

Mrs. Anita Manns
Mott MacDonald
Mountbatten House
Grosvenor Square
Southampton
SO15 2JU

Our Ref: PAN-017841

Date: 6 June 2022

Via e-mail to: Anita.Manns@mottmac.com
cc: james.camis@dwrwymru.com

Dear Mrs. Manns,

We need more information about your application

Application Reference: PAN-017841

Operator: Dŵr Cymru Cyfyngedig

**Facility: Queensferry Wastewater Treatment Works Anaerobic Digestion Facility,
Factory Road, Pentre, Flintshire, CH5 2QJ**

Thank you for your application, submitted to us on 21 April 2022. We need to ask you for some more information before we can consider duly making your application.

We note you have previously disagreed with our request for more information in the previously returned application (PAN-014554), therefore we have provided further information below as to why we have made this request. Our request has been made in line with the following guidance: [Regulatory Guidance Note 3](#) and [Environmental Permitting: Core Guidance](#). In line with the guidance we consider:

- An application is duly made if it contains the required components and sufficient information for it to begin to be determined
- Paragraph 12(1) of Schedule 5 of EPR states that the regulator must grant or refuse a duly made application, therefore an application must be capable of being determined in order to be duly made
- Applications should give all the information the regulator needs to make a determination
- We complete a basic technical assessment to decide if there is sufficient information for us to determine the application. If it is clear after the basic technical assessment that we need significant additional information to determine the application, we consider the application not duly made. For example if there is substantial and

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obvious doubt over the basic adequacy of a key part of the application (e.g. environmental risk assessment) we consider the application not duly made

- Specifically regarding information notices (Schedule 5 Notices during the determination phase) the guidance states they are not a way of repairing an application that should not be duly made in the first place and we aim to serve only one Schedule 5 Notice.

We do not consider your application complete and capable of being determined as there are substantial parts of the application missing including a complete and adequate environmental risk assessment. We have given you the opportunity to provide the missing information to us below within ten working days. We had requested this information in the previously returned application (PAN-014554) and as it was not provided in the new application we have to request it again. Unfortunately, we will have to return your application for a second time if the request is not adequately addressed within ten working days and there will be no discretionary extension.

The additional information requested is listed under separate subject headings and summarised below.

B3 Application Form

Appendix 5 within application form B3 has not been completed. Please complete Appendix 5 and re-submit the form, along with copies of supporting documentation referenced within your response.

Technical Competency

Within your application, you have stated that Technical Competency will be achieved under an accredited Competency Management System / Competent Operator Scheme. The third-party certification body has been identified as SGS. Please provide evidence of registration / contract with the certification body.

Accident Management Plan

BAT Conclusions 21 within WT BREF published 2018 requires waste installation operators to have an AMP in place. In order for us to deem your application complete, we require you to submit your Accident Management Plan in full, and not just a summary. We cannot assess compliance against BAT Conclusion 21 without the full AMP being provided (which should include including details of DSEAR Zoning plan(s)), thus please provide a copy of the full AMP for the site.

Risk assessments & management plans

- Provide an air emissions risk assessment in line with the following guidance: Air emissions risk assessment for your environmental permit - GOV.UK (www.gov.uk)
- Provide a noise impact assessment in line with BS4142:2014 and the following

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guidance: Noise and vibration management: environmental permits - GOV.UK (www.gov.uk). The measurement survey provided is not as assessment in line with BS4142:2014.

- Based on outcome of noise impact assessment above and if applicable provide a noise management plan in line with BAT requirements and the following guidance: [Noise and vibration management: environmental permits - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- Provide a quantitative odour impact assessment (odour modelling or monitoring) in line with H4 Odour Management guidance: How to comply (publishing.service.gov.uk).
- Based on outcome of assessment above and if applicable provide a revised odour management plan in line with BAT requirements. The response within your BAT assessment states Odour Management Plan is not applicable, we do not agree it is not applicable as we consider nuisance is expected even if it has not been substantiated.

We require a complete environmental risk assessment in order to duly make the application for reasons explained above.

It is noted that you have not submitted any baseline reference data in support of your Site Condition Report. Although it is not a requirement to submit baseline data at application stage, we would take this opportunity to remind you that by choosing not to submit any data, you will be accepting the risk that you may be required to clean up pre-existing contamination when you surrender your permit.

Please reply within 10 working days from the date of this letter. If we don't hear from you, we must return your application and fee.

If you email or write to us, please quote the application reference **PAN-017841** on any correspondence and send it to the relevant address below. When we receive the missing items, we'll continue to check the details in your application. If there's enough there for us to begin the process of deciding whether or not we can grant your application we say the application is 'duly made' and we'll let you know this by letter. Please quote our reference if you contact us. If you have any questions, please email me at Lucinda.hall@naturalresourceswales.gov.uk.

Yours sincerely



Lucinda Hall MCIWM BSc (Hons)
Permitting Consultant Installations and RSR Permitting Team

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