



## No Incinerator 4 Horsham Community Group

Website: [www.ni4h.org](http://www.ni4h.org)

Email: [NoIncinerator4Horsham@gmail.com](mailto:NoIncinerator4Horsham@gmail.com)

Re: Environmental permit variation EPR/CB3308TD/V002

21 May 2021

Emailed to SSD Enquiries: [SSDEnquiries@environment-agency.gov.uk](mailto:SSDEnquiries@environment-agency.gov.uk)

Dear Sir or Madam,

Thank you for your email sent on 13 May 2021 to No Incinerator 4 Horsham Community Group (Ni4H), notifying us that you have received and are now inviting comments on an environmental permit variation application from Britaniacrest Recycling Limited.

As a Community Group representing local residents, we are writing to you with the following concerns:

1. **Site of High Public Interest (SHPI)** - Your email to Ni4H on 6 November 2020 (copied into the email with this letter) includes: "I can confirm that this application will be treated as a Site of High Public Interest." and "I have copied Jeremy Quin MP's researcher into this email so that they are aware that the site will be treated as a SHPI." However, Britaniacrest Briefing Note 1 does not make it clear if it is being treated as a Site of High Public Interest. This continues to be of interest to Horsham MP, Jeremy Quin, as evidenced by: <https://www.jeremyquin.com/news/environmental-permit-variation-application-horsham-incinerator>
2. **Missing Documents and Information** - Ni4H have spent a substantial amount of time looking at the documents, poor labelling of many makes it challenging to identify, for example, the associated Appendix when it is a separate document. So far, we have found that a number of documents and pieces of vital information are missing, making it more difficult for experts, the council and other consultees and the public to participate in this consultation. Here is the missing information which we have identified so far:
  - ❖ Climate Change Risk Assessment – we have seen these included in similar EA permit applications.
  - ❖ Application for Environmental Permit Part C2: Copy of the Current Competence Management System Certificate and/or CIWM/WAMITAB Scheme Qualification Certificates, as we understand that operators cannot use ISO 14001 to cover the requirements of the CMS.
  - ❖ Air Quality Modelling Files.
  - ❖ Human Health Risk Assessment Dispersion Modelling, full list of parameters in a readable format.
  - ❖ Wealden Works 3Rs Permit Variation Application:
    - Appendix F - Site Condition and IED Baseline Report: Drawings 1/2/3
    - Appendix F - Site Condition and IED Baseline Report: Appendices F1, F2, F3, F4, F5
    - Appendix G – BAT Assessment BAT Conclusions 2019 on pages 22 to 27 'Error! Reference source not found' appears 7 times
    - Appendix G BAT Assessment: G1 - H1 Tool
    - Appendix I CHP Ready: I3 - Primary Energy Savings Spreadsheet
    - Appendix L: List of Directors
3. **Out of date documents** - Some documents are 5 years old from 2016, others from 2018. Were the latest versions available submitted with this application and if so, should they have been updated before submission? For example:
  - a. 'About this consultation' document under heading Non-Technical Summary states: 'Refer to the non-technical summary which explains this application, in non-technical language. This should include a summary of the regulated facility, the key technical standards and control measures arising from the risk assessment.' As the risk assessments and several other documents are dated 2020, is the non-technical summary dated March 2018 still up to date?
  - b. Local Area Potential Heat Users Report 2016, not updated for the supply of existing and new heat.

- c. Appendix 7.7: Predicted Concentrations at BAT Conclusions Emissions Levels, uses very out of date meteorological data from 2011 to 2015 in Table 10.7.2: Maximum Process Contributions and Predicted Environmental Concentrations.
4. **Advertising this Consultation** – What are the plans and timeline for advertising this consultation?
  5. **EA Public Consultation Information Is Unclear**
    - About This Consultation - How to Respond, states that your office is now closed, and staff are working remotely. It does not mention the option to telephone responses.
    - Confusingly it states: “We will look to make comments received publicly available at our Environment Agency public facing office.” This implies the office maybe open but it does not state where it is, or how we find out about opening hours or arrangements.
    - Britaniacrest Briefing Note 1 does not mention the email option as an alternative to Citizen Space.
  6. **Public Events** - Over 6 months ago, 6 November 2020 email, you said “As we can no longer hold public events at this time we will be looking at alternative arrangements to ensure we can maintain our engagement with you.” What other arrangements are now in place? Ni4H would be happy to suggest local suitable venues, able to comply with the latest Covid guidance, including those able to live stream meetings. Many local people are now proficient using technology to access online meetings.
  7. **Viewing printed copies of the documents** - would help facilitate those with poor eyesight or no suitable internet access and those who process information more easily in printed form, especially when needing to cross refer to so many other documents. The documents are so extensive that printing them at home is not viable or good for the environment. Covid restrictions are easing, and we anticipate will do so further on 21<sup>st</sup> June, just before this consultation ends on 24 June. West Sussex Libraries are now open for limited browsing and pre-bookable computer sessions but the EA public facing office is still not open.
  8. **Handwritten Comments** – At planning and inquiry stages for this proposal, many comments were handwritten and sent by post. This EA public consultation only allows submissions online or by phone but only between 9am to 6pm Monday to Friday which may not be possible for those who work full time within those hours. Why can a postal address not be made available? This seems unjustified as letters could be left unopened for several days before being opened by EA staff.
  9. **Consultees** – Who are the consultees and how do the public and consultees view comments made by others?
  10. **The Community Liaison Group** has not been informed by Britaniacrest Recycling Ltd that the EA public consultation has commenced, and they have not put any information about the EA consultation on their website.
  11. **Ensuring Applications Are Complete and Duly Made** - A regulator may conclude that an application is not duly made when, for instance: the information in the application is not sufficiently comprehensive or adequate to make a determination. eg inadequate and outdated Local Area Potential Heat Users Report inter alia. Source: Page 35, 6.4  
<https://www.gov.uk/government/publications/environmental-permitting-guidance-core-guidance--2>
  12. **We respectfully ask the EA to pause this consultation** whilst reviewing these concerns, and when all the documents and appropriate consultation arrangements are organised to restart it with an updated Briefing and About this consultation, and extended consultation period as a Site of High Public Interest.

Yours faithfully,

**Peter Catchpole, Chairman of No Incinerator 4 Horsham Community Group**

**Copied to:** MP, Jeremy Quin, his Researcher and Clerk, North Horsham Parish Council