

## Background

We would like to provide the following detailed briefing for the community which includes our most recent regulatory activities.

## Update on Regulation

As the regulator, we are ensuring that JG Pears make the necessary improvements to their site in order to minimise off-site odour.

We have found instances of non-compliance with the JG Pears permit(s) and have taken action in accordance with our Enforcement and Sanctions Policy.

An incident occurred on 28 June 2019 which was deemed a breach of the rendering plant permit. This related to an odorous emission from the effluent treatment plant due to maintenance works being carried out on the Combined Heat and Power Plant (CHP).

### Action taken

We issued a written warning as we believe JG Pears committed an offence. JG Pears are required to amend their maintenance procedures to prevent such incidents occurring in the future. The warning will be kept on record and in the event of any continued or further breach it may influence our later choice of enforcement action. We would normally seek to escalate our enforcement response in line with our policy.

### Audits

In October and November we undertook detailed audits of the site including the Environmental Management System (EMS) and the Effluent Treatment Plant.

As a result of our comprehensive audits it has been identified that the company was not in compliance with its permit, for the reasons outlined below.

One of the permit conditions states that the operator shall manage and operate the activities in accordance with a written management system. That system should identify and minimise risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and using sufficient competent persons and resources.

JG Pears' EMS has been identified as incomplete and it fails to properly identify and minimise risks of pollution in particular from odour.

The incomplete state of this fundamental document means that the company have not properly considered and put in place the necessary measures to minimise the impact on the environment and residents who live nearby.

### Action taken

The company has previously been given an opportunity to improve their EMS but, to date, has not produced a management system which meets the standard required by their permit. As a result, we have escalated our enforcement response and have served a Regulation 36 Enforcement Notice on the company requiring it to produce an EMS to the desired standard.

## Directors Meeting

The potential consequences of non-compliance with the enforcement notice are significant. We will be meeting with JG Pears in early January 2020 to inform them of our intention to escalate our enforcement action further should the notice not be complied with.

The outcome of this meeting and the response to the notice will inform our regulatory plans for 2020.

## Planning application at the old High Marnham Power Station Site

Bassetlaw District Council (BDC) consulted us on a planning application from JG Pears for the erection of a storage building at High Marnham for the storage and distribution of 'final product'. We sought and received confirmation and assurance from BDC, as the Local Planning Authority, that the application concerns storage of end-product from the rendering operations only, i.e. animal feed, and no other activity.

On this basis, we advised BDC that it appears that there is no proposal to operate a regulated facility under the Environmental Permitting Regulations (England and Wales) 2016 and therefore there would be no requirement to obtain a permit from us. On this basis we would have no regulatory interest in the new site.

Whilst we understand community concerns in relation to two separate regulatory authorities (us and BDC) potentially dealing with issues from two JG Pears operations within close proximity of one another, we are limited to our own respective regulatory powers and will not be able to deal with matters outside of our regulatory remit.

A copy of our response to this planning application is attached for information.

## Public Health England

In July we commenced continuous air quality monitoring near domestic properties within close proximity to the JG Pears site. This monitoring was carried out to assess concentrations of Nitrogen Oxides (NOx) and Hydrogen Sulphide (H<sub>2</sub>S).

We are aware of the concerns in the community in relation to emissions of Hydrogen Sulphide and are pleased to report that the interim data showed that concentrations were well within the health limits published by the World Health Organisation (WHO).

We shared this information and a copy of the interim summary report of data collected up to 19 September 2019, with the Normanton on Trent with Marnham Parish Council.

The monitoring is now complete and we will be in a position to produce a full report on the findings in the new year. The final report will be shared with the Parish Council and also be passed to Public Health England for their interpretation and use from a public health protection perspective.

## Community Liaison

To ensure that all interested residents are kept updated throughout the year, we will issue further newsletters at times when they will be the most informative.

## Reporting of incidents

We continue to encourage that reports are first made directly to J G Pears using the site contact details below before reporting it to our incident hotline. This has the benefit of allowing the company to be made aware of and investigate incidents without delay.

We always use the information supplied to us via our incident hotline to gain a better understanding of the odour characterisation and potential sources on site.

Any health concerns should be reported to Public Health England via the email address below.

We will be using our newsletter to inform residents of the actions being taken at the site rather than providing individual feedback to emails or incident reports. This allows our officers to focus their efforts on site regulation.

## Contacts

### Complaints:

**J G Pears** can be called directly on telephone number 01636 821218 or on email at [lmcorrespondence@jgpears.com](mailto:lmcorrespondence@jgpears.com)

We would also encourage residents to use our free phone **24 hour incident hotline** number to report any odour incidents arising from the J G Pears site on 0800 80 70 60 once the issue has been reported to J G Pears.

**Public Health England** [crceenottingham@phe.gov.uk](mailto:crceenottingham@phe.gov.uk)

### Thank you for your continued interest in J G Pears and in protecting your local environment.

\*Note: Within the operational site boundary of J G Pears the activities are regulated by two separate permits. The rendering plant is operated by J G Pears (Newark) Ltd Permit Reference AP3436DG and the CHP Plant and associated MBM storage is operated by J G Pears (O&M) Ltd Permit Reference MP3235CC.

customer service line  
03708 506 506

incident hotline  
0800 80 70 60

floodline  
0345 988 1188

[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)