025, the Environment Agency issued Juno Recycling Ltd with a Regulation 61(1) notice under the Environmental Permitting (England and Wales) Regulations 2016 requiring information. A copy is provided at Appendix B. The purpose was to clarify who was controlling waste activities within the permitted MRF area. The notice required Juno Recycling Limited to explain the legal arrangement between Juno Recycling Limited and DNT Contractors Limited for waste acceptance and treatment within the permitted MRF area; who had day-to-day control of those activities; who was responsible for permit compliance; who made financial decisions for activities within the permitted area; and who employed and paid the staff working in that area

In response to the Regulation 61(1) notice, Julie Todd, as sole Director of Juno Recycling Limited, stated that there was no legal or other arrangement between itself and DNT Contractors Ltd for activities within the permitted MRF area. It was also stated that Juno Recycling Limited had not carried out any activities under the permit, did not know who had day-to-day control of the activities taking place on the land, had made no financial decisions in relation to those operations, and had no staff working on site.

All of this information was captured in an updated version of CAR form dated 13/05/2025 (Report ID: AB3908CZ/0567742) presented at Appendix A.

During this period, the EA also contacted the landfill operator, Opes MRF 2013 Limited (permit reference EPR/FB3301CV), to establish which activities were being carried out on site, by whom, and on whose behalf.

In email correspondence between the EA and the Technical Director of Opes MRF 2013 Limited, it was confirmed that DNT Contractors Ltd was working on behalf of Opes MRF 2013 Limited to carry out restoration works as part of the landfill activities. This is relevant because the regulation layer (a layer of material used as part of the landfill restoration profile to regulate surface levels and provide a suitable formation layer before final restoration soils are placed) was being produced and blended at the MRF by DNT Contractors Ltd. The correspondence described the three organisations, namely Opes MRF 2013 Limited, DNT

Contractors Ltd and Juno Recycling Limited, as discrete legal entities that work collaboratively on the wider project where possible. This information contradicted the information given by Juno Recycling Limited with respect to DNT Contractors Ltd in response to the statutory Regulation 61 (1) Notice.

We believe the above evidence demonstrates that DNT Contractors Ltd's role is inconsistent with the role of subcontractor working on behalf and at the direction of the permit holder and supports our conclusion that Juno Recycling Limited was not acting as the legal operator of the permitted facility. It also demonstrates that Juno Recycling Limited allowed another company to carry out waste operations within the permitted area without having sufficient knowledge of, or control over, those activities.

We consider that the weight of this evidence indicates a common way of working and means it is reasonable for us to have concern and doubt over the status of DNT Contractors Ltd with respect to Soil Treatment Limited should a permit be granted.

Technically Competent Management

The environmental permit for the MRF at Finmere Quarry (permit reference EPR/AB3908CZ) was transferred to Juno Recycling Limited on 15/01/2025. At the time of the transfer application, in addition to being the sole Director, Julie Todd was also listed as the Technically Competent Manager (TCM) for the site and the relevant Certificate of Technical Competence (COTC) was submitted in support of the application.

Following the inspection on 13/05/2025 where the EA contacted Opes MRF 2013 Limited to clarify activities and responsibilities across the wider site, Opes indicated that COTC cover was being provided locally for Juno. However, there was no evidence that this reflected an arrangement made by Juno Recycling Limited as permit holder, or that the EA had been notified of any change to the technically competent management arrangements. We have therefore proceeded on the basis that Julie Todd remained the Technically Competent Manager, as confirmed in the transfer application.

This lack of clarity supports the wider concern that there was uncertainty across the overall site as to which company was operating which activities, and on whose behalf. Given the comparable operating arrangements and corporate structure between this application and the wider site activities observed here, we consider there are reasonable grounds to doubt whether Soil Treatment UK Limited would exercise the necessary control of the proposed facility, and therefore whether it would be the legal operator if a permit were granted.

Ongoing Compliance at Finmere

The initial site inspection on the 13/05/2025 established an early and fundamental concern that the permit holder was not exercising control over activities taking

place on its permitted land and had insufficient management systems in place to prevent unauthorised waste operations by third parties.

Companies House records show that Olivia Bradshaw was appointed as a Director of Juno Recycling Limited on 21/07/2025, and that Julie Todd resigned as a director on 22/07/2025. The change in directorship does not remove the relevance of Juno Recycling Limited to this application, as the corporate structure remains comparable: both companies operating with a sole Director model on the Finmere site. The evidence relating to Juno Recycling Limited is therefore relevant to our assessment of whether Soil Treatment UK Limited is likely to have the necessary legal, financial and operational control to be the operator of the proposed facility.

Evidence also shows that, after Julie Todd resigned as Director of Juno Recycling Limited, DNT Contractors Ltd continued to carry out waste operations at the site and the improvements required by the Environment Agency set out in the Compliance Assessment Report (CAR) form AB3908CZ/0572900 dated 25/07/2025 were not completed – see Appendix C. This further demonstrates that Juno Recycling Limited was not exercising effective control over operations at Finmere. Given the comparable corporate structure and proposed reliance on DNT Contractors Ltd, it also supports our conclusion that Soil Treatment UK Limited has not demonstrated that it will exercise effective control over the proposed facility.

The following CAR reports were issued to Juno Recycling Limited over the last 12 months and are presented at Appendix D to I:

- AB3908CZ/0572900, dated 8 August 2025 for the site inspection on 25 July 2025 (Appendix D);
- AB3908CZ/0578841, dated 13 September 2025, for site inspection on 10 September 2025 (Appendix E);
- AB3908CZ/0590159, dated 15 January 2026, for site inspection on 8 January 2026 (Appendix F);
- AB3908CZ/0593702, dated 25 February 2026, for site inspection on 11 February 2026 (Appendix G);
- AB3908CZ/0597860, dated 22 April 2026, for site inspection on 16 April 2026 (Appendix H);
- AB3908CZ/0600291, dated 10 June 2026, for site inspection on 01 and 02 June 2026 (Appendix I);

These clearly evidence that the permit holder was not exercising control over activities with regulatory action escalating appropriately from site findings and formal enquiries through to permit revocation. On 12 June 2026, the Environment Agency issued a Notice of Revocation of Environmental Permit EPR/AB3908CZ, provided at Appendix J. The decision to revoke the permit was based on the operator's inability to demonstrate control of the regulated facility, the absence of a technically competent manager or responsible personnel on site, and failures to comply with permit conditions 1.1.1 and 3.6.1.

Conclusion

Taken together, the evidence demonstrates that Juno Recycling Limited did not exercise effective control over site operations at Finmere, both while Julie Todd was its Director and after her resignation. Given the comparable corporate structure between Juno Recycling Limited and Soil Treatment UK Limited, and the proposed reliance on DNT Contractors Ltd for operational support, we have reasonable grounds to conclude that Soil Treatment UK Limited has not demonstrated that it will exercise the necessary legal, financial and operational control of the proposed facility. Therefore, we do not consider that Soil Treatment UK Limited will be the operator of the regulated facility for the purposes of regulation 7 and Paragraphs 13 (1) and 13(2) of Part 1 of Schedule 5 to the EPR regulations.

2. The Facility Will Not Be Operated in Accordance with the Permit

Regulation 13(3) of the Environmental Permitting (England and Wales) Regulations 2016 applies Part 1 of Schedule 5 to an application for the grant of an environmental permit. Schedule 5, Part 1 sets out the matters the regulator must consider when determining an application and the circumstances in which an application must or may be refused.

Paragraph 13(1) of Part 1 of Schedule 5 requires the regulator to refuse an application if it considers that, if the permit is granted, the requirements in paragraph 13(2) will not be satisfied. One of those requirements is that the applicant must operate the regulated facility in accordance with the environmental permit (paragraph 13(2)(b)).

There is evidence to indicate that the applicant will not operate the facility in accordance with the permit. This evidence arises from recent activities on the wider Finmere site involving persons and companies connected to this application, and from compliance concerns at other permitted facilities where the applicant's Director has acted as the Technically Competent Manager. This evidence has been gathered through Compliance Assessment Reports (CAR forms), notices and correspondence from Area EA compliance officers and is set out below.

Compliance Assessment Reports and scoring

Compliance Assessment Reports (CAR forms) record permit breaches using compliance scores that reflect the seriousness of the non-compliance and the actual or potential environmental impact. Category 2 breaches indicate significant non-compliance, often linked to serious management system failures or significant environmental risk. Category 3 breaches indicate lower-level non-compliance but still demonstrate a failure to comply with permit conditions. Repeated Category 2 and Category 3 breaches are relevant because they show continuing failure to manage the site in accordance with the permit and may contribute to a worsening

compliance band and regulatory escalation. This information is relevant because it helps identify where sites are failing to comply with the requirements of their environmental permits and why, including whether the failures result from poor operator control, inadequate management systems, insufficient technical competence, or failure to follow required permit controls.

Site Compliance Finmere Site

DNT Contractors Ltd are listed as the company intended to provide operational support to Soil Treatment UK Limited to run the proposed hazardous waste treatment facility at Finmere, the subject of this application.

The wider Finmere site comprises the landfill operation to the North, regulated under permit reference EPR/FB3301CV, and the Materials Recycling Facility (MRF) to the South, regulated under permit reference EPR/AB3908CZ along with the area to the South which is the subject of this application (EPR/TP3724SA/A001).

On 11 April 2024, the EA issued a cease and desist letter to DNT Contractors Ltd following an inspection at Finmere Quarry on 14 March 2024. The letter, presented at Appendix K, advised that waste activities appeared to be taking place without an environmental permit, contrary to regulations 12 and 38 of the Environmental Permitting (England and Wales) Regulations 2016. It required the unauthorised activity to stop immediately, the waste to be removed, the area cleared by 14 May 2024, and waste transfer notes provided by 14 June 2024. The letter also made clear that no future waste activity should take place unless authorised by an environmental permit or registered exemption.

On 18 June 2024, the EA again wrote to DNT Contractors Ltd following a site inspection on 7 June 2024 at Finmere Landfill. The letter is presented at Appendix L. Officers observed an unpermitted soil washing facility and large piles of fines material and crushed concrete, which appeared to originate from landfill operations rather than the wash plant. The letter reminded DNT Contractors Ltd that soil washing was not permitted at the site and that no waste should be imported or treated without an environmental permit. It required all material unrelated to the wash plant to be removed immediately and advised that the EA would re-inspect the site in the following weeks and contact the landfill operator about the same issue. These activities were being carried out in the area which is the subject of this application.

The correspondence issued on 11 April 2024 and 18 June 2024 shows that DNT Contractors Ltd carried out waste activities within the area subject to this application without the necessary authorisation. Despite being advised that no waste activity should take place without an environmental permit or registered exemption, further unauthorised activity was identified during a later inspection.

This raises concern that DNT Contractors Ltd has not complied with regulatory requirements and may not operate in accordance with any permit granted.

During an unannounced EA compliance inspection of the MRF on 13 May 2025, recorded in the Compliance Assessment Report AB3908CZ/0567742 at Appendix A, officers observed active waste treatment operations taking place within the permitted MRF building and surrounding areas. Through discussions with site personnel, including a site operative and a DNT representative identifying themselves as 'DNT Site Supervisor', officers established that these activities were being carried out by personnel employed by DNT Contractors Ltd. DNT Contractors Ltd was not the permit holder or legal operator of the MRF. The permit holder was Juno Recycling Limited, whose sole Director at the time was Julie Todd. This arrangement is directly relevant to the current application. Soil Treatment UK Limited proposes a similar operating model, with Julie Todd as sole Director and DNT Contractors Ltd engaged to undertake day-to-day operational activities at the proposed facility.

The CAR form also confirms that no site documentation was available during the inspection. A copy of the environmental permit, Environmental Management System, site-specific management plans, waste transfer notes or consignment notes, and a site diary must be available on site, or readily accessible, to demonstrate compliance with the permit. In the absence of this documentation, there was no evidence that DNT Contractors Ltd understood the requirements of the permit or the supporting management documents necessary to ensure compliance and prevent or minimise pollution. There was also no evidence that DNT Contractors Ltd had the technical competence required to carry out the ongoing waste operations at the site. A Category 2 breach was recorded against the permit holder, Juno Recycling Limited, for failing to comply with permit condition 1.1.1 where an operator must manage and operate the activities in accordance with a written management system. The CAR form explains that there was an EMS in place (CAR report ID: AB3908CZ/0567742). However, that *'application documents, including the Management System, do not detail the operation of the site by any other party and how they would secure, manage and supervise the site to ensure that no one else operates illegally. Significant deficiencies in your management system, including insufficient controls to secure your site from illegal activities, have allowed OPES MRF 2013 Limited and DNT Contractors Ltd to carry out waste activities without consent. This failure to prevent illegal activities on your site can have a significant foreseeable impact in the environment and you have been scored Category 2 non-compliance 31 CCS'*.

During the same inspection on 13/05/2025, personnel from DNT Contractors Ltd discussed the relationship between the landfill operator, Opes MRF 2013 Limited, Juno Recycling Limited and DNT Contractors Ltd. To determine the relationship between DNT Contractors Ltd and Juno Recycling Limited, the EA issued Juno Recycling Limited with a Regulation 61(1) notice under the Environmental

Permitting (England and Wales) Regulations 2016 to clarify who was controlling waste activities within the permitted MRF area which is included at Appendix B. Julie Todd responded as Director to confirm there was no legal or other arrangement between itself and DNT Contractors Ltd for activities within the permitted MRF area. It therefore appears that DNT Contractors Ltd was carrying out waste operations within the permitted MRF area without the permission or control of the permit holder.

The EA also contacted Opes MRF 2013 Limited, the landfill operator under permit reference EPR/FB3301CV, to establish which activities were being carried out on site, by whom, and on whose behalf. In email correspondence between the EA and the Technical Director of Opes MRF 2013 Limited, it was confirmed that DNT Contractors Ltd was working on behalf of Opes MRF 2013 Limited to carry out restoration works. The correspondence also confirmed that material for the landfill restoration layer was being produced and blended within the permitted MRF area for use on the landfill site. It was stated the three organisations, as discrete legal entities, work collaboratively on the wider project where possible. It did not acknowledge that DNT Contractors Ltd was not the operator of the MRF, nor that it did not have permission from the permit holder to carry out those activities within the permitted MRF area. It also did not recognise that activities within the MRF permit boundary must be carried out under the control of the permit holder and in accordance with the MRF environmental permit. This information contradicted the information given by Juno Recycling Limited with respect to DNT Contractors Ltd in response to a statutory Regulation 61 (1) Notice referred to above.

This indicates a lack of understanding of the regulatory position and supports our concern that activities across the wider Finmere site were not being carried out in accordance with the relevant permit requirements. It is directly relevant to this application because Soil Treatment UK Limited proposes to rely on DNT Contractors Ltd to undertake day-to-day operational activities at the proposed facility. Given DNT Contractors Ltd's previous operation within the permitted MRF area, without the knowledge or control of the permit holder, and not in accordance with the requirements of that permit, and also within the area that is the subject of this application, means it is reasonable for us to have concern and doubt over whether DNT Contractors Ltd would carry out day-to-day operations at the proposed facility in accordance with the requirements of any environmental permit granted to Soil Treatment UK Limited, should a permit be granted.

Ongoing Non Compliance

After the site inspection on 13/05/2025, the EA issued a cease and desist letter to DNT Contractors Ltd on 10/07/2025 for operating a regulated facility without being authorised by an environmental permit, contrary to regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016. A contravention of regulation 12 is an offence under regulation 38 to those Regulations. A copy of the letter is provided at Appendix M.

Following the letter, a site inspection was carried out on 25/07/2025 (CAR form report reference AB3908CZ/0572900 at Appendix N), officers observed that no activities were taking place at the time of the inspection. However, an inspection undertaken on 10/09/2025 (CAR Form report reference AB3908CZ/057884 at Appendix O) showed waste material has been transferred from the MRF building to the outside yard area where waste material was being screened. This was confirmed by an operative from DNT Contractors Ltd on site. After the inspection, the Environment Agency contacted Juno Recycling Limited, as the permit holder, to ask why DNT Contractors Ltd had continued to operate within the permitted MRF area after being instructed to stop. The then Director of Juno Recycling Limited confirmed that DNT Contractors Ltd was not operating on Juno Recycling Limited's behalf.

This shows that DNT Contractors Ltd continued to carry out waste operations despite being aware that it was not authorised to operate within the permitted MRF area and despite having received a cease and desist letter. This raises further concern that DNT Contractors Ltd would not carry out the proposed hazardous waste treatment operations in accordance with the requirements of an environmental permit. Their continued operation despite regulatory intervention demonstrates a disregard for the regulatory process and for the need to ensure activities are properly authorised before they are undertaken.

Technical Competence Management

Julie Todd was initially proposed as the Technically Competent Manager (TCM) for this application. However, during the determination, the applicant amended the technical competence arrangements and proposed an alternative Technically Competent Manager. Julie Todd would therefore no longer provide the technically competent management for Soil Treatment UK Limited, but she remains the company's sole Director.

This is relevant to our assessment because although Julie Todd is no longer the proposed Technically Competent Manager for this application, she remains the Director of Soil Treatment UK Limited and would be capable of resuming that role of TCM after permit issue. Additionally, where the TCM and Director may be different individuals, their roles are complementary and both are relevant to permit compliance.

Technically Competent Managers are responsible for ensuring that day-to-day site operations are managed in accordance with the environmental permit, the Environmental Management System, all site-specific management plans and any other documents forming part of the permitted operating arrangements. Failure to provide effective technical oversight may result in the regulated facility being operated other than in accordance with the environmental permit, contrary to regulation 12 of the Environmental Permitting (England and Wales) Regulations

2016. A contravention of regulation 12 is an offence under regulation 38. This is relevant to our assessment Paragraph 13 of Part 1 of Schedule 5, which allows the regulator to refuse an application where it considers that the applicant will not operate the regulated facility in accordance with the permit.

Compliance at other permitted facilities

We have reviewed the compliance record for a number of other similar permitted sites where Julie Todd has previously held positions of responsibility. We have identified 6 permits across two facilities, which are similar in nature to Finmere and/or the proposed operations applied for under this permit application, where Julie Todd held the position of technically competent manager. These sites are listed below, together with evidence of non-compliance which occurred during her tenure. The evidence is directly relevant to this refusal because it is not confined to incidents at Finmere Quarry. Rather, it indicates a recurring pattern of non-compliance across several permitted sites at which she held a position of technical responsibility. The nature, repetition and persistence of those failures give rise to serious concern about her understanding of, and ability to ensure, the effective management and operation of permitted facilities in accordance with permit conditions and regulatory requirements.

The sites in question are as follows:

Escrick Environmental Services Limited, Old Brick and Tiles Works

Four permits are held by Escrick Environmental Services Limited for the Old Brick and Tiles Works, North Yorkshire, namely

- EPR/ZP3835JD - an inert landfill with the permit issued in 2019.
- EPR/BB3907LY - waste treatment facility for inert and non-hazardous waste to produce recycled aggregates with the permit issued in 2012.
- EPR/DB3000UP - consolidated permit which operates under SR2010 No17 and SR2022 No1
- EPR/LB3005TW – Deposit of waste to land as a recovery operation (currently compliant and not considered further here).

From April 2025, Escrick Environmental Services Limited has a similar corporate structure to Juno Recycling Ltd and Soil Treatment UK Limited, in that it is also a sole Director company from this point. The EA Area compliance team for this site has confirmed that Julie Todd is currently the Technically Competent Manager covering all three of the permits held by Escrick Environmental Services Limited for the Old Brick and Tiles Works. She provided a copy of the relevant certificates to the EA in April 2025.

Escrick Soil Landfill Site (EPR/ZP3835JD)

The EA Area Compliance team has confirmed that the site was compliant with its permit before Julie Todd became the Technically Competent Manager (TCM) and this is evidenced through the Compliance Assessment reports held by the Environment Agency. Since her appointment, the site's compliance rating for the landfill has deteriorated and it currently has a compliance Band D, with a Band E rating recorded in 2025. Compliance bands provide an overall indication of a permitted site's compliance performance, based on the non-compliance scores recorded in Compliance Assessment Reports. A deterioration in compliance band indicates repeated or more serious permit breaches and is relevant because it demonstrates whether the operator is effectively managing the site in accordance with the environmental permit. The bands usually run from A to F, where:

- Band A = very good compliance / little or no non-compliance;
- Band B/C = some non-compliance, generally less serious or less frequent;
- Band D/E/F = poorer compliance, often involving repeated, serious or unresolved non-compliance.

The deterioration in compliance at the landfill is evidenced in the Compliance Assessment Reports (CAR) for the site and the accompanying correspondence. Key evidence is summarised here and the relevant documents included at Appendix P to Appendix AA:

- An unannounced inspection was carried out by EA compliance officers on 17 September 2025, recorded in CAR form reference 406424/0581445 (Appendix P). Julie Todd, as Technically Competent Manager, was present on site during the inspection. Officers observed waste being deposited in Cell 1, which had previously been closed. The material was not inert and was therefore contrary to the permitted waste types. Julie Todd was unable to explain why the waste was being deposited in that location. Two Category 2 breaches were recorded for non-compliance with permit conditions 1.1.1(b) (using sufficient competent persons and resources) and 2.7.1(b) (non-permitted wastes). The CAR form identified the root cause as follows: "Observations made during the inspection suggests that the operations on site are not being managed in line with a suitable management system that identifies and minimises the risk of pollution and that there is a lack of technical competency."
- During the unannounced inspection on 10 November 2025, recorded in CAR form reference 406424/0587154 (Appendix Q), officers observed visually non-compliant waste in Cell 2A. The waste was not inert and was therefore contrary to the permitted waste types. Julie Todd, as Technically Competent Manager, was informed that the waste would need to be removed from the site. The waste should have been cordoned off at that point to prevent further disturbance or mixing and to enable its removal from the permitted area. Again, two Category 2 permit breaches were recorded one against permit condition 2.7.1(b) (non-permitted wastes) and one

against permit condition 1.1.1(b) (using sufficient competent persons and resources) as with the previous inspection.

- In response to the ongoing non-compliance at the site, on 10/12/2025 the EA served a Regulation 37(5) Notice requiring the removal of the non-permitted waste (Appendix R).
- An announced site inspection and meeting was carried out on 19/01/2026 recorded in CAR form reference 406424/0591025 (Appendix S) to discuss previous non-compliances. Julie Todd as TCM was present at the meeting. A Category 2 breach was recorded for non-inert waste deposited in Cell 1, Cell 1 Extension, and Cell 2A (breach of permit condition 2.7.1(b)) with the root cause given as staff competency/training and management system inadequacies (breach of permit condition 1.1.1(b)); and a Category 3 breach was recorded for restoration material spread without proper assessment or Environment Agency approval (breach of permit condition 2.7.2(b)).
- A second Regulation 37(5) Notice was served on 11/02/2026 (Appendix T) which requires the removal of the non-permitted waste as previously stated but also the full suspension of the permit.
- An announced site inspection and meeting was carried out on 25/02/2026 recorded in CAR form reference 406424/0595048 (Appendix U) to discuss previous non-compliances. Julie Todd as TCM was present. There was no evidence that any of the non-compliant waste identified in previous inspections has been removed. Two Category 2 breaches were recorded for staff competency/training (Category 2 breach, condition 1.1.1(b)) and materials acceptance (Category 2 breach, condition 2.7.1(b)).
- An announced site inspection was carried out on 25/03/2026 recorded in CAR form reference 406424/0597120 (Appendix V). Julie Todd as TCM was present. Two Category 2 breaches of permit conditions were recorded. Materials Acceptance (Condition 2.7.1(b)) due to non-inert waste was found deposited in Cell 1, Cell 1 Extension, and Cell 2A with Cell 2A contained a significantly larger volume of non-compliant waste than previously identified. The site was not managed in line with a suitable management system, and there was a lack of technical competency (Staff Competency/Training (Condition 1.1.1(b)). This was considered the root cause of the materials acceptance breach. Gas monitoring was also carried out by the EA and elevated methane emissions were observed, further indicating the presence of non-inert waste in contravention of the permitted waste types. The presence of non-inert waste and high gas emissions indicate ongoing risks to the environment, particularly groundwater pollution and air quality.
- On 09/04/2026 the Regulation 37(5) Notice was withdrawn and the EA served a new Regulation 37(5) Notice requiring the removal of the non-permitted waste by 8/9/2026 (Appendix W).
- An announced site inspection was carried out on 20/04/2026 recorded in CAR form reference 406424/0597769 (Appendix X). The situation on Cell 1, Cell 1 Extension, and Cell 2A is unchanged from the previous site inspections, and once again two Category 2 breaches were recorded for

staff competency/training (Category 2 breach, condition 1.1.1(b)) and materials acceptance (Category 2 breach, condition 2.7.1(b)).

- An announced site inspection was carried out on 30/06/2026 recorded in CAR form reference 406424/0602496 (Appendix Y). As with the previous inspections there have been no changes in regard to the removal of non-compliant waste and once again, 2 Category 2 permit breaches have been recorded for staff competency (1.1.1 (b)) and materials acceptance (2.7.1(b)).
- An announced site inspection was carried out on 11/08/2026 recorded in CAR form reference 406424/0605200 (Appendix Z). As with previous visit, there had been no changes in regard of the removal of non-compliant wastes in Cell 1, Cell 1 Extension and Cell 2A. Again, 2 Category 2 permit breaches have been recorded for staff competency (1.1.1 (b)) and materials acceptance (2.7.1(b)).
- An announced site inspection was carried out on 10/09/2026 recorded in CAR form 406424/0606900 (Appendix AA). It noted that the actions set out in the Regulation 37(5) Notice issued on 09/04/2026 were not completed. Again, 2 Category 2 permit breaches have been recorded for staff competency (1.1.1 (b)) and materials acceptance (2.7.1(b)). The site has a compliance rating in Band F.

Although there has been some communication with the site during this period, and some information has been provided, this has been limited and it has not demonstrated how the site will be brought back into compliance and the Area Compliance Team has confirmed no appropriate programme of works has been officially provided or agreed with the EA, only 'roadmaps' have been received. It was agreed that the operator would provide weekly updates to the Environment Agency on progress; however, the last weekly update received from Julie Todd was 17/02/2026. Since then, the Director has provided only limited and intermittent updates. Additionally, the Regulation 37(5) Notice issued on 09/04/2026 has not been complied with by the date given. This further indicates a lack of effective management oversight and a failure to engage consistently with the steps required to restore compliance with the permit.

This demonstrates that the Technically Competent Manager failed to maintain effective control of the permitted activities and did not ensure that the site was operated in accordance with the environmental permit, the Environmental Management System and the site's management procedures. The repeated acceptance and deposit of non-permitted waste, the failure to remove or isolate that waste once identified, and the recurring breaches of permit conditions indicate continuing deficiencies in technical competence, staff training and management systems. This is particularly relevant because Julie Todd was present as Technically Competent Manager during key inspections and was aware of the non-compliance, yet the required corrective action was not taken.

The deterioration in compliance at sites where Julie Todd has held a position of responsibility as Technically Competent Manager is directly relevant to this application because she remains the sole Director of Soil Treatment UK Limited. As sole Director, she would retain ultimate responsibility for ensuring the company has effective management systems, sufficient competent persons and resources, and appropriate arrangements to operate the proposed facility in accordance with any permit granted. The repeated compliance failures at sites where she has provided technical oversight raise reasonable doubt about whether Soil Treatment UK Limited, under her sole directorship, would operate the proposed Finmere facility in accordance with any permit granted.

Escrick Waste Treatment Facility (EPR/BB3907LY)

Escrick Waste Treatment Facility is permitted to treat inert and non-hazardous waste to produce recycled aggregates. The treatment activities include crushing, washing and screening. This is comparable to the activities proposed by Soil Treatment UK Limited, albeit the current application also seeks to treat hazardous waste soils.

Although the site has a history of poor performance, Julie Todd's appointment as Technically Competent Manager in April 2025 should have provided an opportunity to improve operational control and bring the site back into compliance. As TCM, she was expected to work with the Environment Agency to ensure the site was operated in accordance with the permit, the Environmental Management System and relevant management procedures. However, the evidence from April 2025 onwards demonstrates continuing failures in day-to-day management and compliance. The key evidence is set out below and the relevant documents included at Appendix AB to Appendix AJ:

- A compliance site inspection was carried out on 09/06/2025 and recorded in CAR form reference 104658/0561618 (Appendix AB). Julie Todd attended the inspection in her capacity as Technically Competent Manager. The CAR form is relevant because it records the outstanding compliance issues from previous inspections, where the operator and previous Technically Competent Manager had failed to secure compliance with the permit. It therefore demonstrates that Julie Todd was made aware of the existing compliance issues at the site and the actions required to bring the site back into compliance with the environmental permit. Two Category 3 breaches were recorded, one for a breach against permit condition 2.1.1 (waste not stored in accordance with the permit) and one for a breach against permit condition 1.1.1 (failure to operate in accordance with a written management system and staff competency).
- A compliance site inspection was carried out on 22/08/2025 and recorded in CAR form reference 104658/0576130 (Appendix AC). Julie Todd attended the inspection in her capacity as Technically Competent Manager. No infrastructure work on drainage improvements has been started despite it being identified as a non-compliance on the previous site visit. A deadline

was given for compliance. Some waste was found stored outside the area with an impermeable surface and without an adequate sealed drainage system, although some had been removed. This breaches permit condition 2.1.1 and was scored a Category 3 non-compliance. Environmental Management System (EMS) was found inadequate, breaching permit condition 1.1.1 and also recorded as a category 3 non-compliance.

- A compliance site inspection was carried out on 17/09/2025 and recorded in CAR report reference 104658/0580703 (Appendix AD). No breaches of permit conditions were recorded during this inspection. However, the report does state there appeared to be evidence of a waste type similar to that of Trommel Fines that had been stored on the pad. Julie Todd, as Technically Competent Manager, stated that she was unaware where this waste had come from or where it had gone. This is concerning because a Technically Competent Manager is expected to maintain effective oversight of site operations, including the acceptance, storage, treatment and removal of waste, to ensure compliance with the environmental permit and waste duty of care requirements.
- An unannounced compliance site inspection was carried out on 10/11/2025 and recorded in CAR report reference 104658/0586981 (Appendix AE). Julie Todd was present as the TCM. It was found that waste was still be stored outside the area with an impermeable surface. Furthermore, no additional work has been done to ensure that the site has an adequate sealed drainage system. The inspection also included actions for Julie Todd, as TCM; to confirm the treatment process and recovery value of the waste, stop pumping drainage water to the discharge point, provide the outstanding information requested in CAR reference 104658/0561618, continue progress against the Compliance Action Plan, and submit weekly updates to the Environment Agency.
- An unannounced compliance site inspection was carried out on 19/01/2026 and recorded in CAR report reference 104658/0590461 (Appendix AF). Julie Todd was present as the TCM. Three permit non-compliances were identified: waste was being stored outside the required impermeable surface, leachate was not being adequately contained, and the Environmental Management System was inadequate which was given a category 2 permit breach. These failures created risks to land, groundwater and surface water, and demonstrated that the site was not being managed with sufficient controls, competent staff or resources to ensure compliance with the permit. In addition to this, the report also states that the EA had previously identified problems at the Escrick Waste Treatment Facility and asked the operator to follow a Voluntary Compliance Action Plan (CAP) to fix them. However, the EA was concerned that the site has not made enough progress on the CAP as the deadlines set in the plan were not being met. As such the EA decided to reinstate (reactivate) previously suspended negative scores from two earlier Compliance Assessment Reports (CARs) which could affect its compliance band. This further demonstrates a lack of effective control over day-to-day site activities and a failure by the TCM to

ensure that deadlines set out in the operator's own Compliance Action Plan were met.

- On the 05/02/2026 the EA served a Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AG). This was served because the facility was in breach of permit condition 2.1.1, which requires all waste to be stored on an impermeable surface with sealed drainage and currently all waste was not stored correctly in accordance with the permit. A deadline of 08/05/2026 was given for compliance.
- An unannounced compliance site inspection was carried out on 25/02/2026 and recorded in CAR report reference 104658/0594572 (Appendix AH). Julie Todd was present as the TCM. This inspection was carried out to assess progress towards compliance with the actions set out in the Regulation 36 Notice. During the inspection, officers identified that street sweeping waste continued to be stored off the impermeable surface with no sealed drainage. Furthermore, no additional work had been done on the site's drainage system. Leachate was seen pooling behind the stockpile of street sweeping waste, on unmade ground. Moreover, due to the site not having a sealed drainage system, the site did not have adequate infrastructure in place to ensure the management of this waste liquid minimised the risk of pollution (non-compliance with permit condition 2.1.1). The root cause for the above non-compliances was attributed to the inadequacies of the Environment Management System (EMS) and/or failure to provide sufficient competent persons and resources (non-compliance with permit condition 1.1.1). This demonstrates that the TCM was not ensuring the site complied with the requirements of the Regulation 36 Notice or the conditions of the environmental permit.
- An unannounced compliance site inspection was carried out on 25/03/2026 and recorded in CAR report reference 104658/0596734 (Appendix AI). Julie Todd was present as the TCM. It was observed that no progress had been made since the previous inspection. The TCM stated that the site director was preparing a plan to bring the site back into compliance. However, the same assurance had been given during the previous inspection and no plan had been submitted.
Leachate continued to discharge to unmade ground, with no effective management of other leachate sources, no secondary containment for IBCs, and no leachate management plan submitted by the required deadline. No progress had been made on sealed drainage or compliant waste storage, and the TCM's proposed pad-sealing works were insufficient. The breach of permit condition 2.1.1 remained a Category 3 non-compliance. Mixed construction and demolition waste containing soil was accepted onto site despite not being a permitted waste type. The TCM acknowledged the waste was not permitted and was unable to explain why it had been accepted. This was recorded as a Category 3 non-compliance with permit condition 2.3.2. Because no progress had been made since the previous inspection, the ongoing breach of permit condition 2.1.1 was attributed to deficiencies in the EMS and/or a failure to provide sufficient

competent persons and resources, and this was recorded as a category 2 breach.

- The Regulation 36 Notice deadline of 08 May 2026 was not met.
- Further site inspection was carried out on 11/05/2026 recorded in CAR form reference 104658/0599683 (Appendix AJ). It shows no progress had been made on any of the actions set out in the previous CAR forms to bring the site into compliance. In addition to this, it was stated that weekly progress updates had not been received for several weeks. The site was now in compliance band F and the root cause remained non-compliance with permit condition 1.1.1, namely managing the activities using sufficient competent persons and resources.
- On 19 May 2026, the Environment Agency wrote to the operator confirming non-compliance with the Regulation 36 Notice and advising that further enforcement action was being considered.

It has been determined that the inadequate resources provided by the site, together with the operator's failure to respond to non-compliances promptly and adequately, have contributed to an increased risk to the environment. As TCM, Julie Todd was responsible for providing effective technical oversight of day-to-day operations and ensuring that the site was operated in accordance with the permit, EMS, management plans and corrective actions required by the Environment Agency. The continuing non-compliances, missed deadlines, lack of progress against required actions and failure to restore compliance demonstrate that this oversight was not effective. This supports our concern that Julie Todd has not demonstrated the level of technical competence and management control required to ensure a permitted facility is operated in compliance with its environmental permit. This is directly relevant because Julie Todd remains the sole Director of Soil Treatment UK Limited and would retain overall responsibility for ensuring the proposed facility is properly managed and compliant. The repeated compliance failures at sites where she provided technical oversight raise reasonable doubt that Soil Treatment UK Limited would operate the Finmere facility in accordance with any permit granted.

Escrick Aggregate Treatment Plant (EPR/DB3000UP)

Escrick Aggregate Treatment Plant is a consolidated permit which operates under SR2010 No17 and SR2022 No1. This area of the site has primarily been used for the storage of waste, as a result, the non-compliances have been regulated under SR2010 No17. This area has usually been referred to as 'Escrick Storage Permit'. Again, as with Escrick Waste Treatment Facility, the activities are comparable to the activities proposed by Soil Treatment UK Limited. Additionally, the site has a history of poor performance which did not improve through Julie Todd's appointment as Technically Competent Manager in April 2025. The key evidence is set out below and the relevant documents included at Appendix AK to Appendix AO:

- A compliance inspection was carried out on 09/06/2025 recorded in CAR report reference 402437/0561297 (Appendix AK). Julie Todd as TCM was present. The inspection focused on how the site intends to return to compliance following permit breaches which had been identified in previous inspections along with the long-term plans for the site. Two category 2 breaches were recorded, one under permit condition 2.1.1 due to the storage of non-permitted waste on site for an extended period; and one under permit condition 1.1.1 due to a failure to effectively manage and operate activities in accordance with a written management system. The Operator was required to produce a compliance action plan by 07/07/2025 and a new EMS by 26/06/2025.
The Compliance Action Plan was submitted on 25/06/2025 but was not accepted by the EA and a revised deadline was given. The first draft of the EMS was submitted on 02/09/2025.
- A compliance inspection was carried out on 19/01/2026 recorded in CAR report reference 402437/0590465 (Appendix AL). The inspection noted that there remained a significant quantity of non-permitted waste being stored on site and leachate was identified across the permitted area. Two Category 2 breaches of the permit were recorded against conditions 1.1.1 and 2.1.1.
- On the 05/02/2026 the EA served a Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AM). This was served because the facility was in breach of permit condition 2.1.1, storing wastes not listed in table 2.3 of the permit; exceeding the maximum storage capacity and failing to store individual waste streams separately. The Notice required the removal of all non-permitted waste. A deadline of 08/07/2026 was given for compliance.
- An unannounced compliance inspection was carried out on 25/02//2026 recorded in CAR report reference 402437/0594550 (Appendix AN). Julie Todd as TCM was present. Two category 2 breaches of the permit were recorded; against permit condition: 2.1.1 based on the fact the non-permitted wastes had been on site for an extended period of time (Over 30 months) and during that time it has degraded, producing intermittent odour and leachate; and against permit condition 1.1.1 (a) and (b) as the root cause of the non-compliances, the site is not being effectively managed and operated in accordance with a written management system with sufficient competent persons.
- An unannounced compliance inspection was carried out on 25/03//2026 recorded in CAR report reference 402437/0596743 (Appendix AO). Julie Todd as TCM was present. Again, as with previous inspections, two category 2 breaches of the permit were recorded; against permit condition: 2.1.1 and permit condition 1.1.1. The TCM confirmed that no progress has been made towards completing the actions set out in Schedule 1 of the Regulation 36 Notice, although this was in part due to weather conditions. The previous report included an action to resubmit the sites Odour Management Plan by 03/04/2026. This action has not been complied with.

Due to the non-compliance identified on the site, the Environment Agency has requested the site submit weekly updates to outline site operations and progress towards compliance. The last weekly site update received by the Environment Agency was on 17/02/2026. The site now had a compliance rating of Band D.

Julie Todd's performance as Technically Competent Manager is directly relevant to this application because she remains the sole Director of Soil Treatment UK Limited. As sole Director, she would retain ultimate responsibility for the company's decisions, resources, governance and operational oversight. Even though she is not the proposed Technically Competent Manager for this application, the Director remains responsible for ensuring that the company has effective management systems, sufficient competent persons and resources, and appropriate arrangements to operate the regulated facility in accordance with any permit granted.

The evidence from sites where Julie Todd has acted as Technically Competent Manager demonstrates repeated failures to maintain effective technical oversight, secure compliance with permit conditions, implement corrective actions and respond adequately to Environment Agency concerns. Those failures are directly relevant to our assessment because they raise reasonable doubt about whether Soil Treatment UK Limited, under her sole directorship, would exercise effective management control over the proposed hazardous waste treatment facility.

This concern is heightened because the proposed facility would involve technically complex and higher-risk waste operations, including the treatment of hazardous waste soils and asbestos-contaminated waste. Effective senior management oversight would therefore be essential to ensure waste acceptance, storage, treatment, emissions control, record keeping, staff competence and contractor activities are properly controlled. The compliance history associated with Julie Todd's previous TCM roles indicates a pattern of inadequate oversight in regulated waste operations and supports our concern that Soil Treatment UK Limited may not operate the proposed facility in accordance with any permit granted. This evidence is relevant to our assessment under Paragraph 13 of Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016.

Himley Environmental Limited

Like Soil Treatment UK Limited, Juno Recycling Limited and Escrick Environmental Services Limited, Himley Environmental Limited operated with a sole Director corporate structure. This is relevant because it demonstrates a comparable management structure at another permitted facility where Julie Todd acted as TCM and where repeated permit non-compliance was identified. Julie Todd was TCM for Himley Environmental Limited for the following permits from Jan 2023 to December 2023.

Oak Farm Quarry Landfill Site (EPR/UP3830NT)

A non-hazardous waste landfill with asbestos cell with the permit originally granted in 2013. In 2014 it was varied to add a non-hazardous waste treatment area to the adjacent landfill.

Oak Farm Quarry North East Landfill (EPR/DB3909MM)

A non-hazardous waste landfill with the permit originally granted in 2016.

The site to which these permits apply did not operate in accordance with their permits whilst Julie Todd was TCM, giving us concern that the same will happen at Finmere under Soil Treatment UK Ltd. Key evidence from CAR inspection reports and correspondence are set out below and the relevant documents provided at Appendix AP to Appendix AY:

- On 16 January 2023, a site inspection was carried out recorded in CAR report reference UP3830NT/0447948 (Appendix AP). Julie Todd was present as it was advised she would be taking over the role of TCM. The site had several outstanding compliance issues and actions. For this inspection, breaches of permit conditions 1.1.1 (general management); 2.10.1 (landfill gas management); 3.1.2 (emissions to water and air) and 1.2.1 (financial provision) were recorded (all Category 3 breaches) and a number of actions were set out. This is relevant because Julie Todd was present as TCM and was therefore aware of the site's compliance issues and the actions required to address them.
- An announced inspection was carried out on 23/03/2023 reported on CAR form reference UP3830NT/0455605 (Appendix AQ). It was arranged to meet Julie Todd who was present for the visit. The CAR report confirms the actions with deadlines from the previous inspection had not been complied with. During the inspection, the landfill gas flare was found to be out. Julie Todd, as TCM, was unaware of the failure and could not confirm when it had occurred. Although the flare appeared to have remote telemetry capability, this was not being used to provide real-time failure alerts. For this inspection, breaches of permit conditions 1.1.1 (general management); 2.10.1 (landfill gas management); 3.1.2 (emissions to water and air) and 1.2.1 (financial provision) were recorded (all Category 3 breaches). This is relevant because it demonstrates that the TCM had failed to ensure compliance with previous actions required to bring the site into compliance with the permit. It also shows that she was unaware of an operational failure affecting the landfill gas flare, despite the potential for environmental consequences from uncontrolled landfill gas emissions.
- A CAR form reference UP3830NT/0457125 was issued on 11/04/2023 stating the operator failed to conduct or report any environmental monitoring in quarter 1 (January-March) and quarter 2 (April – June) as required by conditions 3.5.1 and 4.2.1 of the permit. The operator was therefore aware of the quarter 1 non-compliance but failed again to undertake and report the

required monitoring in quarter 2. This repeated failure demonstrates a disregard for the permit conditions and supports concern that the site was not being managed with adequate technical oversight. While the legal responsibility for carrying out and reporting required environmental monitoring rests with the operator, the TCM is expected to provide effective technical oversight to ensure that permit-required monitoring is undertaken, recorded and reported in accordance with the permit and EMS. Failure to carry out or report required monitoring may therefore indicate inadequate management systems and ineffective technical oversight.

- Compliance inspections on 06/06/2023, recorded on CARs UP3830NT/0463923 (Appendix AR), on 08/08/2023 recorded on CAR form reference UP3830NT/0470612 (Appendix AS) and on 07/09/2023 recorded on CAR for reference UP3830NT/0473418 (Appendix AT), all confirmed no action had been taken to address any of the issues previously reported for non-compliance with the conditions of the permit, including site security, surface water management and maintenance of the gas collection system. Non compliances with permit conditions 1.1.1 (site security); 2.10.1 (landfill gas emissions) and 3.1.2 (surface water management were) all recorded as category 2 breaches.
- On 13/10/2023 the site was inspected as recorded on CAR form UP3830NT/0477645 (Appendix AU), with one Category 2 and three Category 3 scores for breaches of permit conditions 1.1.1 (site security); 2.10.2 (landfill gas management and treatment); and 3.1.2 (emissions to water). It was noted that the gas flare was not operating and the site remained insecure - security man confirmed that no-one has been out to site to check. A TCM is expected to attend site with sufficient frequency to maintain effective technical oversight of permitted activities and to ensure the site is operated in accordance with the environmental permit, EMS and relevant management plans. The appropriate frequency will depend on the nature, scale and risk of the activities and the site's compliance history. Where a site has ongoing non-compliance, enforcement action or unresolved environmental risks, more frequent attendance and active oversight would be expected. If repeated inspections show unresolved issues, lack of records, missed deadlines or the TCM being unaware of operational failures, that can support a conclusion that TCM attendance and oversight were not sufficient.
- On the 13/10/2023 the EA served a Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AV). This was served because the facility was in breach of permit condition 1.1.1 as it had failed to comply with its own management system for the provision of a secure perimeter fencing system, to prevent unauthorised access to the site.
- A CAR form reference UP3830NT/0480902 (Appendix AW) was issued on 16/11/2023 included confirmation that the operator failed to conduct or report any environmental monitoring in quarter 3 (July to September) as required by conditions 3.5.1 and 4.2.1 of the permit. Again, this repeated

failure demonstrates a disregard for the permit conditions and supports concern that the site was not being managed with adequate technical oversight.

- On 12/12/2023 the site was inspected as recorded on CARs UP3830NT/0484288 (Appendix AX). As with previous inspections none of the outstanding actions and permit breaches had been addressed. The landfill gas flare was, again, not operating, the site had not been secured. Security in site had confirmed once again that no-one has been out to site to check on the gas system since the last inspection. Three category 2 breaches of the permit were for non-compliance with permit condition 1.1.1 (site security); condition 2.10.1 (Landfill gas management and treatment) and condition 3.1.2 (emissions to water and air).
- On the 18/12/2023 the EA served another Notice under Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016 (Appendix AY). This was served because the facility was in breach of permit condition 3.5.1 and 4.2 for failing to monitor and report on leachate. This notice was never complied with.

Julie Todd acted as TCM for the Himley Environmental Limited permits during a period when the sites repeatedly failed to operate in accordance with their environmental permits. The evidence shows ongoing failures to comply with permit conditions, enforcement notices, required monitoring and reporting, site security, surface water management and landfill gas controls. As TCM, Julie Todd was expected to provide effective technical oversight to ensure the sites were operated in accordance with the permits, EMS and required corrective actions. The repeated and unresolved non-compliances during her tenure demonstrate that this oversight was ineffective. Given the similar structure at Soil Treatment UK Limited, these failures are directly relevant to our assessment because they raise reasonable doubt over whether Soil Treatment UK Limited, under her sole directorship, would exercise effective management control over the proposed hazardous waste treatment facility. As with other sites where Julie Todd has provided technically competent management, the compliance history at Himley indicates a pattern of inadequate management in regulated waste operations and supports our concern that Soil Treatment UK Limited may not operate the proposed facility in accordance with any permit granted. This evidence is relevant to our assessment under Paragraph 13 of Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016.

Conclusion

For the reasons set out above, we do not consider that Soil Treatment UK Limited and its proposed subcontractor, DNT Contractors Ltd, will operate the regulated facility in accordance with the environmental permit. The evidence set out above demonstrates repeated failures by connected persons and companies to comply with environmental permits, enforcement notices, written management systems and required corrective actions. We therefore consider that there are reasonable

grounds to refuse the application under Paragraph 13 of Part 1 of Schedule 5 of the Environmental Permitting (England and Wales) Regulations 2016.

Decision considerations

The legal framework

The following legislation and Directives are relevant to the determination of this application for a bespoke environmental permit for a hazardous waste treatment facility.

Environmental Permitting (England and Wales) Regulations 2016

The Environmental Permitting (England and Wales) Regulations 2016 (EPR) provide the principal legal framework for permitting regulated facilities in England and Wales.

Regulation 7 EPR provides the definition of operator

7. In these Regulations—

“operator”, in relation to a regulated facility, means—

- (a) the person who has control over the operation of the regulated facility,
- (b) if the regulated facility has not yet been put into operation, the person who will have control over the regulated facility when it is put into operation, or
- (c) if a regulated facility authorised by an environmental permit ceases to be in operation, the person who holds the environmental permit.

Regulation 8 provides the definition of a regulated facility

8.—(1) In these Regulations, “regulated facility” means any of the following—

- (a) an installation;
- (b) mobile plant;
- (c) a waste operation;

Regulation 12 provides the requirement for an environmental permit

12.—(1) A person must not, except under and to the extent authorised by an environmental permit—

- (a) operate a regulated facility, or
- (b) cause or knowingly permit a water discharge activity or groundwater activity.

The proposed facility is a regulated facility and its operation must be in accordance with, an environmental permit.

Regulation 13 provides for the grant of an environmental permit

13.—(1) On the application of an operator, the regulator may grant the operator a permit (an “environmental permit”) authorising—

- (a) the operation of a regulated facility, and
- (b) that operator as the person authorised to operate that regulated facility.

(2) Regulation 17 applies in relation to the grant of a single permit authorising the operation of more than one regulated facility by the same operator.

(3) Part 1 of Schedule 5 applies in relation to an application for the grant of an environmental permit.

Part 1 of Schedule 5 paragraph 13 provides the refusal test for an application for the grant or transfer of an environmental permit

13.—(1) Subject to sub-paragraph (3), 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 or transferred, the requirements in sub-paragraph (2) will not be satisfied.

(2) The requirements are that the applicant for the grant of an environmental permit, or the proposed transferee, on the transfer of an environmental permit (in whole or in part), must—

- (a) be the operator of the regulated facility, and
- (b) operate the regulated facility in accordance with the environmental permit.

Schedule 5 paragraph 13 is central to our determination of this application. It requires us to consider whether the applicant will be the operator of the regulated facility and whether the facility will be operated in accordance with any permit granted. We must refuse an application for the grant of a permit if we consider that the applicant will not be the operator of the regulated facility or that the applicant will not operate the regulated facility in accordance with the permit.

As previously explained, we do not believe, based on evidence at other sites where the same parties have been involved, that Soil Treatment UK Limited has

demonstrated it would have sufficient legal and operational control of the proposed hazardous waste treatment facility and would not be able to ensure that the facility would be operated in accordance with the requirements of an environmental permit. Our consideration has included the proposed operating arrangements, the reliance on DNT Contractors Ltd for day-to-day operational support, the evidence from the wider Finmere site, and the compliance history associated with connected persons and companies.

Having assessed the application in accordance with our duties and the requirements of regulation 7, regulation 12 and regulation 13, we are not satisfied that Soil Treatment UK Limited has demonstrated that it would be the operator of the regulated facility. We are also not satisfied that the facility would be operated in accordance with the permit. We have therefore decided to refuse the application under regulation 13(3) and Part 1 Schedule 5 paragraph 13 of the Environmental Permitting (England and Wales) Regulations 2016.

Environment Act 1995

The Environment Act 1995 established the Environment Agency and provides the wider statutory framework for its environmental protection and pollution control functions.

Section 4 sets out the Environment Agency's principal aim to protect or enhance the environment, taken as a whole, and to contribute towards sustainable development. Section 5 is relevant to the Environment Agency's pollution control functions, including the prevention or minimisation of pollution from regulated activities.

The Act is applicable because it provides the wider statutory context in which the Environment Agency exercises its permitting functions, including its functions to protect or enhance the environment, prevent or minimise pollution, and take account of costs and benefits where appropriate. In this case, those statutory functions support the Environment Agency's assessment of whether the proposed facility can be properly controlled and operated without unacceptable risk to the environment.

Environmental Protection Act 1990

The Environmental Protection Act 1990 forms part of the wider legal framework for waste management and environmental protection. Section 33 prohibits unauthorised or environmentally harmful waste activities, while section 34 places a duty of care on those who produce, keep, transport, treat or dispose of controlled waste. Together, these provisions reinforce the need for waste activities to be

properly managed to prevent pollution of the environment and harm to human health.

This legislation is relevant because the proposed facility would receive, store and treat waste, including hazardous waste. The application must therefore be considered in the context of whether waste would be properly classified, handled, managed and controlled. In this case, our concerns about whether the applicant would exercise effective control over the proposed facility, and whether waste operations would be managed in accordance with permit requirements, are directly relevant to that assessment.

Hazardous Waste (England and Wales) Regulations 2005

The Hazardous Waste (England and Wales) Regulations 2005 establish controls over the identification, movement and management of hazardous waste. The regulations apply to hazardous waste producers, consignors, carriers and consignees and therefore affect how a permitted installation must operate.

These Regulations are applicable because the proposed facility would accept and treat hazardous waste, including hazardous construction and demolition waste and asbestos-contaminated waste. Compliance with these requirements depends on competent management systems, effective waste acceptance procedures and operational control. In this case, our concerns about operator control, management arrangements and whether the facility would be operated in accordance with permit requirements are particularly significant given the hazardous nature of the waste. These concerns are relevant to the assessment of whether hazardous waste would be properly controlled and support our decision to refuse the application.

Industrial Emissions Directive — Directive 2010/75/EU

This Directive is applicable because the proposed hazardous waste treatment activity falls within the scope of an installation activity regulated under the Environmental Permitting (England and Wales) Regulations 2016. The Regulations implement the Industrial Emissions Directive requirements for relevant installations, including controls relating to emissions, management systems, waste treatment techniques, and the use of Best Available Techniques where applicable.

This is relevant to our refusal because the proposed facility would be a hazardous waste treatment installation requiring a high level of operational control, technical competence and pollution prevention. Our concerns about operator control, management arrangements and whether the facility would be operated in accordance with permit requirements mean we are not satisfied that the installation

would be operated to the standard required by the Environmental Permitting Regulations and the Industrial Emissions Directive framework.

Waste Framework Directive — Directive 2008/98/EC

The Waste Framework Directive establishes the general legal framework for waste management. It requires waste to be managed without endangering human health, without harming the environment, and without creating risks to water, air, soil, plants or animals. It also establishes principles relating to the waste hierarchy, recovery, disposal and waste classification.

This Directive is directly relevant because the application concerns the treatment of waste, including hazardous waste. It underpins the need to ensure that the proposed activities are properly authorised, that waste is correctly classified and managed, and that treatment operations are carried out under effective management control. In this case, our concerns about whether the applicant would exercise sufficient control over the proposed facility, and whether the facility would be operated in accordance with permit requirements, are relevant to whether the waste treatment activities would meet the standards required by the Waste Framework Directive and these concerns support our decision to refuse the application.

Section 108 Deregulation Act 2015 - Growth Duty

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 100 of that Act in deciding whether to grant this permit.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance, and its purpose is not to achieve or pursue economic growth at the expense of necessary protections. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Other relevant issues

Assessment of application

The application was duly made on 12 September 2024. During the technical assessment, we needed to ask for more information to demonstrate that the proposed activities would meet Environment Agency guidance, including the relevant appropriate measures guidance. We therefore took the following actions to assess the proposals:

- Schedule 5 Notice was issued on 12 June 2025 requesting:
 - clarification of the proposed legal operator arrangements, the respective roles of Soil Treatment UK Limited and DNT Contractors Ltd, and evidence of the technical competence arrangements for the proposed technically competent manager.
 - Additional information to confirm the suitability of the proposed waste types and treatment activities. This included justification for specific waste codes, clarification of asbestos-related waste treatment, and clearer descriptions of the proposed hazardous, non-hazardous and biological waste treatment processes.
 - Further details on the design and operation of the site. This included revised site layout plans and process flow diagrams, waste acceptance and storage arrangements, site surfacing, drainage, wastewater treatment, plant and equipment, raw materials, and measures to prevent cross-contamination between hazardous and non-hazardous waste streams.
 - Further information on emissions control, including point source emissions from asbestos picking, diffuse emissions from waste treatment operations, dust suppression measures, and the extent to which activities would be enclosed or controlled by alternative measures.
 - Updated management plans and risk assessments for dust, bioaerosols and odour.
- Schedule 5 Notice was issued on 23 October 2025 requesting:
 - Details on technical competence and whether the proposed technically competent manager held qualifications relevant to all activities applied for.
 - the proposed permit boundary, its relationship with other permitted activities at the wider Finmere complex, and how the boundary would be physically secured.
 - waste acceptance procedures, including the need to:

- remove proposals to accept waste that had not been assessed before arrival on site;
 - ensure pre-acceptance information, transfer documentation and waste classification are checked and validated before acceptance;
 - clarify that waste contaminated with free asbestos fibres should not be accepted at the site;
 - waste storage capacity, including evidence that the proposed quantities of hazardous and non-hazardous waste could be stored safely;
 - the proposed approach to Best Available Techniques, particularly alternatives to enclosure and abatement for fugitive emissions to air.
 - controls for dust, particulate matter, asbestos fibres and volatile organic compounds.
 - the handling, storage and treatment of asbestos-contaminated waste.
 - the proposed treatment of compost-like output, including process monitoring and storage arrangements.
 - site surfacing, wastewater treatment capacity and proposed waste types.
 - amendments to the Dust and Odour Management Plans.
- A further position letter was issued on 15 December 2025 confirming that asbestos screening would need to be enclosed and that further details would be required on the wastewater treatment system.

The purpose of this assessment was to determine whether the proposals could be made acceptable through further information, amended operating techniques and, where appropriate, pre-operational conditions. Although further information and revised documents were provided during the determination, there remained matters where we were not satisfied that the application adequately demonstrated how the facility would be operated and controlled (see 'Pre Operational Conditions' below). We have not refused the application on the basis that the original application required significant amendment. Our refusal is based on the reasons set out in the 'Key issues of the decision' section above.

Pre Operational Conditions

We consider that had the application otherwise been acceptable, pre-operational conditions would have been needed since the application lacked sufficient detail in key areas. We consider that we would have needed to include the following:

- A pre-operational condition requiring the operator to obtain our written approval before using the mechanical screener for the pre-screening of asbestos-contaminated soils. The condition would have required the

operator to submit evidence that the screener would be fully enclosed and that all dust emissions from the screening operation would be directed to an active abatement system fitted with a HEPA filter or other suitable design. It would also have required details of the proposed commissioning, operating, maintenance, monitoring, audit and emergency procedures to demonstrate that both the screener and abatement system would be fully operational and working as designed before the activity commenced.

The purpose of this pre-operational condition is to set appropriate controls to ensure any potential asbestos fibre release will not cause pollution or harm to human health and appropriate monitoring, maintenance and management procedures will be set.

- The submission of a commissioning plan for all site infrastructure to operate the facility as described in the application. The commissioning plan would have needed to cover the installation, commissioning, testing, verification, maintenance and monitoring of all relevant infrastructure, plant and equipment before the associated activities commenced. This would include, where relevant, site surfacing, drainage systems, wastewater treatment infrastructure, waste treatment plant, emissions control equipment, containment measures, monitoring systems and any other infrastructure necessary to ensure the facility could operate in accordance with the permit and the approved operating techniques.

This pre-operational condition would be necessary as these elements of the site set up were not in place at the time of permit determination and, had a permit been issued, the operator would need to demonstrate it can meet all the necessary appropriate measures required once operational.

- The submission of a revised Dust & Emissions Management Plan would also have been required.

This would have been necessary as the existing Dust Management Plan would not accurately reflect site operations once the infrastructure required by the pre-operational conditions had been installed, commissioned and verified. A revised plan would therefore be needed to demonstrate how dust and particulate emissions would be prevented, minimised, monitored and managed under the final operational arrangements.

- The submission of an assessment, including a H1 Environmental Risk Assessment, for any point source emissions to air arising from the proposed infrastructure would have been required.

This assessment would have been necessary because the application stated that there may be a release point from the asbestos hand-sorting cabin, depending on the final design. The assessment would need to identify and

assess the nature, source and potential impact of any emissions from that release point and set out proposals for any ongoing monitoring or further assessment required to demonstrate that those emissions would be adequately controlled. The assessment would also need to consider any other point source emissions to air arising from the proposed infrastructure, including any emissions associated with the proposed enclosure of screening activities for waste contaminated with asbestos required by other pre operational conditions.

Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations

Response received from UK Health Security Agency (UKHSA)

Brief summary of issues raised:

- fugitive dust from vehicle movements and waste handling activities as the main potential emission of concern
- previous odour complaints and a fire at Finmere Quarry
- previous odour complaints and fire at Finmere Quarry should be considered within the Accident Management Plan

UKHSA advised that overall and based on the information provided, the proposed installation is not expected to pose a significant risk to the health of the local population.

Summary of actions taken:

We reviewed the Dust Management Plan to ensure that appropriate measures had been proposed to minimise fugitive dust emissions arising from vehicle movements, waste storage and waste handling activities.

We requested and reviewed an Odour Management Plan against Environment Agency guidance, Odour management: comply with your environmental permit

We considered the risk of fire as part of our assessment. The proposed activity does not involve the storage or treatment of combustible waste of the type that would require a standalone Fire Prevention Plan. We therefore did not require a separate Fire Prevention Plan. However, the application did include an Environmental Risk Assessment which considered the risk from fire, and we took this into account during the determination.

Representations from community and other organisations

Response received: on behalf of a Provectus Soils Management

Brief summary of issues raised:

- Asbestos management was a key concern with the acceptance of both bound and unbound asbestos wastes but did not demonstrate adequate asbestos-specific controls, emissions mitigation, monitoring, or health risk assessment for nearby receptors. Reliance on water sprays, together with limited evidence of understanding asbestos risks, raised concerns about whether the proposed activities could be safely managed.
- Air emissions monitoring was considered inadequate. The proposals relied largely on visual dust checks, with no airborne asbestos monitoring programme or clear monitoring frequencies, trigger levels or locations. This raised concerns that the proposals did not meet relevant monitoring guidance and may not adequately control fugitive emissions from screening, crushing and stockpile management.
- Waste acceptance and classification procedures were considered insufficient. The application did not provide clear asbestos acceptance limits, robust waste characterisation, or adequate sampling and testing requirements. Concerns were also raised about the proposed use of repeated sampling to reclassify hazardous waste, rather than demonstrating suitable treatment, and the lack of clarity on hazardous waste assessment in line with WM3.
- Hazardous waste treatment and technical competence were key concerns. The application did not demonstrate a clear understanding of hazardous waste management, provide sufficient evidence of technically competent management, or adequately describe and assess the proposed treatment methods. Particular concern was raised about the reliance on reclassification, rather than effective treatment, of hazardous waste.
- BAT compliance was a key concern. The representation questioned whether the application had properly assessed or demonstrated compliance with relevant BAT requirements, including BAT 3, 6, 7, 8, 12, 13, 20, 25 and 28. It raised concerns that key requirements had been discounted or incorrectly applied, particularly for hazardous soil washing and dry screening, which the respondent considered should not be permitted unless BAT could be clearly demonstrated.
- Water management and wastewater controls were considered inadequate. The application did not propose monitoring of wastewater or water emissions, provide sufficient treatment details for contaminated process water, or explain how contaminated surface water from hazardous waste areas would be managed. Concerns were also raised about the potential for cross-contamination through recirculated wash water.
- Odour and hydrocarbon emissions were not adequately addressed. The application gave limited consideration to odours and volatile emissions from hydrocarbon-contaminated soils and did not propose suitable odour monitoring or management measures. Concerns were raised that certain

hydrocarbon-contaminated waste streams may be unsuitable for acceptance without further controls.

- Risk assessment was considered inadequate, particularly in relation to asbestos-contaminated and hazardous soils. The application gave limited consideration to off-site receptors, human health impacts, contaminant limits, control measures and emissions mitigation. Concerns were also raised that fugitive emissions during operation and storage had not been sufficiently assessed.
- Storage and handling of contaminated material raised concerns due to the proposed storage of up to 80,000 tonnes on site. The application did not demonstrate sufficiently robust controls for stockpiles or contaminated soils, creating potential risks of dust and asbestos fibre releases during storage and handling activities.
- Consistency with comparable facilities was raised as an issue. The representation referred to a recent planning or permitting inquiry involving similar activities and argued that equivalent asbestos monitoring, controls and permit conditions should be applied at Finmere to ensure a consistent regulatory approach.

Summary of actions taken:

We took the following actions during determination which address the comments made by the consultee:

- Issued two Schedule 5 Notices, dated 12 June 2025 and 23 October 2025, seeking detailed information on operator competence, waste acceptance, asbestos management, waste treatment processes, BAT compliance, drainage, wastewater treatment, emissions controls, dust, odour and site infrastructure.
- Required the applicant to revise and submit key documents, including waste acceptance procedures, site plans, flow diagrams, the Dust Emissions Management Plan and the Odour Management Plan.
- Requested further evidence on technically competent management, including the relevant qualification and applicability of the proposed TCM arrangements.
- Sought clarification on whether asbestos screening was proposed and required further details on storage, handling, housekeeping and emissions controls for asbestos-contaminated waste.
- Required further information on wastewater treatment capacity, containment, drainage arrangements and how contaminated waters would be managed.

- Sent a further position letter on 15 December 2025 confirming that asbestos screening would need to be enclosed and that further details would be required on the wastewater treatment system.
- Considered that, had the application otherwise been acceptable, pre-operational conditions would have been needed to secure the design, construction and approval of key infrastructure, emissions controls and monitoring arrangements before relevant activities could commence.

Appendix A

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 13052025) - 12072025

Appendix B

Compliance EPR Environmental Permitting Regulation 61(1) Information Notice - Juno Recycling Limited (Permit AB3908CZ) - 25062025

Appendix C

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 25072025) - 08082025

Appendix D

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 25072025) - 08082025

Appendix E

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 10092025) - 13092025

Appendix F

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 08012026) - 15012026

Appendix G

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 11022026) - 25022026

Appendix H

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 16042026) - 22042026

Appendix I

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 01062026 - Emergency Fire Incident Response) - 04062026 (SEE AMENDED DOC)

Appendix J

Compliance Enforcement Revocation Notice JUNO RECYCLING LIMITED (Permit AB3908CZ) - 12062026

Appendix K

Case and Desist Letter – Finmere Quarry

Appendix L

Letter operating without a permit

Appendix M

Advice Letter

Appendix N

Compliance Site Inspection CAR Form (Finmere Quarry MRF - Juno Recycling Limited) (Inspection Dated 25072025) - 08082025

Appendix O

Compliance Data Review CAR Form Waste Returns Apr-Jun 2025 - 03102025

Appendix P

CAR 406424_0581445 - Site Inspection 17.09.25

Appendix Q

CAR 406424_0587154 - Site Inspection 10.11.25

Appendix R

Notice - Regulation 37(5) - 10.12.2025

Appendix S

CAR 406424-0591025 - Site Inspection 19.01.26

Appendix T

Regulation 37(12) Notice

Appendix 1U

CAR 406424_0595048 - Site Inspection 25.02.26

Appendix V

CAR 406424-0597120 - Site Inspection on 25.03.2026

Appendix W

Regulation 37(5) Notice - Apr 2026

Appendix X

CAR 406424_0597769 - Site Inspection 20.04.2026

Appendix Y

CAR 406424_0602496 - Site Inspection on 30.06.2026

Appendix Z

CAR 406424_0605200 - Site Inspection 11.08.2026 (Amended)

Appendix AA

CAR 406424_0606900 - Site Inspection 10.09.2026

Appendix AB

Compliance Site Inspection Escrick Environmental Services CAR Form -
13.06.2025

Appendix AC

Compliance Site Inspection Escrick Treatment CAR Form - 04.09.2025

Appendix AD

Compliance Site Inspection Escrick Environmental Services Treatment CAR
Form - 30.09.2025

Appendix AE

Compliance Site Inspection Escrick Environmental Services Treatment CAR
Form - 24.11.2025

Appendix AF

Compliance Site Inspection Escrick Environmental Services CAR Form -
05.02.2026

Appendix AG

Reg 36 notice - BB3907LY

Appendix AH

Compliance Site Inspection EES Treatment CAR Form - 11.03.2026

Appendix AI

Compliance Site Inspection Escrick Environmental Services Treatment permit
CAR Form - 07.04.2026

Appendix AJ

Compliance Site Inspection Escrick Environmental Services Treatment permit
CAR Form - 11.05.2026

Appendix AK

Compliance Site Inspection Escrick Environmental Services Storage CAR Form -
13.06.2025

Appendix AL

Compliance Site Inspection Escrick Environmental Services - Storage permit
CAR Form - 05.02.2026

Appendix AM

Reg 36 notice - DB3000UP

Appendix AN

Compliance Site Inspection EES Storage CAR Form - 11.03.2026

Appendix AO

Compliance Site Inspection EES Storage CAR Form - 11.03.2026

Appendix AP

Compliance site inspection UP3830NT-0447948

Appendix AQ

Compliance inspection UP3830NT-0455605

Appendix AR

Compliance inspection UP3830NT-0463923

Appendix AS

Compliance inspection UP3830NT-0470612

Appendix AT

Compliance inspection UP3830NT-0473418

Appendix AU

Compliance inspection UP3830NT-0477645

Appendix AV

Enforcement Security R36 Notice UP3830NT signed 13.10.23

Appendix AW

Compliance data review UP3830NT-0480902 overdue data

Appendix AX

Compliance inspection UP3830NT-0484288

Appendix AY

R36 Notice leachate signed UP3830NT