



STATEMENT OF COMMONALITY V2

**FOR THE DEVELOPMENT CONSENT ORDER
APPLICATION FOR THE ALTERATION AND
CONSTRUCTION OF HAZARDOUS WASTE AND LOW
LEVEL RADIOACTIVE WASTE FACILITIES AT THE EAST
NORTHANTS RESOURCE MANAGEMENT FACILITY,
STAMFORD ROAD, NORTHAMPTONSHIRE**

PINS project reference: WS010005

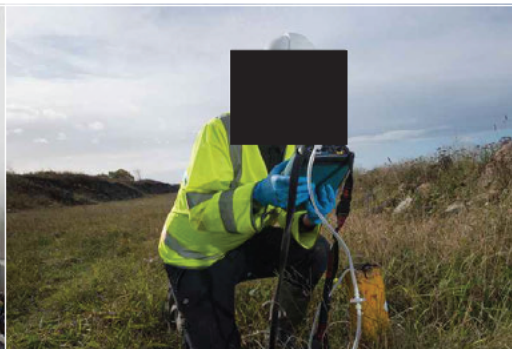
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April 2022



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VERSION 2

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**FOR THE DEVELOPMENT CONSENT ORDER
APPLICATION FOR THE ALTERATION AND
CONSTRUCTION OF HAZARDOUS WASTE AND
LOW LEVEL RADIOACTIVE WASTE FACILITIES
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MANAGEMENT FACILITY, STAMFORD ROAD,
NORTHAMPTONSHIRE**

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Technical advisers on environmental issues

Statement of Commonality

Introduction

- 1.1 This Statement of Commonality has been prepared by to assist during the Examination of the DCO application for the proposed western extension to the East Northants Resource Management Facility (ENRMF) in Northamptonshire.
- 1.2 This document has been prepared to provide the Examining Authority with the evolving position on the Statements of Common Ground (SoCG) that were requested to be prepared between the Applicant and certain Interested Parties as set out at Annex E of the Rule 6 letter (PD-005). The table will be updated at each Deadline during the Examination to reflect the position of the SoCGs at the time of each Deadline.

Table 1
Position of the Statements of Common Ground

Document Reference	Party (or Parties)	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4	Position at Deadline 5	Position at Deadline 6	Position at Deadline 7
7.1	National Grid Gas	A first draft of the SoCG is provided at Appendix A.	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			
7.2	North Northamptonshire Council	A first draft of the SoCG is provided at Appendix B.	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			
7.3	Environment Agency	A first draft of the SoCG is provided at Appendix C.	No change since Deadline 2. No document appended.	A signed agreed version of the SoCG is provided at Appendix C. The SoCG includes the additions requested by the ExA at the Hearings on 29 March 2022.			
7.4	Natural England	A first draft of the SoCG is provided at Appendix D.	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			
7.5	Western Power Distribution (East Midlands) PLC	A first draft of the SoCG is provided at Appendix E.	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			
7.6	Cecil Estate Family Trust	Discussions are ongoing between the Applicant and the legal advisors for the Trust to establish the content of the SoCG. We have prepared a response to their Relevant Representation and we propose to discuss this with them to identify potential areas of common ground and areas of remaining disagreement before preparing the SoCG.	No change since Deadline 2. No document appended.	A first draft of the SoCG has been provided to the legal advisers for the Trust. No response has been received to date.			
7.7	Defence Infrastructure Organisation	A draft SoCG has been provided to the Defence Infrastructure Organisation. Discussions are ongoing between the Applicant and the DIO to seek to reach agreement on the BHMP and restoration planting restrictions as well as the SoCG.	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			
7.8	Northants Police and Northants Fire and Rescue	A signed agreed version of the SoCG is provided at Appendix F.	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			
7.9	Butterfly Conservation	A first draft of the SoCG is provided at Appendix G.	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			
7.10	Anglian Water Services Limited	A draft SoCG has been provided to Anglian Water. The applicant and Anglian Water are currently holding	No change since Deadline 2. No document appended.	No change since Deadline 2. No document appended.			

Document Reference	Party (or Parties)	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4	Position at Deadline 5	Position at Deadline 6	Position at Deadline 7
		discussions with respect to the progression of the SoCG and protective provisions.					
7.11	NW Fiennes	A draft SoCG has been provided to NW Fiennes. No comments on the draft SoCG have yet been received.	A signed agreed version of the SoCG is provided at Appendix H.	No change since Deadline 3. No document appended.			

APPENDICES

APPENDIX A
SOCG BETWEEN AUGEAN SOUTH LIMITED AND NATIONAL GRID GAS

APPENDIX B
SOCG BETWEEN AUGEAN SOUTH LIMITED AND NORTH
NORTHAMPTONSHIRE COUNCIL

APPENDIX C
SOCG BETWEEN AUGEAN SOUTH LIMITED AND THE ENVIRONMENT
AGENCY



**EAST NORTHANTS RESOURCE MANAGEMENT
FACILITY, STAMFORD ROAD,
NORTHAMPTONSHIRE**

**STATEMENT OF COMMON GROUND BETWEEN
AUGEAN SOUTH LIMITED AND THE
ENVIRONMENT AGENCY**

Report reference: WS010005/SOCG/EA/FIN
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Table 1	Responses to the specific questions raised in Annex E to the Rule 6 letter dated 6 January 2022
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This report has been prepared by MJCA with all reasonable skill, care and diligence, and taking account of the Services and the Terms agreed between MJCA and the Client. This report is confidential to the client and MJCA accepts no responsibility whatsoever to third parties to whom this report, or any part thereof, is made known, unless formally agreed by MJCA beforehand. Any such party relies upon the report at their own risk.

1. Summary

- 1.1 This document comprises a Statement of Common Ground agreed between Augean South Limited and the Environment Agency. It sets out the areas and issues on which the parties are agreed and identifies any material differences between the parties in order to assist the Examining Authority.

2. Introduction

- 2.1 This document comprises the Statement of Common Ground agreed between Augean South Limited and the Environment Agency. The document has been prepared to assist the Examining Authority to identify the areas of agreement and any material differences between the parties.

Environmental setting and description of the site

- 2.2 The details of the site location, description and environmental setting and other information are set out in section 3 and Figures ES1.1 (PINS document reference 5.3.1.1) (APP-050), ES1.2 (PINS document reference 5.3.1.2) (APP-051), ES3.2 (PINS document reference 5.3.3.2) (APP-055), ES3.3 (PINS document reference 5.3.3.3) (APP-053) and ES5.1 (PINS document reference 5.3.5.1) (APP-054) of the Environmental Statement (PINS document reference 5.2) (APP-049) including the locations of and distances to properties and sites of ecological interest in the vicinity of the site. There are no material areas of disagreement on these descriptions.
- 2.3 The description of the current site activities and infrastructure set out in sections 5, 6, 7 and 8 of the Environmental Statement are agreed.

Environmental Permits

- 2.4 The operations at the existing ENRMF are the subject of Environmental Permits issued and regulated by the Environment Agency. Any extension to the waste management operations at the site will continue to be the subject of Environmental Permits. It is necessary to vary the Environmental Permits in respect of the existing hazardous waste and LLW landfill site to include the proposed western extension and to vary the Environmental Permit for the treatment facility in order to increase the waste throughput rate and to include any changes to the processing activities.
- 2.5 Environmental Permit variation applications were submitted to the Environment Agency in May 2021 in respect of the changes to the existing waste treatment and recovery facility, as well as the extension to the hazardous waste landfill site. The Environmental Permit variation to increase the throughput of the waste treatment and recovery facility (ref: EPR/YP3138XB/007) and the Environmental Permit variation to extend the boundary of the landfill facility (ref: EPR/TP3430GW/V005) have been allocated to permitting officers and discussions between Augean South Limited and

the National Permitting Service are taking place. An application for the variation of the Environmental Permit for the disposal of LLW (radioactive waste comprising solid low level radioactive waste typically with a specific activity of up to 200Bq/g) is currently being prepared. There are no other Environmental Permits or consents relevant to the pollution control framework that are required to implement the proposed development.

- 2.6** The site is monitored as set out in the schemes approved by the Environment Agency as part of the Environmental Permits. The monitoring activities are as described in section 8 of the Environmental Statement. The Environment Agency carries out its own supplementary monitoring from time to time. The Environment Agency will undertake its own independent monitoring and will assess the accuracy and validity of monitoring undertaken by Augean South Limited.

3. The proposed development

- 3.1** The proposed development is described in sections 4 to 9 of the Environmental Statement.
- 3.2** The principles of the current and proposed design of the engineered containment of the landfill site are described in section 5 and in detail in section 5.5 of the Environmental Statement. The landfill will be constructed in phases and each phase will be subject to the preparation of a detailed engineering design which will be submitted to the Environment Agency for approval under the Environmental Permit prior to its construction. The specification for the low permeability basal and side wall engineered liner and capping layer for the existing ENRMF landfill was agreed with the Environment Agency as part of permit EPR/TP3430GW. These principles are proposed to remain the same for the western extension and will be reviewed by the Environment Agency as part of their determination of the permit variation for the proposed extension. The principles of the containment engineering are unlikely to change significantly. The construction of the engineered containment is the subject of independent Construction Quality Assurance (CQA) including testing as specified in the agreed CQA Plan and a Verification Report which will be issued to the Environment Agency following the completion of each construction stage. Waste cannot be placed into a newly engineered area until the Environment Agency has approved the Verification Report. The engineering specification proposed for the landfill in the western extension area is agreed in principle.
- 3.3** As described in section 17 of the Environmental Statement and discussed further in section 4.1 of this document, a site investigation was carried out in the proposed western extension to establish the geological and hydrogeological conditions. The scope of the site investigation was reviewed by the Environment Agency before it commenced and considered appropriate for assessing the thickness of the deposits over the Lincolnshire Limestone. Particular attention was paid to examining the geology in the vicinity of the swallow hole that is located close to the north western corner of the existing ENRMF and to the possible presence of further limestone solution features (known as dolines) in the vicinity of the swallow hole. The swallow hole is one of a series of depressions in the ground surface which are interpreted as dolines that run in a line from west to east approximately 40m north of the existing ENRMF site boundary and which extend through the proposed western extension. It

has been proposed and discussed with the Environment Agency that the final design of the proposed western extension landfill in the vicinity of the swallow hole and potential other limestone solution features will be developed in detail under the control of the Environmental Permit following the issue of the Development Consent Order (DCO) and the variation to the Environmental Permit for the landfill site. This approach is under consideration by the Environment Agency and will be assessed as part of the review of the permit variation application. Further targeted site investigations will be carried out in this central area of the site prior to finalising the design in this area. The detailed approach for the final design of the landfill in this area of the proposed western extension will be agreed with the Environment Agency and will allow the incorporation of the appropriate engineering measures needed for the protection of the environment.

- 3.4** The restoration contours for the final restored landform are shown on Figure ES5.5 (PINS document reference 5.3.5.5) (APP-059). In accordance with good practice for landfill sites the final profile of the landfilled waste and the low permeability capping layer is designed to form a stable slope which will encourage shedding of rainfall to minimise infiltration and as a consequence to minimise the generation of leachate which is the contaminated liquid formed when water infiltrates into the waste and which is collected in the base of the site. The proposed afteruse of the restored site is to a mixture of woodland with shrubby edges, flower meadow grassland, scattered trees, hedgerows and waterbodies. The waterbodies are not located on the landfilled areas. The planting of trees on capped landfill sites is accepted standard practice provided that there is at least 1.5m of restoration materials placed above the engineered capping layer. It is agreed that the restoration proposals are acceptable.
- 3.5** The controls and the operation of the waste treatment and recovery facility are described in sections 6, 7 and 8 of the Environmental Statement. It is agreed that the operations and associated control and mitigation measures for the proposed activities will be controlled through the varied Environmental Permit.
- 3.6** Any variations to the Environmental Permits will continue to specify the types of hazardous waste permitted for importation and deposition at the site and the types of wastes permitted for treatment at the treatment facility.

- 3.7** The Environmental Permit issued by the Environment Agency for the disposal of LLW will continue to specify the type and activity level of LLW permitted for importation and disposal at the site. The permit will specify a maximum radiological capacity for the site as well as procedures for monitoring and reporting the overall radiological capacity that is used as wastes are received and deposited.
- 3.8** Appropriate systems and procedures will continue to be required by the Environment Agency as part of the Environmental Permits to provide confidence that only wastes that meet the acceptance criteria for management at the site are accepted. These systems and procedures also will be required to provide confidence that incompatible wastes which could lead to adverse reactions will not be treated or landfilled at the site. The Environment Agency will examine and regulate these systems and procedures as part of the pollution control regime.
- 3.9** As part of its Environmental Management System Augean South Limited has formal procedures to provide assurance that only permitted wastes are imported, treated and deposited. Procedures for pre-acceptance assessment, waste acceptance criteria and the reception, inspection and verification of waste are also formalised and rigorously enforced.
- 3.10** Once the site is filled and restored it will be subject to an aftercare and maintenance period for the management of the landscaping and vegetation to be agreed in the DCO. It is proposed in the application that this aftercare period in the DCO will extend for a period of 20 years following the cessation of landfilling at the site. However, the Environmental Permit itself does not have a specific end date and will continue to be valid until it has been surrendered and accepted by the Environment Agency.
- 3.11** During this period a leachate storage tank, the gas flare, surface water pumping station and associated fuel storage will be retained at the site. Responsibility for the management of the landfilled wastes at the site will continue well beyond this period in accordance with the Environmental Permit issued and regulated by the Environment Agency. It is a requirement of the Environmental Permitting (England and Wales) Regulations 2016 (as amended) that appropriate management remains in place for the duration of the Environmental Permit.
- 3.12** The Environment Agency will not accept the surrender of an Environmental Permit until there is no longer any need for active management and monitoring and in the

opinion of the Environment Agency the site presents no significant risk to the environment or human health without management and monitoring. It is a condition of the issue of an Environmental Permit for landfill sites that the operator makes Financial Provision in a form that is available to the Environment Agency to cover their obligations under the permit in the event that the operator company is no longer viable.

4. Non-radiological environmental impacts

4.1 Extensive technical studies have been undertaken to establish the environment of the application area and surrounding area to facilitate a robust assessment of the potential impacts of the development. Discussions have taken place between Augean and the Environment Agency regarding the proposed western extension since 2018. An extensive site investigation has been undertaken in the proposed western extension, the scope of which was agreed with the Environment Agency. Between 18 November 2019 and 17 March 2020 twenty seven boreholes were drilled in the proposed western extension to investigate the ground conditions in accordance with the scope of the site investigation agreed with the Environment Agency. The site investigation report is presented at Appendix ES17.1 (PINS document reference 5.4.17.1) (APP-092a) to the Environmental Statement.

Population

4.2 The Environment Agency will not issue an Environmental Permit unless they consider that the proposed operations are fully compliant with official guidance and criteria and the risk assessments demonstrate to the satisfaction of all statutory consultees that the proposals do not present unacceptable risks to human health or the environment.

Air quality

4.3 The combined effect of the individual elements of the proposed development has been considered. It is agreed that the emissions from the site must be controlled to levels which are below the relevant exposure criteria which are protective of human health and the environment. The management and monitoring of emissions to atmosphere must be implemented in accordance with the Environmental Permits and regulated by the Environment Agency.

Ecology

4.4 The protected ecological sites closest to the site boundary are shown on Figure ES1.2 to the Environmental Statement. Rutland Water SPA/Ramsar site is approximately 8.8km to the north west of the application boundary and Barnack Hills and Holes Special Area of Conservation is 7.5km north east of the application boundary. Within 5km of the site there are seven statutory ecological sites with the closest being Collyweston Great Wood and Easton Hornstocks National Nature

Reserve and Site of Special Scientific Interest located adjacent to the site to the north east. There are three non statutory sites within 2km of the site boundary the closest being Fineshade Woods Local Wildlife Site located adjacent to the western boundary of the proposed western extension. Based on the controls that will be implemented through the Environmental Permits there is limited potential for the proposal to affect the ecology at the internationally designated sites or the SSSIs or the non-statutory sites within 2km of the application site boundary. It is agreed that there will be no significant negative residual effects expected with the proposed development.

Water resources

- 4.5** The site geology, hydrogeology and surface water catchments for the current site and the proposed western extension are described in section 17.3 of the Environmental Statement and are agreed.
- 4.6** It is agreed that the site investigation confirms the presence of a substantial natural geological barrier above the groundwater in the limestone aquifer underlying the site. It is agreed in principle that the location of the proposed western extension to the landfill site complies with the Environment Agency landfill location policy set out at Appendix E to the Environment Agency document 'The Environment Agency's approach to groundwater protection' (v. 1.2) dated February 2018. A design for the proposed landfill consistent with the principles of the current site design and the Environmental Permit, at least 2 metres of natural low permeability strata will be left in place below the base of the engineered landfill and above the limestone strata underlying the site has been agreed in principle.
- 4.7** The final design of the proposed landfill extension in the vicinity of the swallow hole and potential other limestone solution features will be developed in detail and agreed with the Environment Agency following the grant of the Environmental Permit variation for the hazardous waste landfill in the proposed western extension area. This will need further targeted site investigations to be carried out in this central area of the proposed western extension prior to finalising the design in this area
- 4.8** The potential effects of each element of the proposed development have been considered individually and cumulatively for the purposes of the assessment of potential impacts on water resources. The assessment of the impacts on water resources presented in section 17 of the Environmental Statement concludes that

based on the design principles there will be no unacceptable impact on surface water or groundwater quality, people or the environment at the site boundary or at receptors down hydraulic gradient of the site as a consequence of the proposed development. The permit variation will be issued by the Environment Agency when they are satisfied that the design and controls are sufficient such that there would be no unacceptable discharge to groundwater.

- 4.9** A detailed quantitative hydrogeological risk assessment (HRA) based on the principles set out in section 17 of the Environmental Statement and in the risk assessments for the current Environmental Permits has been submitted to the Environment Agency as part of the application for the variation to the Environmental Permit for the extended hazardous waste landfill site. The quantitative HRA is based on well-established models used nationwide and approved by the Environment Agency. The assessments are based on highly conservative assumptions and consider the potential impacts of the site in the short and the very long term (thousands of years). This detailed HRA will be assessed by the Environment Agency as part of their review of the permit application.
- 4.10** The conservative findings from the quantitative HRA demonstrate that there will be no adverse effect on groundwater quality status in the vicinity of the site as designated under the Water Framework Directive. It is agreed that controls to protect the quality of the groundwater at and in the vicinity of the site will be a requirement of the Environmental Permits and the permits will only be issued when the Environment Agency is satisfied that the proposed development and restoration of the site will have no significant adverse impact on groundwater quality or flow beneath the site or at receptors down hydraulic gradient of the site. On that basis, it is agreed that there will be no adverse effect on the groundwater quality status in the vicinity of the site as designated under the Water Framework Directive (WFD) provided that principles set out in the Surface Water Management Plan are implemented.
- 4.11** Since the Environmental Statement was drafted, data supporting the current WFD status of the waterbodies have been provided on the gov.uk web site clarifying the reasons for the status classifications. It is agreed that there is no need to update the Environmental Statement to describe the reasons for the current WFD status for the waterbodies in which the site is located as the status has not changed and these additional details supporting the current status will not change the approach of

applying the sound principles of Sustainable Drainage Systems designed to provide sufficient protection to the waterbody to prevent deterioration. Furthermore the additional details do not affect the conclusions regarding likely significant effects. The current WFD status and the target WFD status of the waterbodies as set out in the Environmental Statement are agreed.

- 4.12** It is agreed that controls will be a requirement of the Environmental Permits and the permits will only be issued when the Environment Agency is satisfied that the proposed development and restoration of the site will not have a significant impact on water quality or flow in the Willow Brook, Wittering Brook or River Nene or on the surface water quality status as designated under the Water Framework Directive in the River Basin Management Plan. The surface water management plan for the site which is presented at Appendix ES18.2 (PINS document reference 5.4.18.2) (APP-095) is designed consistent with current guidance such that the points of surface water discharge from the proposed western extension will be consistent with pre-development discharge and at similar rates of discharge with minimal impacts on the hydrological regime including in the vicinity of the woodlands to the west and east of the western extension and north of the current ENRMF site. An operational surface water management plan will also need to be in place as part of the requirements of the Environmental Permit. The operational surface water management plan will include details of the measures necessary to protect the proposed opened east/west drainage channel while the landfill activities are taking place in the adjacent phase to the south. It is confirmed by Augean that the proposed east/west drainage channel will only be opened up as a watercourse once all the landfill phases to the north have been filled and capped as stated in paragraph 5.3.9 of the Environmental Statement (PINS document reference 5.2) (APP-049). The operational surface water management plan will also identify the controls needed for the reuse of surface water for various purposes on the operational site including for dust suppression and use in waste treatment processes.

Flood risk

- 4.13** A flood risk assessment has been carried out based on current guidance and taking into account the anticipated effects of climate change and both mitigation and adaption measures are included in the design of the surface water management scheme for the restored site. The flood risk assessment is presented in section 18 of

the Environmental Statement and the surface water management plan is presented at Appendix ES18.2 to the Environmental Statement. Consistent with guidance as described in the Environmental Statement, the design rainfall event used in the surface water management plan comprises the 1 in 30 year rainfall event plus a 20% allowance for climate change. The extreme rainfall event assumed for the purpose of the calculations presented in the surface water management plan is the 1 in 100 year rainfall event plus a 40% allowance for climate change. The surface water management plan is based on the agreed principles that surface water shall be managed on site with discharge at the pre-development greenfield runoff rate or 2l/s/ha whichever is greater or at the permitted discharge rate without increased flood risk downstream of the site. The calculations show that there is adequate capacity in the design of the drainage system to accommodate the design rainfall events. The surface water management plan for the restored landform for the current site has been approved by the Environment Agency as part of the Environmental Permit and the surface water management plan for the restored landform for the extended site will be the subject of a review and will need to be agreed by the Environment Agency as part of the variation to the Environmental Permit for the extended landfill site.

Amenity

- 4.14** Based on the current and proposed controls and the nature of the current and proposed wastes the risk of nuisance created by litter, odour or vermin is considered low. It is agreed that with the continuation of the current appropriate controls that are in place the risk of nuisance from mud and debris on the road is negligible. The hard surfaced site road and Stamford Road are swept regularly to clear any accumulated mud or debris. It is agreed that appropriate controls on dust emissions will be a requirement of the Environmental Permits, and the permits will only be issued once the Environment Agency is satisfied that the proposed development can be operated such that it is unlikely that there will be significant dust emissions from operations at the site. While the controls on dust in the Environmental Permit do not relate directly to dust generated during soil stripping and clay and overburden excavation, the dust monitors will identify emissions of dust from the site whatever the source.
- 4.15** As Environmental Permits will not be issued by the Environment Agency unless it is demonstrated to their satisfaction as part of the permit application process that the specified wastes can be treated and/or deposited without exceeding the appropriate

threshold criteria which are protective of human health and the environment, it is agreed that the assumption made in the assessment of environmental impacts in the Environmental Statement that emissions will be controlled so that they do not exceed the threshold criteria is reasonable.

Greenhouse gas emissions

- 4.16** The extant Environmental Permits for the landfill of hazardous waste and the treatment facility and any future varied permits for these activities include standard conditions requiring the operator to carry out the following (or similar) actions:

Energy efficiency

The operator shall:

- (a) take appropriate measures to ensure that energy is used efficiently in the activities;
- (b) Review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and
- (c) Implement any appropriate measures identified by a review.

Efficient use of raw materials

The operator shall:

- (a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;
- (b) maintain records of raw materials and water used in the activities;
- (c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and
- (d) take any further appropriate measures identified by a review.

Avoidance, recovery and disposal of wastes produced by the activities

The operator shall:

- (a) take appropriate measures to ensure that waste produced by the activities is avoided or reduced, or where waste is produced it is recovered wherever practicable or otherwise disposed of in a manner which minimises its impact on the environment;
- (b) review and record at least every four years whether changes to those measures should be made; and
- (c) take any further appropriate measures identified by a review.

5. Radiological impact assessments

- 5.1** The assessment of the environmental impact of the disposal of LLW set out in section 11 of the Environmental Statement is based on the principles applied in the risk assessments submitted for the current Environmental Permit for the landfill disposal of LLW that the estimated emissions will be managed to meet the dose criteria which are set by the Environment Agency and the UK Health Security Agency at a level which ensures that there is no significant impact on people or the environment. As part of the application to vary the Environmental Permit for the landfill disposal of LLW at the extended landfill site, detailed quantitative radiological impact assessments will be carried out by specialists to demonstrate that waste accepted at the site will not result in the exceedance of the dose criteria. The quantitative radiological impact assessments will follow the principles prepared initially as part of the application to the Environment Agency for the current Environmental Permit. The radiological risk assessment forms a fundamental part of the Environmental Permit application review process carried out by the Environment Agency.
- 5.2** The quantitative radiological risk assessments will be carried out for a number of expected and accident scenarios for the operational and post closure periods of the landfill. The risk assessment scenarios together with the appropriate dose criteria which will be used are as set out in Tables ES11.2 and ES11.3 of the Environmental Statement. It is agreed that the appropriate scenarios for assessment are identified and that the correct dose criteria have been identified for use in the assessments. The dose criteria against which the results of risk assessments are compared take into account the risks to site workers and to local residents. The potential impacts on wildlife also will be assessed using the ERICA model.
- 5.3** The Environment Agency will not grant a variation to the current Environmental Permit for the landfill disposal of LLW in the western landfill extension unless they and their statutory consultees including the UK Health Security Agency are satisfied that there are no unacceptable risks to human health and the environment, including risks to wildlife.
- 5.4** A programme of monitoring is specified in the current Environmental Permit for the disposal of LLW which includes monitoring of groundwater, surface water, dust, surface soils, ambient air, gas emissions and radioactivity at the boundary of the site.

It is likely that similar monitoring will be a requirement of an Environmental Permit for the proposed western extension area. If the results of risk assessments identify that additional monitoring is deemed necessary for specific additional receptors, such as the water pipes which cross the land which forms the proposed western extension, then this monitoring would be specified in the Environmental Permit.

- 5.5** As an Environmental Permit will not be issued by the Environment Agency unless it is demonstrated to their satisfaction as part of the permit application process that LLW can be deposited without exceeding the appropriate dose criteria, it is agreed that the assumption made in the assessment of environmental impacts in the Environmental Statement that exposures will be controlled so that they do not exceed the dose criteria is reasonable. Accordingly it is agreed that the decision on granting the DCO can be made based on the assumption in paragraph 4.7.9 of the National Planning Statement for Hazardous Waste that the relevant pollution control authority (ie the Environment Agency) is satisfied that potential releases of radioactive emissions can be adequately regulated under the pollution control framework.
- 5.6** It is acknowledged that the application to vary the Environmental Permit for the landfill disposal of LLW in the western extension has not yet been submitted. The outcomes of the risk assessments will allow the Environment Agency to restrict the radiological capacity which can be accepted at the site in the Environmental Permit such that there is confidence that the dose criteria can be met. As stated above, it is agreed that the assumption made in the assessment of environmental impacts in the Environmental Statement that exposures will be controlled so that they do not exceed the dose criteria is reasonable.

6. The issue and regulation of Environmental Permits for the proposed development

- 6.1** It is agreed that further detailed assessments have been and/or will be submitted to and assessed by the Environment Agency as part of the applications for variations to the existing Environmental Permits for the activities the subject of the DCO application. As part of the assessments of the submitted applications the risk assessments will be scrutinised by the Environment Agency prior to the issue of each Permit. The Environment Agency will carry out further consultations with bodies including the UK Health Security Agency and the Health and Safety Executive. The Environmental Permits will not be issued unless the Environment Agency is satisfied that the operations will be carried out in a manner which will not result in an unacceptable risk to the environment and human health.
- 6.2** Potential emissions will be regulated under the pollution control framework. Monitoring schemes will be implemented under the Environmental Permits and will be adequate to identify potentially harmful emissions.
- 6.3** The aspects of the development design and operational controls which are relied upon to provide the necessary mitigation identified in the Environmental Statement are summarised for each environmental aspect in Table ES5.2 of the Environmental Statement. The mitigation measures that are controlled and regulated by the Environment Agency through the pollution control regime and the Environmental Permits are correctly identified in Table ES5.2.
- 6.4** Subject to the granting of the varied Environmental Permits, it is agreed that the proposed development will provide additional capacity for the safe management of wastes treated at the waste treatment and recovery facility, the disposal of residual hazardous wastes for which the best overall environmental option is landfill disposal and the disposal of residual LLW with an activity typically up to 200Bq/g for which the best available technique is landfill disposal.

7. Specific issues raised in the Rule 6 letter

- 7.1** A number of issues have been identified by the Examining Authority in Annex E to the Rule 6 letter dated 6 January 2022 which should be considered in this Statement of Common Ground. These points are listed in Table 1 to this document together with agreed comments in response to each.

8. Requirements in the draft DCO

- 8.1** The Environment Agency wishes to be a specific named consultee in respect of Schedule 2, Requirement 3 (4) (detailed design for the surface water management plan) and Requirement 4 (1) (Phasing, landscaping and restoration scheme) in the draft DCO (PINS document reference 3.1) (APP-017). The Environment Agency has requested that the words “*following consultation with the Environment Agency*” are inserted after “*relevant planning authority*”. Augean does not have any objection to this request and the change has been made to the revised draft of the DCO submitted on 16 March 2022.

9. Agreement

9.1 This statement has been agreed between Augean South Limited and the Environment Agency.

Signed:



On behalf of Augean South Limited



On behalf of The Environment Agency

Date: 11 April 2022

Table 1

Responses to the specific questions raised in Annex E to the Rule 6 letter dated 6 January 2022

Issue raised at Annex E to the Rule 6 letter	Comments and conclusions
Existing and new Environmental Permits, including their status, scope, controls, mitigation measures and timescales.	See paragraphs 2.4 and 2.5 of this document.
Dust, odour, artificial light, smoke and steam scope and methodology of assessment	The assessments set out in section 22 of the Environmental Statement including their methodology and scope are considered appropriate for the purposes of the DCO application. Further detailed assessment will be carried out with respect to dust and odour as part of the permit application process.
The water environment including main rivers, groundwater and other water bodies, any concerns on impacts on water quality/resources and the need for any specific requirements in the dDCO, compliance with the Water Framework Directive	<p>See paragraphs 4.5 to 4.12 of this document.</p> <p>The assessments set out in sections 17 and 18 of the Environmental Statement including their methodology and scope are considered appropriate for the purposes of the DCO application.</p> <p>As set out in paragraphs 4.10 to 4.12 of this document it is agreed that Environmental Permits will only be issued where the Environment Agency has determined that based on the proposed controls there will be no adverse effect on the groundwater quality status in the vicinity of the site as designated under the Water Framework Directive or on</p>

Issue raised at Annex E to the Rule 6 letter	Comments and conclusions
	<p>the surface water quality status as designated under the Water Framework Directive in the River Basin Management Plan</p> <p>Further detailed assessment on the measures for the protection of groundwater and surface water quality will be carried out as part of the permit application process.</p>
<p>Flood risk, including the adequacy of the Flood Risk Assessment, use of appropriate UK Climate Change Projections, compliance with the National Planning Policy Framework, the selection and design of mitigation measures</p>	<p>See paragraph 4.13 of this document.</p> <p>The assessments set out in section 18 of the Environmental Statement including their methodology and scope are considered appropriate and compliant with the approach to development and flood risk in the NPPF.</p> <p>The principles of the surface water management plan are the subject of Requirement 3(e) of the draft DCO (which is presented at Appendix DEC F to the DCO Environmental Commitments, PINS document reference 6.5. APP-110) and the approach to the detailed design of the surface water management plan are agreed.</p>
<p>Surface water drainage including the use of SuDS, compliance with national standards and the appropriate body to be given the responsibility to maintain any SuDS</p>	<p>See paragraphs 4.12 and 4.13 of this document and the comments above.</p> <p>The assessments set out in section 18 of the Environmental Statement including their methodology and scope are considered appropriate for the purposes of the DCO application.</p>

Issue raised at Annex E to the Rule 6 letter	Comments and conclusions
	Further detailed assessment of the surface water management plan will be carried out as part of the permit application process.
Water abstraction, discharges, pollution control and permits and whether potential releases can be adequately regulated under the pollution control framework	No water abstraction is proposed as part of the development. It is considered that subject to controls which will be included in the variations to the Environmental Permits, potential releases and emissions to the environment can be adequately regulated through the pollution control framework.
Ground conditions, including the stability and contamination assessments, controls and mitigation measures	The assessments set out in the Environmental Statement including their methodology and scope are considered appropriate for the purposes of the DCO application. Further detailed assessment of the stability of the engineered containment design and the control and mitigation measures will be carried out as part of the permit application process.
Climate change, including the UK's obligations under the Climate Change Act 2008 (as amended) and the United Nations Framework Convention on Climate Change having regard to the latest UK Climate Change projections. The resilience of the Proposed Development to the effects of climate change	It is agreed that the proposed development is resilient to the effects of climate change as set out in section 24 of the Environmental Statement.
The need for Protective Provisions in the dDCO	No protective provisions for the Environment Agency are considered necessary.

Issue raised at Annex E to the Rule 6 letter	Comments and conclusions
The applicable legislation and policy considered by the Applicant	<p>The review presented in the Planning Statement (PINS document reference 6.1) (APP-103) of regulations and policies of relevance to the Environment Agency is considered thorough and appropriate.</p> <p>The principles of the proposals for meeting in particular the requirements of the Environmental Permitting (England and Wales) Regulations 2016 (as amended) and the obligations under the Water Framework Directive are agreed as acceptable.</p>
The Environmental Impact Assessment methodology, including the assessment of cumulative effects and the other plans/projects included	The assessments, including the assessment of cumulative effects set out in the Environmental Statement which are relevant to the Environment Agency including their methodology and scope are considered appropriate for the purposes of the DCO application.
The application of expert judgements and assumptions	The application of expert judgements and assumptions in the assessments set out in the Environmental Statement which are relevant to the Environment Agency including their methodology and scope are considered appropriate for the purposes of the DCO application.
Baseline information, data collection methods, data/statistical analysis, approach to modelling, presentation of results and forecast methodologies	These aspects of the assessments set out in the Environmental Statement which are relevant to the Environment Agency including the determination of their methodology and scope are considered appropriate for the purposes of the DCO application.

Issue raised at Annex E to the Rule 6 letter	Comments and conclusions
The extent of the areas of potential impact considered	The extent of the areas of potential impact considered in the assessments set out in the Environmental Statement which are relevant to the Environment Agency including for the determination of their methodology and scope are considered appropriate for the purposes of the DCO application.
Identification and sensitivity of receptors with the potential to be affected, the magnitude and quantification of potential impacts	These aspects of the assessments set out in the Environmental Statement which are relevant to the Environment Agency including the determination of their methodology and scope are considered appropriate for the purposes of the DCO application.
The assessment of likely effects (direct and indirect) on identified receptors	<p>The conclusions of the assessments set out in the Environmental Statement which are relevant to the Environment Agency with respect to the likely effects (direct and indirect) on identified receptors are agreed.</p> <p>Further detailed assessment of the measures to be implemented under the Environmental Permits for the protection of the environment and human health will be carried out as part of the permit application process.</p>
"Reasonable worst case" Rochdale Envelope parameters	It is considered that any additional control measures which may be necessary subject to the reviews carried out as part of the permit application process can be accommodated within the reasonable worst case parameters assessed in the Environmental Impact assessment and reported in the Environmental Statement.

Issue raised at Annex E to the Rule 6 letter	Comments and conclusions
The mitigation measures required and whether they are likely to result in the identified residual impacts	It is considered that the proposed mitigation measures will result in the identified residual impacts.
The significance of each residual impact	The conclusions of the assessments set out in the Environmental Statement with respect to the significance of residual impacts which are relevant to the Environment Agency are agreed.
Whether the identified mitigation measures adequately secured by the combination of Requirements in the dDCO with other consents, permits and licenses	It is considered that the mitigation measures controlled through the draft DCO and the pollution control regime as identified in Table ES5.2 of the Environmental Statement, can be adequately secured through the Environmental Permits.
The scope and adequacy of the submitted DCO Environmental Commitments	These are considered adequate subject to the comment in paragraph 8.1 of this document.
Matters for which detailed approval needs to be obtained and the roles of the local authorities and of other statutory and regulatory authorities	See below.
The identification of other consents, permits or licenses required before the development can become operational, their scope, any management plans that would be included in an application, progress to date, comfort/impediments and timescales for the consents, permits or licenses being granted	The current operations at the ENRMF are subject to 3 Environmental Permits which will need to be varied under Schedule 5, Part 1, Paragraph 19 of The Environmental Permitting (England and Wales) Regulations 2016. These permits need to be issued before the

Issue raised at Annex E to the Rule 6 letter	Comments and conclusions
	<p>authorised activities can commence but they do not need to be issued prior to a decision being taken on the issue of the DCO.</p> <p>Subject to the review of the detailed assessments in the permit variation applications and the agreement of appropriate control measures, the Environment Agency’s preliminary view (given on the basis of the information contained in the Environmental Statement and without prejudice to any decision it may take on the Environment Permit applications) is that it is not aware of any impediments that might result in a decision not to grant any of the variations.</p>
<p>Whether the effectiveness of other consents, permits or licenses as mitigation has been accurately identified in the impact assessment</p>	<p>It is agreed that the controls for the mitigation measures as identified in Table ES5.2 of the Environmental Statement will be effective for the controls and mitigation which is necessary for the proposed development.</p>

APPENDIX D
SOCG BETWEEN AUGEAN SOUTH LIMITED AND NATURAL ENGLAND

APPENDIX E
SOCG BETWEEN AUGEAN SOUTH LIMITED AND WESTERN POWER
DISTRIBUTION (EAST MIDLANDS) PLC

APPENDIX F

**SOCG BETWEEN AUGEAN SOUTH LIMITED AND NORTHANTS POLICE AND
NORTHANTS FIRE AND RESCUE**

APPENDIX G
SOCG BETWEEN AUGEAN SOUTH LIMITED AND BUTTERFLY
CONSERVATION

APPENDIX H
SOCG BETWEEN AUGEAN SOUTH LIMITED AND NW FIENNES