

Notice of request for more information

The Environmental Permitting (England & Wales) Regulations 2016

Company Director and/or Secretary

Fornax (North East) Limited
C/O External Services limited
Central House
20 Central Avenue
St Andrews Business Park
Norwich
NR7 0HR

Application number: EPR/QP3720LP/A001

The Environment Agency, in exercise of its powers under paragraph 4 of Part 1 of Schedule 5 of the above Regulations, requires you to provide the information detailed in the attached schedule. The information is required in order to determine your application for a permit duly made on 29/01/2025.

Send the information to either the email or postal address below by 07/01/2026. If we do not receive this information by the date specified then we may treat your application as having been withdrawn or it may be refused. If this happens you may lose your application fee.

Email address: peter.kelly01@environment-agency.gov.uk

Postal address:

Permitting Support, NPS Sheffield
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

Name	Date
Peter Kelly	12/11/2025

Authorised on behalf of the Environment Agency

Notes

These notes do not form part of this notice.

We will recover our costs where we have to send three or more information notices about the same issue. For details of the fixed cost see our [charging guidance](#) or [charging scheme](#). This is the first notice on the issues covered in this notice.

The notes in italics that appear after information requests in the attached schedule do not form part of the notice. The notes are intended to assist you in providing a full response.

Schedule

Emissions to surface water and sewer

1. With reference to the proposed discharge to foul sewer, provide the following:
 - Confirmation that prior to commencement of operations you will have an appropriate discharge consent from the sewage provider.
 - A list of all the wastewater sources (other than wastewater from showers, toilets, and other mess facilities) that make up the discharge including anticipated volumes.
 - Justification that the proposed foul sewer holding tank is adequately sized.
 - An assessment of the impact of the discharge in accordance with Environment Agency guidance - Surface water pollution risk assessment for your environmental permit - GOV.UK or a justification as to why an assessment will not be necessary i.e. no hazardous substances will be discharged to sewer.

Reason: It is unclear what waste-waters will be discharged to foul sewer and no impact assessment has been provided.

2. Confirm whether the discharge of surface water runoff from all external areas to Demon's Brook will be uncontaminated? If, not provide an assessment of the impact of the discharge in accordance with Environment Agency guidance - Surface water pollution risk assessment for your environmental permit - GOV.UK

Reason: No assessment of the impact from the discharge has been provided in the application.

Containment

3. With reference to the proposed surface water attenuation pond provide confirmation that the pond will be appropriately lined to ensure that the ground beneath the pond is protected in the event the pond is required to store contaminated runoff.

Reason: Not clear in the application.

4. With reference to the below ground foul sewer holding tank. Provide confirmation that the tank will be:
 - provided with secondary containment and/or leakage detection;
 - subject to an inspection and maintenance programme e.g. pressure test, leak tests, material thickness checks or CCTV.
 - be impermeable and resistant to stored materials;

If not provide justification.

Reason: Not clear in the application.

5. With reference to the sumps proposed for the Energy Centre internal drainage, provide confirmation that they will be:
 - be impermeable and resistant to stored materials;

- be subject to regular visual inspection and any contents pumped out or otherwise removed;
- where not frequently inspected, be fitted with a high level probe and alarm, as appropriate.

If not provide justification.

Reason: Not clear in the application.

6. With reference to the 'above ground hazardous tank (10m³)' please confirm that the tank and associated containment is built in accordance with CIRIA 736 guidance.

Reason: Not clear in the application. Containment should be designed in accordance with CIRIA 736.

7. Confirm that diesel/fuel oil storage on site will comply with the requirements set in the Oil Storage Regulations (SI 2001/2954. The Control of Pollution (Oil Storage) (England) Regulations 2001)? If not, please provide justification.

Reason: Not clear in the Application.

Site Plan

8. Provide a site plan showing the main features of the installation; discharge point(s) to surface water marked as W1, W2 etc and sewer marked as S1; emission points to air (incinerator stack emission marked as A1; standby generator stack emission marked as A2) and the installation boundary marked by a green line.

Reason: We do not have a plan that shows all these features. The plan is required for inclusion in the permit (should it be granted).

Standby Generator

9. Provide further information on the standby generator(s) including:
 - where it/they will be located;
 - what fuel it will use (including how the fuel will be stored and details of the pollution prevention measures);
 - the size of the generator(s) (MW_{th});
 - how many hours per year it/they will be operated for testing;
 - Confirmation that it/they will not export electricity to the grid.
 - How emissions have been considered in the AQ assessment.

Reason: Not clear in the application.

Operator Competence

10. With reference to the evidence of technically competent management provided with the application. Please provide evidence of up-to-date continuing competency assessment for both of the individuals.

Reason: COTC holders must pass a continuing competency assessment every 2 years.

Emissions to air

11. Confirm whether you can meet a daily average ELV of 100mg/m³ for oxides of nitrogen (expressed as NO₂). If not, please provide justification.

Reason: New incineration plant should be able to achieve a daily average ELV of 100mg/m³.

Waste

12. Please confirm the waste feed rate and total annual throughput. Also provide confirmation that the risk assessments provided with application are based on the confirmed feed rate and throughput.

Reason: The Operating-Techniques & BAT report (OT&BAT) states (section 3.10.2) that the boiler line in the facility will have a waste feed rate of 1250kg/hr, totalling 10,385 tonnes per year. At page 8 of the same document, it is stated that the nominal operating capacity of the installation will be approximately 1.0 tonnes per hour of assorted hazardous and clinical waste streams, with a nominal design capacity of approximately 10,490 tonnes per annum.

13. With reference to the proposed waste list, provide a description of the wastes that will be accepted under each 99 code proposed.

Reason: We will not consider including 99 codes (Waste not otherwise specified) in permits unless an Applicant can provide a description of the wastes that will be accepted under this code.

14. Please provide a separate waste list for wastes that will be accepted for incineration only.

Reason: Not clear in the application which waste codes you are proposing to incinerate and waste that will be accepted just for temporary storage and transfer.

15. The following wastes appear unsuitable for incineration, please provide justification for why you consider the waste to be suitable:

- All wastes in chapter 06
- All wastes in subchapters 10 01, 10 02, 10 03, 10 05, 11 02, 11 03, 16 06, 17 04, 19 01, 19 07
- All wastes codes that are inert in nature such as metal, soil stone, mineral and glass.
- Waste Batteries (Note that the Waste Batteries and Accumulator Regulations 2009 states 'No person may dispose of waste industrial or automotive batteries in a landfill or by incineration')
- Clarify what waste will be taken under 11 02 07*, 11 03 02*, 14 06 01*, 11 01 98*, 16 01 22, 19 12 11*, 19 12 12 and all codes ending in 99.

Reason: The wastes appear unsuitable for incineration and will not be included in the permit with justification for why they are suitable for incineration. We will not consider including 99 codes (Waste not otherwise specified) or waste description start with 'other wastes' in permits unless an Applicant can provide a description of the wastes that will be accepted under this code.

16. With specific reference to batteries please explain how batteries will be handled and stored to minimise the risk of thermal runaway and fire.

Reason: It is not clear in the application.

17. With specific reference to the incineration of waste containing asbestos. Incineration of asbestos requires a minimum temperature of 1000°C and a solid phase residence time of at least 30 minutes. Please confirm that waste containing asbestos will be incinerated in accordance with this.

Reason: It is not clear in the application.

18. Please explain your operating techniques for identifying hazardous waste with a hazardous halogenated organic content of more than 1% (including halogenated Persistent Organic Pollutants (POPs)) in waste accepted on site and how you will ensure the waste is incinerated at the appropriate temperature of at least 1100°C.

Reason: Not clear in the application.

19. Please explain your operating techniques for identifying waste that is cytotoxic or cytostatic in waste accepted on site and how you will ensure the waste is incinerated at the appropriate temperature of at least 1000°C.

Reason: Not clear in the application.

20. Confirm the maximum amount of waste that will be stored on site at any one time and explain how this has been calculated.

Reason: Section 2.3 of the NTS states that a maximum of 2000te will be stored on site at any one time. Whereas your response to BAT12 in the OT&BAT document states max storage capacity is circa 5500 tonnes. Ensure this is consistent with the storage capacities in the FPP. Clarification is required.

21. With reference to the Chemical waste acceptance procedure. Confirm that all the sampling requirements (for Hazardous waste other than clinical waste) listed in BAT11 of the Incineration BAT Conclusions will be carried out.

Reason: It is unclear from the information provided in the application that the sampling will be carried out.

Appropriate measures and BAT conclusions.

22. For the proposed re-packaging of hazardous waste provide a line by line assessment of how your proposed activities will be in accordance with the BAT Conclusions for waste treatment.

Reason: The activities proposed on site include re-packaging of hazardous waste which falls under waste treatment.

23. Confirm whether and how the incinerator (including repackaging and transfer) will comply with the:

- Waste pre-acceptance, acceptance and tracking appropriate measures; and
- Waste storage segregation and handling appropriate measures given in the Healthcare waste: appropriate measures for permitted facilities [Healthcare waste: appropriate measures for permitted facilities - When appropriate measures apply - Guidance - GOV.UK](#).

You must provide a response against each of the individual appropriate measures and if you believe the appropriate measure is not applicable please explain why.

If you are proposing alternative measures to those in the guidance, please indicate which appropriate measures, by subsection heading and numbered points, you will provide alternative measures for, and what the alternative measures are.

Note: If you are proposing alternative measures, you must explain how they provide an equivalent level of environmental protection to the measures given in the guidance.

Reason: It is not clear from your current review whether you will comply/not comply with each appropriate measure. Simply referring to a document is not sufficient, you must clearly state whether or not you will comply with each individual measure. If the measure is not applicable to your proposed operation you must explain why.

24. For the proposed repackaging activity, waste transfer activity and bin washing please confirm whether and how you will comply with the following: (as given in the Healthcare waste: appropriate measures for permitted facilities guidance [Healthcare waste: appropriate measures for permitted facilities - When appropriate measures apply - Guidance - GOV.UK](#)).

- Waste treatment measures;
- Emission control measures;
- Emission monitoring and limits measures; and
- Process efficiency measures.

You must provide a response against each of the individual appropriate measures and if you believe the appropriate measure is not applicable please explain why they do not apply.

If you are proposing alternative measures to those in the guidance, please indicate which appropriate measures, by subsection heading and numbered points, you will provide alternative measures for, and what the alternative measures are.

Note: If you are proposing alternative measures, you must explain how they provide an equivalent level of environmental protection to the measures given in the guidance.

Reason: Your current review of your compliance with appropriate measures does not cover the transfer or treatment activities you are proposing. We require a detailed assessment of your compliance and what measures you believe are not applicable. Note that simply referring to a document is not sufficient, you must clearly state whether or not you will comply with each individual measure. If the measure is not applicable to your proposed operation you must explain why.

25. With reference to your assessment against the Chemical waste appropriate measures ([Chemical waste: appropriate measures for permitted facilities - Guidance - GOV.UK](#)) we require further information. Please confirm whether and how you will comply with all the following:

- General Management Appropriate Measures
- Waste pre-acceptance, acceptance and tracking appropriate measures

You must provide a response against each of the individual appropriate measures including confirmation that you will comply with all aspects of the measure. If you believe the appropriate measure is not applicable please explain why they do not apply.

If you are proposing alternative measures to those in the guidance, please indicate which appropriate measures, by subsection heading and numbered points, you will provide alternative measures for, what the alternative measures are.

Note: If you are proposing alternative measures, you must explain how they provide an equivalent level of environmental protection to the measures given in the guidance.

Reason: Your current review of your compliance with appropriate measures does not provide a clear indication of whether you will comply with each appropriate measure. Note that simply referring to a document is not sufficient, you must clearly state whether or not you will comply with each individual measure. Also, if the measure is not applicable to your proposed operation you must explain why.

26. With reference to your assessment of compliance with Waste Storage, segregation and handling appropriate measures ([Chemical waste: appropriate measures for permitted facilities - Guidance - GOV.UK](#)) we require the following information/clarification:

- Measure 15: Your response is incomplete, provide a completed response.
- Measure 22: You have stated that there will be gap of 0.7m between rows. Whereas your FPP states that there is a 3.3m separation distance between rows. Provide clarification.
- Measure 28: Provide confirmation that waste receptacles will be inspected daily, in line with the appropriate measure.
- Measure 31: You have asbestos waste in the waste list included with application. Please confirm that you will comply with the appropriate measure.
- Measure 48: You are not proposing to store waste in bulk tanks, please explain what your response is referring to.

27. With reference to your assessment of compliance with Emissions Control appropriate measures (Chemical waste: appropriate measures for permitted facilities - Guidance - GOV.UK) we require the following information/clarification:

- Point source emissions to air

Measures 1, 2, 3, 5, 6: Your proposals include a carbon filter for odour abatement. Your response does not consider the carbon filter. Please confirm whether you will be operating in accordance with the appropriate measure with regard to the carbon filter. If not, please provide justification and alternative measures.

- Fugitive emissions to air

Measures 1: Your response does not include dust, mud and litter. Please confirm whether you will be operating in accordance with the appropriate measure with regard to the carbon filter. If not, please provide justification and alternative measures

Measure 15: Confirm that the abatement system referred to includes the carbon filter abatement described in the OMP.

- Point source emissions to water and sewer

Measures 1, 2, 3, 4, 5: Your application refers to a discharge to sewer (bin wash effluent, boiler blowdown and water treatment effluent – section 2.9 of the OT& BAT document) provide clarification of whether there will be a discharge. If so, please review your responses. Also, your response to measure 5 is incomplete, please complete the response.

- Fugitive emissions land and water

Measure 9, 17, 18: Provide confirmation that all the measures listed will be applied. If not, please provide justification.

- Emissions to air

Measure 1: Confirm that your response includes potential emissions from the carbon filter abatement described in the OMP.

- Emissions to water or sewer

Measure 1, 2: Your application refers to a discharge to sewer (bin wash effluent, boiler blowdown and water treatment effluent – section 2.9 of the OT& BAT document). If so please amend your responses to confirm that the appropriate measures will be followed. If not, please provide justification and alternative measures.

- Waste Minimisation, Recovery and disposal

Measures 1, 2, 3: Your current response do either not refer to waste or are incomplete. Please review and amend your responses.

Monitoring

28. Provide confirmation that the portable CEMS that will be used as back-up to main unit will comply with EN 15259 and Environment Agency guidance notes on monitoring stack emissions measuring locations, techniques and standards for periodic monitoring and TGN M20 for quality assurance of CEMS.

Reason: Not clear in the application.

29. Confirm how and where combustion temperature will be monitored.

Reason: Not clear in the application.

Fugitive emissions

30. Please provide an assessment of the risk of vehicles leaving the IBA storage/loading area tracking bottom ash on to roads inside and outside the site boundary. Include details of what operating techniques you will use to minimise the risk.

Reason: Not clear in the application

31. Provide clarification on how the APC residues will be stored. Including:

- Plan showing the location of the APC residues storage silo.
- Details of what control measures are in place to ensure that there are no fugitive emissions of APC residues during filling and emptying of the silo.

Reason: Section 3.7.2 of the OT&BAT document states that it will be filled by a dumpy bag; and is referred to as a raw material. We assume this is a typographical error as the APCr transfer should be fully enclosed.

32. Provide clarification on how activated carbon and lime will be stored. Including:

- Plan showing the location of the activated carbon and lime silos.
- Further details of what techniques you have in place to minimise fugitive emissions of activated carbon and lime when loading from 'dumpy bags' into the proposed storage silos.

Reason: It is unclear how fugitive emissions will be minimised from storage of these raw materials.

33. With reference to the fabric filters proposed in the application for abatement of particulates in the incineration combustion gases. Provide details of your techniques for minimising and detecting bag ruptures and bursts.

Reason: Not clear in the application.

34. Confirm that the plant will not have any methods of bypassing the abatement plant during operation including start-up and shutdown.

Reason: Not clear in the application. New Incineration plant should not have bypass vents/valves.

35. Explain what systems are in place to automatically cutoff the waste feed if continuous monitoring is not available; there is a disturbance or failure of the carbon abatement system; exceedance of

any continuous emission limit; or the combustion chamber temperature falls below the required temperature.

Reason: Not clear in the application

Odour Management

36. Provide details of how you will manage the opening of doors, windows and vents to help maintain negative pressure within the building and minimise fugitive odour emissions.

Reason: OMP does not cover this. Update the OMP as appropriate.

37. Clearly explain your procedures for minimising odour in the event of a shutdown of the incineration line.

Reason: It is not clear in the OMP. Update the OMP as appropriate.

38. With reference to the carbon filter detailed in the OMP, clearly explain in the OMP under what circumstances you will be using the carbon filter abatement and where it will be located within the installation.

Reason: It is not clear in the OMP. Update the OMP as appropriate.

39. With reference to the carbon filter detailed in the OMP, please provide an options appraisal of odour abatement technologies to demonstrate why the carbon filter is BAT for this site.

Reason: Not provided in the application.

40. With reference to the operation of the carbon filter detailed in the OMP. Please update the OMP to include the following:

- Details of what odorous chemicals the carbon filter is designed to treat (e.g. VOCs, ammonia, hydrogen sulphide), and for each of these chemicals what the removal efficiency the filter is designed to achieve?
- Details of how often the carbon filter performance is monitored.
- Details of what process parameters you will monitor for (e.g. inlet/outlet VOC, gas temp, moisture content, gas flow rate, bed operating temperature, pressure differential) and the performance trigger levels.
- Details of where you carry out the monitoring e.g. at the inlet and outlet of filter.
- Details of how often the carbon filter system is inspected for fouling and leaks.

Reason: Further information is required on the operation of the carbon filter. Update the OMP as appropriate.

41. With reference to table 5 of the OMP please include the following scenarios and describe your proposed actions:

- Failure of the carbon filter system.
- A planned shut down of the rotary kiln resulting in no extraction in the reception hall.
- An unplanned shut down of the rotary kiln resulting in no extraction in the reception hall.
- Damage to the building e.g. doors/windows resulting in reduced negative pressure within the building

Reason: The OMP does not cover these scenarios. Update the OMP as appropriate.

42. Please review the OMP so that it is consistent with the proposals in the rest of the application and all sections are clear and read correctly.

Reason: We have identified several potential errors and inconsistencies in the OMP including:

- **referring to 'both incineration lines'**
- **the warehouse having a storage capacity of 10,4000 tonnes**
- **referring to a 'bunker', 'refuse collection vehicles', 'turbine', 'grate'**
- **stating 'the nearest residential receptors are located 100m from the western site boundary'**
- **it refers to maximum IBC size as 3m³**
- **on page 6 the reference to section 7.10 is an error.**
- **Section 7.1.2 on page 18 has incomplete sentence.**

The entire document should be reviewed to ensure it accurately reflects the proposals.

Fire Prevention Plan

43. Section 11.2.1 refers to skips. Please confirm if skips will be used on site to store waste (other than IBA). If so, explain what waste will be stored in skips, size of the skips, how and where they will be stored so they comply with the requirements of the FPP guidance.

Reason: Storage of waste (other than IBA) in skips is not proposed in the other application documents. Update the FPP as appropriate.

44. Review and amend section 15 of the FPP to clarify what volume of water is available on site for firefighting, how this will be provided and clearly show how the volumes have been calculated. Also, if necessary, review and update section 16 to show how the contaminated firewater can be contained on site based on the water supply calculations.

Reason: This section is not clear. It refers to a dedicated tank providing 6 million litres of water, we assume this should be 600,000litres. It also refers to the water supply being provided by an on-site hydrant, is this feeding the tanks or is it separate? If feeding the tanks explain how this works. The plan should clearly quantify the supply and show how it has been calculated. Update the FPP as appropriate.

45. You have referred to 'incinerator pits' in the FPP (page 38). It is unclear what these are. Please provide further information including their location, storage capacity and times, details of fire protection measures.

Reason: Incinerator pits are not mentioned in the rest of the application and it is unclear what they are. We therefore cannot assess whether the fire protection techniques are appropriate. Update the FPP as appropriate.

46. Please confirm that you will be using the sprinkler systems described in section 14 of the FPP. If so, amend section 13.

Reason: Section 13 of the FPP suggest that you will not be using fire suppression other than extinguishers, fire hose and fire blankets. Update the OMP as appropriate.

47. With reference to section 9.1.2 of the FPP. Please confirm that you will have procedures in place to monitor storage levels (including aggregation rule) of all Schedule 1 COMAH dangerous substances on site against the quantity thresholds in Part 1 and Part 2 of Schedule 1 in the COMAH Regulations.

Reason: Not clear in the FPP. Update the FPP as appropriate.

48. Please confirm if you will be using automated smoke and heat detectors. If so, confirm whether their design, installation and maintenance will be covered by an appropriate third-party certification scheme such as UKAS, or meet an appropriate recognised standard such as a British Standard. If not proposed, provide justification.

Reason: It is not clear whether automated smoke and heat detectors will be used. Update the OMP as appropriate.

49. Provide a copy of the following drawings referenced in the Fire Prevention Plan:

- Drawing 018 22242-BGL-XX-XX-DR-C-00210 P03 - Fire Water Containment Plan
- Drawing 008 22242-BGL-XX-XX-DR-C-00210 P03-Site Drainage Plan
- Drawing 019 External Hydrant Plan
- Drawing 005 External Plan Layout
- Drawing 007 Site Layout Plan - L046 -ASA -30 -01.00 -D -A -003001 _ (S4 -C040- HNA-ASA-30-VS.00-D-A-3001_(S2- T01)_Proposed Site Layout Plan

Reason: We do not have drawings with these references.

50. With reference to the diesel firewater pump referenced in the FPP, please confirm its size (MWth), location and whether it falls under the Medium Combustion Plant Directive (MCPD).

Reason: Not clear in the application.

Energy Efficiency

51. Provide confirmation of the design boiler efficiency.

Reason: The BAT-AEEL for an incinerator burning hazardous waste is a boiler-efficiency of 60-80%. Confirmation is required that your proposed incinerator plant will be within this range.

52. Provide an update on implementation of the proposed district heating scheme. Including a timescale for its implementation.

Reason: Update required.

53. Provide an assessment of the viability of generating electricity from the waste heat produced by the installation, including consideration of available technologies such as Organic Rankine Cycle, Kalina Cycle, steam turbine technologies, and CHP.

Reason: IED requires that the heat generated during the incineration and co-incineration process is recovered as far as practicable through the generation of heat, steam or power.

BAT Assessment

54. Provide further justification for why fluidised bed has been discounted as the combustion technology.

Reason: It is unclear from your assessment (section 3.9.2 of the OT&BAT Document) why fluidised bed has been discounted by your BAT assessment.

55. Confirm whether flue gas recirculation (FGR) will be used. If not, provide justification.

Reason: FGR is considered a primary measure for the reduction of NOx. It is unclear whether FGR is proposed.

56. Provide an amended BAT assessment to compare SNCR to SCR to take account of the following:

- The global warming potential of each option taking into account differences in the energy requirements and any differences in nitrous oxide (N₂O) emissions of each option.
- The impact of each option in terms of the NO₂ process contribution of each option.

- Cost per tonne of NO_x abated of each option.

Reason: Further justification is required for why SNCR is BAT for this installation.

57. Provide justification for why you are not proposing direct boiler injection as part of your acid gas abatement system.

Reason: Direct boiler injection is a technique listed in the BATC (27e) and is applicable for all plants.

58. Provide justification for not proposing the use of catalytic filter bags for the reduction of channelled emissions to air of organic compounds including PCDD/F and PCBs; and NO_x. As detailed in BAT 29 and BAT30 of the incineration BAT conclusions.

Reason: Justification not provided.

Site Condition Report

59. Provide an updated site condition report (SCR) to include a Stage 1- 3 assessment.

Reason. A stage 1-3 assessment should have been provided as part of the SCR. Further details of the Stage 1 – 3 assessment are set out within EC Commission Guidance on baseline reporting (2014/C 136/03) dated 6th May 2014. This is in accordance with Schedule 7 (paragraph 5 [m]) of the EPR regulations 2016 / Article 22 of IED.

Noise

60. Confirm if steam venting will occur on site and if so, how noise from steam venting has been accounted for in your noise assessment and what measures are in place to minimise noise from the venting.

Reason: Not clear in the application.

Raw materials

61. Provide further information on what measures you will be using to ensure that raw materials and water are used efficiently within the process.

Reason: Not clear in the application.